SENATE JOURNAL

2001

TABLE OF CONTENTS

FIFTY-SIXTH IDAHO LEGISLATURE

ORGANIZATIONAL, FIRST EXTRAORDINARY, AND FIRST REGULAR SESSION

	Page
ORGANIZATIONAL SESSION - December 7, 2000	1
Alphabetical Index of Subject Matter	338
Committee Assignments	2
Officers and Attaches	336

	Page
EXTRAORDINARY SESSION - December 8, 2000	5
Alphabetical Index of Subject Matter	340
Gubernatorial Proclamation	5
Officers and Attaches	339

	Page
FIRST REGULAR SESSION - January 8 through March 30, 2001	9
Alphabetical Index of **All** Senate legislation and House legislation received by the Senate	347
House Bills received by the Senate	467
House Concurrent Resolutions received by the Senate	499
House Joint Memorials received by the Senate	502
House Joint Resolutions received by the Senate (None in 2001)	
Journal Index	335
Members and Committee Assignments	342
Senate Attaches	345
Senate Bills	420
Senate Bills that became Law with effective date and Session Law Chapter number cited	463
Senate Concurrent Resolutions	461
Senate Joint Memorials	459
Senate Joint Resolutions	459
Senate Officers and Administration	341
Senate Proclamations (None in 2001)	
Senate Resolutions	460
Senate Sponsors of House Legislation	508
Senate Sponsors of Senate Legislation	503

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
FIFTY-SIXTH LEGISLATURE

FIRST LEGISLATIVE DAY
THURSDAY, DECEMBER 7, 2000

Senate Chamber

At the hour of 9 a.m. on Thursday, December 7, 2000, the time established for the convening of the Organizational Session of the Fifty-Sixth Idaho Legislature, the members elected to the Senate convened in the Senate Chamber of the Capitol in the city of Boise for an organizational session, President C. L. "Butch" Otter presiding.

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

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

I, 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 Senate of the First Regular Session of the Fifty-sixth Legislature, as shown by official records on file in my office:

DISTRICT	NAME:
1	Shawn A. Keough(R)
2	Clyde Boatright(R)
3	John W. Goedde(R)
4	Jack Riggs(R)
5	Gary J. Schroeder(R)
6	Joe Stegner(R)
7	R. Skipper "Skip" Brandt(R)
8	Judith Danielson(R)
9	Ric Branch(R)
10	Darrel Deide(R)
11	Patti Anne Lodge(R)
12	J. L. "Jerry" Thorne(R)
13	Sheila A. Sorensen(R)
14	Hal Bunderson(R)
15	John C. Andreason(R)
16	Cecil D. Ingram(R)
17	Grant R. Ipsen(R)
18	Jim Risch(R)
19	Betsy Dunklin(D)
20	Robbi King-Barrutia(R)
21	Clint Stennett(D)
22	John Sandy(R)
23	Laird Noh(R)
24	Dean L. Cameron(R)
25	Denton Darrington(R)
26	Don M. Burtenshaw(R)
27	Robert R. Lee(R)
28	Stan Hawkins(R)
29	Bart M. Davis(R)
30	Melvin "Mel" Richardson(R)
31	J. Stanley Williams(R)
32	Robert L. Geddes(R)
33	Lin Whitworth(D)
34	Evan S. Frasure(R)
35	"Moon" Wheeler(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 States of America, the Two Hundred and Twenty-fifth.

/s/ PETE T. CENARRUSA
Secretary of State

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

Roll call showed all members present.

The Oath of Office was administered to the members of the Senate by President Otter.

Prayer was offered by Senator Ipsen.

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

Motions and Resolutions

On motion by Senator Risch, seconded by Senator Stennett, by unanimous voice vote Senator Robert L. Geddes was elected President Pro Tempore of the Senate for the Fifty-sixth Idaho Legislature.

The President appointed Senators Risch and Stennett as the committee to escort President Pro Tempore Geddes to the podium to receive the Oath of Office. The President administered the Oath of Office to President Pro Tempore Geddes and he was then escorted to his seat and the committee was discharged.

On motion by Senator Risch, seconded by Senator Stennett, by unanimous voice vote Jeannine Wood was elected Secretary of the Senate for the Fifty-sixth Idaho Legislature.

The President administered the Oath of Office to Secretary Wood.

On request by Senator Risch, granted by unanimous consent, the seats presently occupied by the Senators were permanently assigned to them for the Fifty-sixth Idaho Legislature.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Rules of the Senate and the Joint Rules of the Senate and House as adopted by the Fifty-fifth Idaho Legislature were adopted as the permanent rules of the Fifty-sixth Legislature of the State of Idaho.

On motion by Senator Risch, seconded by Senator Whitworth, by voice vote the following committee assignments were approved for the Fifty-sixth Idaho Legislature:

AGRICULTURAL AFFAIRS
Branch, Chairman
Riggs, Vice Chairman

Noh
Sandy
Deide
Danielson
Davis
Goedde
Stennett

COMMERCE AND HUMAN RESOURCES
Andreason, Chairman
Davis, Vice-Chairman

Ipsen
Stegner
Bunderson
Brandt
Goedde
Lodge
Dunklin

EDUCATION
Schroeder, Chairman
Deide, Vice Chairman

Noh
Andreason
Riggs
Thorne
Williams
Goedde
Dunklin

FINANCE
Cameron, Chairman
Hawkins, Vice Chairman

Richardson
Ingram
Bunderson
Boatright
Lee
Burtenshaw
Keough
Whitworth

HEALTH AND WELFARE
Ipsen, Chairman
Lodge, Vice Chairman

Darrington
Wheeler
King-Barrutia
Brandt
Stennett

JUDICIARY AND RULES
Darrington, Chairman
Stegner, Vice Chairman

Risch
Sorensen
King-Barrutia
Richardson
Davis
Lodge
Dunklin

LOCAL GOVERNMENT AND TAXATION
Thorne, Chairman
Wheeler, Vice Chairman

Frasure
Ipsen
Bunderson
Stegner
Branch
Williams
Whitworth

RESOURCES AND ENVIRONMENT
Noh, Chairman
Lee, Vice Chairman

Hawkins
Cameron
Schroeder
Danielson
Branch
Burtenshaw
Riggs
Williams
Brandt
Stennett

STATE AFFAIRS
Sorensen, Chairman
Richardson, Vice Chairman

Risch
Darrington
Sandy
Geddes
Danielson
King-Barrutia
Stennett

TRANSPORTATION
Frasure, Chairman
Ingram, Vice Chairman

Thorne
Boatright
Sandy
Keough
Deide
Geddes
Whitworth

On request by Senator Risch, granted by unanimous consent, the President appointed a committee consisting of Senator Sandy, Chairman, and Senators King-Barrutia and Stennett to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Risch, granted by unanimous consent, the President appointed a committee consisting of Senator Ingram, Chairman, and Senators Stegner and Dunklin to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Organizational Session of the Idaho Senate of the Fifty-sixth Legislature adjourned *Sine Die* at 4:45 p.m., Thursday, December 7, 2000.

C.L. "BUTCH" OTTER, President

Attest: JEANNINE WOOD, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST EXTRAORDINARY SESSION
FIFTY-SIXTH LEGISLATURE

_____

FIRST LEGISLATIVE DAY
FRIDAY, DECEMBER 8, 2000

Senate Chamber

At the hour of 10 a.m. on Friday, December 8, 2000, being the day and hour fixed by a proclamation of the Governor of the State of Idaho for the convening of the First Extraordinary Session of the Fifty-sixth Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the city of Boise, with President C. L. "Butch" Otter presiding. Secretary of the Senate Jeannine Wood read the following Certification and Proclamation calling the Legislature to meet in Extraordinary Session:

STATE OF IDAHO
OFFICE OF THE SECRETARY 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 Section 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 Legislature in an Extraordinary Session, received and filed in this office on the seventh day of December, 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 seventh day of December, 2000.

/s/ PETE T. CENARRUSA
Secretary of State

STATE OF IDAHO
OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
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 the 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 10:00 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.

4. 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-fifth and of the Statehood of Idaho the one hundred tenth.

/s/ DIRK KEMPTHORNE
GOVERNOR

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

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

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

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 Senate of the First Extraordinary Session of the Fifty-sixth Legislature, as shown by official records on file in my office:

DISTRICT	NAME:
1	Shawn A. Keough(R)
2	Clyde Boatright(R)
3	John W. Goedde(R)
4	Jack Riggs(R)
5	Gary J. Schroeder(R)
6	Joe Stegner(R)
7	R. Skipper "Skip" Brandt(R)
8	Judith Danielson(R)
9	Ric Branch(R)
10	Darrel Deide(R)
11	Patti Anne Lodge(R)
12	J. L. "Jerry" Thorne(R)
13	Sheila A. Sorensen(R)
14	Hal Bunderson(R)
15	John C. Andreason(R)
16	Cecil D. Ingram(R)
17	Grant R. Ipsen(R)
18	Jim Risch(R)
19	Betsy Dunklin(D)
20	Robbi King-Barrutia(R)
21	Clint Stennett(D)
22	John Sandy(R)
23	Laird Noh(R)
24	Dean L. Cameron(R)
25	Denton Darrington(R)
26	Don M. Burtenshaw(R)
27	Robert R. Lee(R)
28	Stan Hawkins(R)
29	Bart M. Davis(R)
30	Melvin "Mel" Richardson(R)
31	J. Stanley Williams(R)
32	Robert L. Geddes(R)
33	Lin Whitworth(D)
34	Evan S. Frasure(R)
35	"Moon" Wheeler(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 Seventh day of December, in the year of our Lord Two Thousand, and of the Independence of the United States of America, the Two Hundred and Twenty-fifth.

/s/ PETE T. CENARRUSA
Secretary of State

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

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

Prayer was offered by Senator Davis.

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

Motions and Resolutions

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Rules of the Senate and the Joint Rules of the Senate and House of the Fifty-sixth Idaho Legislature were adopted as the permanent rules of the First Extraordinary Session of the Fifty-sixth Legislature.

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

Messages from the Governor

December 7, 2000

The Honorable Robert L. Geddes
President Pro Tempore
Idaho State Senate

The Honorable Bruce Newcomb
Speaker
Idaho House of Representatives

Re: Request for Extraordinary Session

Dear President Pro Tem Geddes and Speaker Newcomb:

I am responding to your letter of December 4, 2000, in which you have requested that I proclaim the 56th Idaho Legislature into an Extraordinary Session on December 8, 2000.

After meeting with you and conferring with the Attorney General about the decision by the United States Court of Appeals for the Ninth Circuit in *Snake River Valley Electric Association v. PacifiCorp and the State of Idaho*, I am persuaded that under article IV, section 4 of the *Idaho Constitution* there is an extraordinary occasion requiring emergency attention and that an Extraordinary Session is appropriate. The ruling in the *Snake River Valley Electric* case, specifically, that Idaho's Electric Supplier Stabilization Act (ESSA) does not shield electric service providers from federal antitrust liability, is warranting of legislative attention before January, 2001.

Because of the immediate potential for customer shifts in power transactions that may be adverse to the general public in Idaho, I am issuing a proclamation to convene the extraordinary session on Friday of this week.

As I have expressed to you privately, I am very concerned about the need for public participation in this process. The manner in which the Legislature will consider this important legislation will, out of necessity, limit the usual and customary deliberative government usually afforded Idahoans on an issue of this magnitude.

Therefore, I ask that the co-chairs of the Committee on Electric Utility Restructuring hold a hearing today and release for public review the proposed legislation, one day prior to tomorrow's Extraordinary Session. I note that many factors of competitive wholesale and retail power transactions have been before the Committee for several years. Also, as early as November 10, the Committee held a full hearing on the expected impact of the *Snake River Valley Electric Association* case.

Additionally, in order to ensure a more complete citizen participation on this legislation, be advised that I will only sign legislation which sunsets *prior* to adjournment of the Legislature's regular session set to begin in January, 2001. This will facilitate a more thorough public process during the upcoming session while simultaneously addressing the immediate vulnerability of electric service providers due to the Ninth Circuit's decision.

I issue this proclamation with two caveats. First, as you know, the Ninth Circuit is presently considering requests by the State of Idaho to review its October 3, 2000 decision in the *Snake River Valley Electric Association* case and, alternatively, to rehear the case *en banc* by a full panel of judges. A decision by the Ninth Circuit on either or both of these requests is due at any moment. If the Ninth Circuit provides any further disposition of this case which maintains the current statutory infrastructure of the ESSA prior to the end of the Extraordinary Session, I will assume that the present exigency which justifies the Extraordinary Session no longer exists and that leadership of both Houses will find that the Extraordinary Session is not necessary. Second, if for any reason the leadership agrees that a special session is no longer necessary, I will assume that the session will be appropriately adjourned without taking any action.

I look forward to working with the Idaho Legislature to maintain the status quo of the ESSA. But I also look forward to the more extensive public participation in crafting the needed legislation once the Legislature convenes in January.

Sincerely,
/s/ DIRK KEMPTHORNE
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

Senators Branch and Deide requested and received an excused absence for the balance of this legislative day.

December 8, 2000

Mr. President:

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

JUKER, Chief Clerk

H 1 was filed for first reading.

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

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

H 1, by Ways and Means Committee, was introduced and read the first time at length.

Motion to Suspend Rules

Moved by Senator Risch, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage 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 second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS–None.

Absent and excused–Branch, Deide, Riggs. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 1 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senators Lee and Noh arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Boatright, Brandt, Bunderson, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS–Burtenshaw, Hawkins. Total - 2.

Absent and excused–Branch, Deide, Riggs. Total - 3.

Total - 35.

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

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

Miscellaneous Business

On request by President Pro Tempore Geddes, granted by unanimous consent, the Senate went at ease. President Pro Tempore Geddes presented the President of the Senate, Lt. Governor C. L. "Butch" Otter, with a farewell gift. The gift was presented to Lt. Governor Otter in recognition of his fourteen years of service as President of the Idaho Senate. President Otter is leaving the Senate and will be a member of the 2001 United States Congress. Following the presentation, other members of the Senate acknowledged President Otter with personal accolades and tributes.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate of the First Extraordinary Session of the Fifty-sixth Legislature of the State of Idaho adjourned *Sine Die* at 1:30 p.m., Friday, December 8, 2000.

C.L. "BUTCH" OTTER, President

Attest: JEANNINE WOOD, Secretary

****

December 8, 2000

Enrolled **H1** was received from the House, signed by the President, and returned to the House.

CERTIFICATE

State of Idaho)
)
Senate Chamber, Boise, Idaho)

We, C. L. "BUTCH" OTTER, President of the Senate, and JEANNINE WOOD, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of December 8, 2000, has been read and approved as corrected;

And, that we have carefully compiled in the Senate Journal of the First Extraordinary Session of the Fifty-sixth Idaho Legislature all of the proceedings of the First Legislative Day, and that said Journal contains a full, true, and correct record of all proceedings of said Senate for said day and final actions upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hand this Eighth day of December, 2000.

C. L. "BUTCH" OTTER, President

Attest: JEANNINE WOOD, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-SIXTH LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 8, 2001

Senate Chamber

At the hour of 12 noon on Monday, January 8, 2001, the time established for the convening of the First Regular Session of the Fifty-sixth Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the city of Boise, President Pro Tempore Geddes presiding.

Roll call showed all members present.

Prayer was offered by Senator Burtenshaw.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

On request by Senator Risch, granted by unanimous consent, the Idaho National Guard Honor Guard entered the Chamber. Senator Risch recited a brief history of the flag ceremony tradition and the Honor Guard. President Pro Tempore Geddes presented the Idaho Senate flag to the Honor Guard to be raised above the Senate dome to fly during the First Regular Session of the Fifty-Sixth Idaho Legislature. Mr. Bob Keenan led the Senate in singing "Here We Have Idaho." The Honor Guard exited the Chamber.

On request by Senator Risch, granted by unanimous consent, the President Pro Tempore appointed a committee consisting of Senator Danielson, Chairman, and Senator Whitworth to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Risch, granted by unanimous consent, the President Pro Tempore appointed a committee consisting of Senator Sandy, Chairman, and Senator Dunklin to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Risch, granted by unanimous consent, the President Pro Tempore appointed a committee consisting of Senator Andreason, Chairman, and Senator Ingram to escort the committee from the House of Representatives into the Senate Chamber. Representatives Tilman, Denney, and Bieter informed the Senate that the House of Representatives was now organized and ready to conduct business.

The Senate committee was discharged.

The committee appointed to notify the House of Representatives that the Senate was organized reported that they had conveyed the message to the House and the House returned their best wishes for a productive session.

The committee was discharged.

The committee appointed to notify the Governor that the Senate was now organized returned to the Senate and reported that the Governor sent his best wishes to the Senate members.

The committee was discharged.

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

Messages from the House

January 8, 2001

Mr. President:

I transmit herewith **HCR 3** which has passed the House.

JUKER, Chief Clerk

HCR 3 was filed for first reading.

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

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

HCR 3, by Bruneel and Jaquet, was introduced and read the first time at length.

Moved by Senator Risch, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **HCR 3** be suspended.

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

Roll call resulted as follows:

AYES–Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS–None.

Absent and excused–Davis, Hawkins. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **HCR 3** was before the Senate for final consideration.

On motion by Senator Risch, seconded by Senator Stennett, **HCR 3** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

JOINT SESSION

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

Roll call of the House showed all members present except Representative Bell, absent and excused.

Roll call of the Senate showed all members present.

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

The Speaker appointed Senators Darrington and Davis and Representatives Gould and Boe as the committee to wait upon and escort the Supreme Court Justices and Appellate Court Judges to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators King-Barrutia and Deide and Representatives Black and Chase as the committee to wait upon and escort the elected officials to the House Chamber.

The Speaker excused the committee.

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

The Speaker excused the committee.

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

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

Mr. Speaker. Mr. President Pro Tempore. 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 Dun 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. And 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. And 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. And for a teacher, the average amount will be roughly $1,600.

And 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.

And 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, 2 out of every 5 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 highest 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. 80 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. 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.

And here 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. And 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. And 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. And 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, "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 I will say that with rewards go accountability and measurement and consequences. If we don't attain these levels in reading and in math, then 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, ninety-seven 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. $34 million 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.

For someone who has served four governors, he's probably been the head of more departments than any other public servant and received the only award for Distinguished Service to State Government 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 were 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 -- 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. And 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. And 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. Asia. Instead of just now showing up on their doorstep, we've already been there. And 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. And 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. And 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. And 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 and connected statewide. And 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. And 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. And 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. And 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. And 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 -- 13 percent, compared to the national average of 3.4 percent. And 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. And 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. And 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 you 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. And 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.

And 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. And 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. And these will culminate in a Western Drug Policy Summit in Boise, Idaho, in June.

Let me turn to our natural resources. And 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 10, 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. And the federal government's biological opinion affirmed the majority of our agreement. President-elect Bush has also applauded this effort.

And 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.

And 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. And 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. And 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. And 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. And 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. And 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. And 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 for his message.

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

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

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

On motion by Representative Bruneel, seconded by Representative Marley, the Joint Session was dissolved.

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

The members of the Senate returned to the Senate Chamber.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Dunklin, by voice vote the Senate adjourned at 2:40 p.m. until the hour of 11 a.m., Tuesday, January 9, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 9, 2001

Senate Chamber

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

Roll call showed all members present except Senators Branch, Sandy, and Riggs, absent and formally excused by the Chair; and Senators Bunderson, Burtenshaw, Cameron, Hawkins, Keough, Lee, and Richardson, absent and excused.

Prayer was offered by Chaplain Bryan Fischer, Pastor, Community Church of the Valley, Boise, Idaho.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of the Organizational Session of December 7, 2000, the First Extraordinary Session of December 8, 2000, and the proceedings of January 8, 2001, were read and approved as corrected.

DARRINGTON, Chairman

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

Senators Bunderson, Burtenshaw, Hawkins, and Keough were recorded present at this order of business.

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

Motions and Resolutions

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the following attaches were elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute, salaries to be fixed by Senate Resolution:

Administrative Assistant to President Pro Tem . . Darla Jensen
Fiscal Assistant to President Pro Tem . . . . . Mary Sue Jones
Assistant Majority Leader Secretary . . . . . Louise Easton
Majority Caucus Chairman Secretary . . . . . JoAnn Hunt
Minority Chief of Staff . . . . . Christine Peck
Minority Staff Assistant . . . . . Zuriel Knowles
Minority Staff Assistant . . . . . Bert Davis
Secretary to Secretary of Senate . . . . . June Keithly
Assistant Secretary of Senate . . . . . Rusti Horton
Docket Clerk . . . . . Suzy Ryder
Journal Clerk . . . . . Lana Muller
Journal Clerk . . . . . Margaret Lundy
Constituent Services . . . . . John Masters
Constituent Services, Research Assistant . . . . Mary Harvey
Sergeant at Arms . . . . . Peggy Chrisman
Assistant Sergeant at Arms . . . . . Bobbie Richardson
Republican Secretarial Pool:
- Pool Secretary . . . . . Sheryl Lance
- Pool Secretary . . . . . Susan Karaba
- Pool Secretary . . . . . Ingrid Westerfield
- Pool Secretary . . . . . Geri Rees

Senate Doorkeeper . . . . . Bob McDonald
Gallery Doorkeeper . . . . . Charlie Harris
Legislative Information Center Director . . . . . Sue Burwell
Mail Room Director . . . . . Gloria Bennett
- Mail Room . . . . . Cindy Gorino
- Mail Room . . . . . Jean Briggs
- Mail Room . . . . . Carole Taylor

Committee Secretaries:
- Agricultural Affairs . . . . . Ruth Sigloh
- Commerce & Human Resources . . . . . Linda Swarthout
- Education . . . . . Juanita Budell
- Finance . . . . . Carolyn Wagnild
- Health & Welfare . . . . . Betty Osborn
- Judiciary & Rules . . . . . Marianne Hansen
- Local Government & Taxation . . . . . Nancy King
- Resources & Environment . . . . . Darby Harris
- State Affairs . . . . . Carolyn Heinzman-Shaffer
- Transportation . . . . . Darelyn McCarter

Senate Chaplain . . . . . Bryan Fischer
Senate Hostess . . . . . Pearl Kreps
- Hostess Assistant . . . . . Bonnie Bate

Pages:

Casey Kreps	Nampa
Lisa Ranae White	Horseshoe Bend
Carolyn Murdock	Troy
Jessamine Jones	Boise
Valerie Rourke	Boise
Brian Hone	Shelley
Kristen Gebs	Preston
David Snowden	Idaho Falls
Jane Blaisdell	Caldwell
Tessa Wornell	Burley
Ariel Pratt	Nampa
T. Alex Hart	Idaho Falls

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

Senators Cameron, Lee, and Richardson were recorded present at this order of business.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:25 a.m. until the hour of 10:30 a.m., Wednesday, January 10, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 10, 2001

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Andreason, Noh, and Wheeler, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Andreason, Noh, and Wheeler were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 9, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 10, 2001

The Honorable Robert L. Geddes
President Pro Tempore
Idaho Senate

Dear Mr. President Pro Tempore:

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

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

Sincerely,
/s/ Pete T. Cenarrusa
Secretary of State

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

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

Messages from the Governor

January 2, 2001

The Honorable C.L. "Butch" Otter
President of the Senate
Idaho Senate

Dear Mr. President:

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.

Very truly yours,
/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**

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 10, 2001

Mr. President:

I transmit herewith **HCR 4** which has passed the House.

JUKER, Chief Clerk

HCR 4 was filed for first reading.

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

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

S 1001
BY SCHROEDER
AN ACT
RELATING TO IDAHO EDUCATIONAL PUBLIC BROADCASTING SYSTEM; REPEALING SECTION 3, CHAPTER 475, LAWS OF 2000; AND DECLARING AN EMERGENCY.

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

HCR 4, by Bruneel and Jaquet, was introduced and read at length.

Moved by Senator Risch, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **HCR 4** be suspended.

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

Roll call resulted as follows:

AYES–Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **HCR 4** was before the Senate for final consideration.

On motion by Senator Risch, seconded by Senator Stennett, **HCR 4** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

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 members present.

Roll call of the Senate showed all members.

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

The Speaker appointed Senators Richardson and Schroeder and Representatives Debbie Field and Boe as the committee to wait upon and escort the Supreme Court Justices to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators Wheeler and Lee and Representatives Gagner and Cuddy as the committee to wait upon and escort the elected officials to the House Chamber.

The Speaker excused the committee.

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

The Speaker excused the committee.

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

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

Mr. Speaker. Mr. President Pro Tem. Fellow Constitutional Officers. Distinguished members of the Legislature. Distinguished members of the Judiciary. 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. And, 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. And 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. And 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 taxpayers 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.

And, 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. And 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. And 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. And 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. And 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. $500 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. And 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 D-RAM 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 AMIs 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. and 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 who 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.

And 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. And, 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. And 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.

And, 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.
The State Historical Society.

Planning and design of 36 new beds for the Department of Juvenile Corrections. And 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.

And there's 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-percent 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 5th, 6th, and 7th 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.

And, 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.

And, 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. $1 million 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.

And 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 colleges and universities 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. And 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. And 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 frontline 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. And, 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.

And, 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.

And 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 for his message.

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

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

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

On motion by Representative Bruneel, seconded by Representative Jaquet, the Joint Session was dissolved.

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

The members of the Senate returned to the Senate Chamber.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Dunklin, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 11:30 a.m., Thursday, January 11, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 11, 2001

Senate Chamber

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

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

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 10, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

January 11, 2001

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

DARRINGTON, Chairman

S 1001 was referred to the Education Committee.

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

Messages from the Governor

January 10, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Stephen Allred of Boise, Idaho, was appointed as Director of the Idaho Department of Environmental Quality to serve a term commencing July 1, 2000, and serving at the pleasure of the Governor.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Nick Purdy of Picabo, Idaho, was appointed as a member of the Idaho Board of Environmental Quality to serve a term commencing July 1, 2000, and expiring July 1, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Joan M. Cloonan of Boise, Idaho, was appointed as a member of the Idaho Board of Environmental Quality to serve a term commencing July 1, 2000, and expiring July 1, 2004.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Donald A. Chisholm of Burley, Idaho, was appointed as a member of the Idaho Board of Environmental Quality to serve a term commencing July 1, 2000, and expiring July 1, 2002.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Marti A. Calabretta of Osborn, Idaho, was appointed as a member of the Idaho Board of Environmental Quality to serve a term commencing July 1, 2000, and expiring July 1, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Marguerite P. McLaughlin of Orofino, Idaho, was appointed as a member of the Idaho Board of Environmental Quality to serve a term commencing July 1, 2000, and expiring July 1, 2002.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Dr. Randy J. MacMillan of Twin Falls, Idaho, was appointed as a member of the Idaho Board of Environmental Quality to serve a term commencing July 1, 2000, and expiring July 1, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Paul C. Agidius of Moscow, Idaho, was appointed as a member of the Idaho Board of Environmental Quality to serve a term commencing July 1, 2000, and expiring July 1, 2004.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 10, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Donald B. Miller of Boise, Idaho, was appointed as a member of the Idaho Personnel Commission to serve a term commencing August 11, 2000, and expiring July 1, 2006.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Dr. Nick Hallett of Rupert, Idaho, was appointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2000, and expiring April 11, 2004.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that R. John Taylor of Lewiston, Idaho, was appointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2000, and expiring April 11, 2004.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Gavin Gee of Boise, Idaho, was appointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing November 15, 2000, and expiring April 11, 2004.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that General Darrell V. Manning of Boise, Idaho, was appointed as a member of the Idaho State Board of Education to serve a term commencing January 5, 2001, and expiring March 1, 2002.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Education Committee.

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Blake Hall of Idaho Falls, Idaho, was appointed as a member of the Idaho State Board of Education to serve a term commencing September 21, 2000, and expiring March 1, 2005.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Education Committee.

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Daniel Fuchs of Twin Falls, Idaho, was appointed as a member of the Idaho State Board of Health and Welfare to serve a term commencing January 8, 2001, and expiring January 7, 2005.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Will Judge of St. Maries, Idaho, was appointed as a member of the Idaho Outfitters and Guides Board to serve a term commencing June 27, 2000, and expiring April 20, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Dennis L. Johnson of Boise, Idaho, was appointed as a member of the Idaho Public Employees Retirement System Board to serve a term commencing July 1, 2000, and expiring July 1, 2005.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 10, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Scott W. Patrick of Boise, Idaho, was appointed as a member of the Idaho Aeronautics Advisory Board to serve a term commencing June 5, 2000, and expiring January 31, 2002.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Transportation Committee.

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Ernest J. Lombard of Eagle, Idaho, was appointed as a member of the Idaho Park and Recreation Board to serve a term commencing July 1, 2000, and expiring July 1, 2006.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Lyle R. Cobbs of Boise, Idaho, was appointed as a member of the Idaho Board of Tax Appeals to serve a term commencing June 30, 2000, and expiring June 30, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Jim D. Kempton of Albion, Idaho, was appointed as a member of the Northwest Power Planning Council to serve a term commencing January 1, 2001, and expiring January 31, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Dr. Frederick L. Wood, III, of Burley, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing June 30, 2000, and expiring June 30, 2004.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that John E. Burns of Carmen, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing June 30, 2000, and expiring June 30, 2004.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 10, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Thomas J. Hearn of Coeur d'Alene, Idaho, was appointed as a member of the Idaho Sexual Offender Classification Board to serve a term commencing September 25, 2000, and expiring January 1, 2002.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 10, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Moscelene Sunderland of Boise, Idaho, was appointed as a member of the Idaho Sexual Offender Classification Board to serve a term commencing January 1, 2001, and expiring January 1, 2007.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 10, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Jim Caswell of Boise, Idaho, was appointed as Administrator of the Office of Species Conservation to serve a term commencing December 4, 2000, and expiring at the pleasure of the Governor.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 10, 2001

Mr. President:

I transmit herewith Enrolled **HCR 3** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HCR 3**, and ordered it returned to the House.

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

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

S 1002
BY SCHROEDER
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, DO NOT ESTABLISH OR ELIMINATE A DEFENSE TO A CIVIL ACTION OR CRIMINAL PROSECUTION UNDER FEDERAL OR STATE CIVIL RIGHTS LAWS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1002 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12 noon until the hour of 11:30 a.m., Friday, January 12, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 12, 2001

Senate Chamber

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

Roll call showed all members present except Senators Branch, Hawkins, Stennett, and Thorne, absent and formally excused by the Chair; and Senators Cameron, Dunklin, and Schroeder, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 11, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

January 12, 2001

The JUDICIARY AND RULES Committee reports that **S 1002** has been correctly printed.

DARRINGTON, Chairman

S 1002 was referred to the Judiciary and Rules Committee.

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

Messages from the Governor

January 11, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Severina Sam Haws of Boise, Idaho, was appointed as a member of the Idaho State Tax Commission to serve a term commencing December 21, 2000, and expiring April 1, 2005.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Jay F. Kunze of Pocatello, Idaho, was appointed as a member of the Idaho Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2000, and expiring March 6, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Suzanne B. Schaefer of Boise, Idaho, was appointed as a member of the Idaho Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2000, and expiring March 6, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Mark P. VonLindern of Lewiston, Idaho, was appointed as a member of the Idaho Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2000, and expiring March 6, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 12, 2001

Mr. President:

I transmit herewith Enrolled **HCR 4** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HCR 4**, and ordered it returned to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Dunklin, by voice vote the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Monday, January 15, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 15, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Risch called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator King-Barrutia, absent and formally excused by the Chair; and Senators Cameron, Frasure, and Lee, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Frasure and Lee were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 12, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

SJM 101
BY AGRICULTURAL AFFAIRS COMMITTEE
A JOINT MEMORIAL
TO THE PRESIDENT OF THE UNITED STATES, TO THE SECRETARY OF THE DEPARTMENT OF AGRICULTURE, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the potato industry in this country is suffering from record production along with low prices for the commodity; and

WHEREAS, the potato industry in this country is suffering from the effects of imports coming into the country; and

WHEREAS, production costs for potato growers are at all time high levels further providing increased economic risk for growers; and

WHEREAS, the United States Government has a commodity purchase program identified as the Section 32 Commodity Purchase Program; and

WHEREAS, Congress in 2000 earmarked $200 million dollars for the purchase of excess fruits and vegetables under the Agriculture Risk Protection Act of 2000 and that legislation specifically mentions purchasing of potatoes; and

WHEREAS, the increase in Idaho potato production has, in part, been the result of favorable weather and efficient farming practices where, in some instances, farmers have experienced a 40% higher yield per acre; and

WHEREAS, it is unfair to punish farmers for being more efficient in their farming practices.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we request that you and your Department provide diversion funds that have been earmarked by Congress for potato producers to help ease the economic crisis they face in 2001.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, William Clinton, the Secretary of the Department of Agriculture, Dan Glickman, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

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

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

Messages from the Governor

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Dave Hand of Boise, Idaho, was appointed as a member of the Idaho Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2000, and expiring July 1, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Dianne S. Milhollin of Moscow, Idaho, was appointed as a member of the Idaho Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2000, and expiring July 1, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that David L. Ryan of Boise, Idaho, was appointed as a member of the Idaho Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2000, and expiring July 1, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

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

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

Senator Cameron was recorded present at this order of business.

S 1003
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO WATER USE; AMENDING SECTION 42-222A, IDAHO CODE, TO ALLOW TEMPORARY CHANGES TO WATER RIGHTS BY TRANSFER OR EXCHANGE OF WATER DURING A DROUGHT EMERGENCY, TO ADD 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 CHANGES PURSUANT TO THIS SECTION AND TO CHANGE A REFERENCE FROM ACT TO SECTION; AND DECLARING AN EMERGENCY.

S 1004
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO ANNEXATION OF LANDS TO IRRIGATION DISTRICTS; AMENDING SECTION 43-1010, IDAHO CODE, 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.

S 1005
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO DISPARAGEMENT OF AGRICULTURAL FOOD PRODUCTS; AMENDING SECTION 6-2002, IDAHO CODE, TO MAKE A GRAMMATICAL CORRECTION.

S 1006
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE UNIFORM COMMERCIAL CODE; AMENDING SECTION 28-2-403, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS.

S 1007
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE SMALL CLAIMS DEPARTMENT OF THE MAGISTRATES DIVISION; AMENDING SECTION 1-2301A, IDAHO CODE, TO CLARIFY THAT CIVIL LIABILITY IMPOSED UNDER THIS SECTION FOR DISHONORED CHECKS APPLIES ONLY TO ACTIONS FILED IN THE SMALL CLAIMS DEPARTMENT OF THE MAGISTRATES DIVISION OF THE DISTRICT COURT.

S 1008
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-3501, IDAHO CODE, 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 AND TO MAKE TECHNICAL CORRECTIONS.

S 1009
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE NATURAL DEATH ACT; AMENDING SECTION 39-4503, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 39-4504, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

S 1010
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO JURY SELECTION AND SERVICE; AMENDING SECTION 2-204, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE CORRECT TERMINOLOGY.

S 1011
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO JURY SELECTION AND SERVICE; AMENDING SECTION 2-210, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTIONS 2-213 AND 2-216, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

S 1012
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ACCESSORIES TO CRIMES; AMENDING SECTION 18-205, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY.

S 1003, S 1004, S 1005, S 1006, S 1007, S 1008, S 1009, S 1010, S 1011, and **S 1012** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On request by Senator Sandy, granted by unanimous consent, Molly Anderson was elected as an attache for the First Regular Session of the Idaho Legislature. The Acting President announced that the Oath of Office was administered previously.

On motion by Senator Sandy, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:55 a.m. until the hour of 11:15 a.m., Tuesday, January 16, 2001.

JAMES E. RISCH, Acting President

Attest: JEANNINE WOOD, Secretary

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 16, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Sandy called the Senate to order at 11:15 a.m.

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

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 15, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

At this time Senator Risch arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the Acting President appointed Senator Darrington, Chairman, and Senators Davis and Stennett to escort Chief Justice Linda Copple Trout, Idaho Supreme Court, into the Senate Chamber where she delivered the following **"State of the Idaho Judiciary Message"** to the members of the Senate:

Mr. President and distinguished members of the Senate of the First Regular Session of the 56th Idaho Legislature:

I am pleased and honored to have been invited to speak about the state of the judiciary. Today I feel like I am at a crossroads: I have completed my first term as Chief Justice and, thanks to the confidence placed in me by my colleagues on the Court, I am beginning another four-year term. Thus it seems fitting to reflect on what has taken place over the last four years and to share with you my vision for the future.

Before I go on, I would like to recognize the other members of the Supreme Court who have joined me this morning: Justices Gerald Schroeder, Jess Walters, Wayne Kidwell, and our newest member, Justice Dan Eismann. We welcome the solid trial court perspective Justice Eismann brings to the Court and have already benefited over the last two weeks from his thoughtful approach.

I was impressed last week to hear of our Secretary of State Pete Cenarrusa's tremendous milestone of 50 years of public service to Idaho. While perhaps somewhat less in duration, I want to acknowledge Justice Schroeder's significant contribution to the legal system in Idaho. At 31 years, he is the longest serving member of our state judiciary and we are grateful for the fine intellect, experience, and good humor he brings to the Court.

I also want to recognize the members of our Court of Appeals: newly appointed as Chief Judge Alan Schwartzman, and Judges Karen Lansing and Darrel Perry. Their record output of 358 opinions last year reflects a 29% increase from the year before. The Supreme Court is most grateful for the assistance they provide in dealing with appellate cases.

I also want to acknowledge the very capable work of the Administrative Director of the Idaho courts, Patti Tobias, and her staff. As you know, Patti is always available to provide helpful information and assistance to you, as well as to the judges, state agencies, and Idaho citizens.

Four years ago when I was sworn in as Chief Justice, I spoke about the major challenges I saw facing the courts and I suggested some ways in which we might address those challenges. Today, in reflecting back over my term, I see that your support and encouragement has given the courts the ability to make great progress and I would like to tell you briefly what has been accomplished.

In dealing with increasing caseloads, we have found innovative ways to meet those demands without adding new judicial positions. Thanks to your appropriation for pro tem judges, we have asked judges to travel throughout Idaho to handle cases where they are most needed. Last year 22 pro tem district and retired judges participated with the Court of Appeals in

handling 75 appeals. With the addition of a new type of Senior Judge, you have provided us experienced trial and appellate judges agreeing to work 35 days a year, paid from the judges retirement fund, not through a general fund appropriation. Because of these efforts, we have not requested one new judicial position in the last three budget years, and yet have maintained the quality and timeliness of judicial decisions.

With respect to the challenges we face in dealing with social problems, such as domestic violence and substance abuse, we have made great strides. In the last two years, drug or DUI courts have been started in three judicial districts and are planned in three others throughout Idaho. I will say more about these innovative courts in a minute, but it's important to point out the significant impact they have already had in addressing the most basic and prevalent reason crimes are committed: drug and alcohol addiction.

We have also seen a dramatic increase in creative community-based efforts to address juvenile crime. Youth courts, attendance courts, and juvenile accountability boards are all efforts to make juveniles understand the consequences of crime and to encourage them and their parents to make better choices.

I want to mention one specific effort underway in Bonneville County. A few weeks ago I was able to sit down with representatives from law enforcement, the school districts, juvenile probation, juvenile corrections, as well as community leaders to hear about how a community has drawn together to intervene early in the lives of children and to have a positive impact.

The Bonneville Youth Development Council represents what can happen when interested citizens come together to identify community problems and take action. As an example, they talked about kids who had been suspended from school, who actually enjoyed the suspension because it gave them the opportunity to sit around all day or go to the mall. That suspension from school also left kids who weren't doing particularly well in school anyway, even farther behind. From that concern came the out-of-school suspension room. Suspended students are now expected to be in a place where they still do their schoolwork and can keep up with the rest of their class. This is the type of community-based program which we are seeing throughout Idaho.

In the area of families and children, we have provided alternative means for parents to resolve their child custody and support disputes. As pilot programs, we now have family services coordinators meet with divorcing couples to assess the needs of that particular family and to determine how best to minimize the conflict involving their children.

Thanks to your appropriation, we were able to conduct a Summit on Families and Children last June, and from that have come concrete ideas for diverting families from the adversarial court system into a more productive means of resolving their problems.

Over the last four years we have also made wonderful progress in making our courts in Idaho more accessible to the vast array of people who ask the courts for help in resolving their problems. I am most proud of our Court Assistance Office project. It began as a pilot project at five sites a year and a half ago and has now expanded to courthouses in all seven of Idaho's judicial districts. By providing an office and a person at the courthouse to whom people can go to seek assistance, we have addressed a previously unmet need. Last year over 5,600 people were seen in court assistance offices throughout Idaho, people who in prior years would have felt overwhelmed and frustrated by the legal system. In the short time our Court Assistance Office project has been serving the public, it has already been recognized by the American Judicature Society and was showcased at a national conference.

As you can see, it has been a busy and exciting four years -- so what do I see for the courts as I begin a new four-year term.

What I see is a continuing change in the way the courts do their work. Judges have always been available to resolve disputes by declaring that one party or the other was right, or that a criminal defendant was guilty and should be punished. This may solve the legal problem at hand, but not the basic underlying problems which remain and will continue to bring the public into the courts. Some find themselves in a revolving door of substance abuse, family violence, unemployment, and crime. As an institution which exerts tremendous authority over people's lives, we must be willing to use that authority in ways which can strengthen and empower people to take charge of their lives and to change their lives. In short, we must become problem-solving courts, not simply dispute resolution courts.

The number one priority identified by the judges this year is to expand substance abuse assessment, treatment and alternatives. Governor Kempthorne spoke eloquently to you just last week on these critical issues and we strongly support his call for a comprehensive approach. I am grateful for Governor Kempthorne's endorsement of our drug court initiative and I hope you will also embrace the concept which is showing positive results.

The drug court initiative is one of the innovative alternatives to prison which addresses directly a criminal defendant's substance abuse problem. Drug courts give judges a hands-on opportunity to supervise defendants on a weekly basis to assess their progress. This is not a warm fuzzy feel-good program. People who agree to enter a drug court are agreeing to a far more difficult and demanding regimen than they would receive through a prison sentence or traditional term of probation. Drug court participants are expected to meet regularly with counselors, probation officers, and the judge, submit to frequent drug tests and keep a job.

Consequences of failing to meet those expectations are immediate and serious – jail.

Last month, I attended the graduation ceremony for the Ada County Drug Court, presided over by Justice Eismann, and watched the 32nd, 33rd, and 34th graduates receive their certificates and an order dismissing the cases against them. Of the 34 graduates, they represented on average 15.7 years of drug use and $85 a day spent on their drug habit. At graduation, they averaged an increase of $8500 a year in income from the time they entered

the drug court. Those figures demonstrate not only the significant cost to society of the drug problem, but also the significant benefit to society of having former drug addicts become clean and sober citizens who are employed. This problem-solving court works and we are proposing one pilot drug court be established in each judicial district.

Trial judges have also outlined for your consideration other alternatives to incarceration. They strongly support the following:

- permitting judges to retain jurisdiction while a defendant receives long-term residential drug treatment;

- providing access to more substance abuse treatment as an alternative to incarceration. If drug treatment programs were available in the communities, they would be widely used;

- providing a uniform assessment of risk, needs, and rehabilitative potential to judges prior to sentencing;

- expanding mental health services to defendants in drug courts;

- increasing the availability of drug treatment inside county jails; and

- expanding treatment and literacy programs available in the penitentiary.

One judge recently told me how alarming it is to him to see not only the repeat offenders, but to see the children of those offenders who are now themselves charged with serious crimes. We must break the cycle, and another generation, of addiction.

Our second priority this year extends problem solving courts to cases involving families and children. I mentioned earlier our Court Assistance Offices, which have focused primarily on assisting people with child custody or support problems. We are asking for funding to continue to expand those offices throughout Idaho.

We are also asking for enhancements which will directly impact families. All too often, judges see multiple examples of domestic violence, child abuse and neglect, and high conflict divorce within the same family. We recommend extending to all districts the following problem-solving alternatives found to be effective.

- A family services coordinator in each district to insure that there is "one judge per family," to divert the case to mediation if appropriate, to coordinate with community and mental health, substance abuse, and other needed services, and to monitor the case after disposition.

- Parenting education to focus on the emotional and developmental needs of children during and after divorce, so that parents better understand the devastating impact their fighting has on their children.

- Supervised visitation in those cases where there is a documented history of child abuse, substance abuse, threat of abduction, or any threat to the safety and welfare of a child.

We ask for your support in these efforts.

Our remaining legislative priorities will enable us to continue to provide good service to the public. I want to specifically mention our desire to expand youth courts. As a result of your Millennium Fund appropriation last year, we are expanding youth courts into each of the seven judicial districts. Youth courts are a wonderful way to make juvenile offenders accountable, as viewed through the eyes of their own peers. We estimate that over 3,000 young people had contact with our youth courts last year, either as offenders or student volunteers. With an appropriation this year, we will continue our efforts to both teach youth about being productive and law-abiding citizens, while at the same time punishing those who violate the law.

All of these innovations I've just discussed are part of what I call problem-solving courts. It requires dedicated judges and other court personnel who are willing to step out of their traditional roles in an effort, not just to resolve conflict in a particular case, but to craft a solution that will impact people in a more far-reaching and permanent way.

Finally, I want to take this opportunity to thank all of you for the excellent relationship we have enjoyed during my term as Chief. You have been very cordial to me as I visited your districts or visited with you here, and you have demonstrated a genuine desire to do what's best for the citizens of Idaho. I hope today you join me in taking pride in what we've been able to accomplish as a result of our partnership and friendship. As we look toward the next four years, I know you will continue to be supportive and will help the judges as they tackle the very difficult problems brought to our courts. Idahoans are very fortunate to have three branches of government which work very well together and complement each others efforts. I thank you for your help and I look forward to the future.

The Acting President thanked Chief Justice Trout for her remarks and Senators Darrington, Davis, and Stennett escorted the Chief Justice from the Chamber, and the committee was discharged.

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

Reports of Standing Committees

January 16, 2001

The JUDICIARY AND RULES Committee reports that **S 1003, S 1004, S 1005, S 1006, S 1007, S 1008, S 1009, S 1010, S 1011, S 1012**, and **SJM 101** have been correctly printed.

DARRINGTON, Chairman

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

S 1005, S 1006, S 1007, S 1008, S 1009, S 1010, S 1011, and **S 1012** were referred to the Judiciary and Rules Committee.

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

January 15, 2001

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

Jim Kempton to the Northwest Power Planning Council, term to expire January 31, 2003;

Jim Caswell to the Idaho Office of Species Conservation, term to expire at the pleasure of the Governor.

NOH, Chairman

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

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

Messages from the Governor

January 9, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Brian Whitlock of Boise, Idaho, was appointed as Administrator of the Idaho Division of Financial Management to serve a term commencing January 2, 2001, and expiring at the pleasure of the Governor.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

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

Motions and Resolutions

Moved by Senator Risch, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **SJM 101** be suspended.

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

Roll call resulted as follows:

AYES–Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS–None.

Absent and excused–Branch. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the Acting President declared the rules suspended and announced that **SJM 101** was before the Senate for final consideration.

On motion by Senator Hawkins, seconded by Senator Stennett, **SJM 101** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1013
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ALCOHOL BEVERAGE CATERING PERMITS; AMENDING SECTION 23-934A, IDAHO CODE, TO PROVIDE THAT ALCOHOL BEVERAGE CATERING PERMITTEES MAY SERVE AND SELL ALCOHOL ONLY AT PREMISES WHICH ARE NOT CURRENTLY LICENSED TO SELL ALCOHOL.

S 1014
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CRIMINAL HISTORY CHECKS; AMENDING SECTION 23-907, IDAHO CODE, TO PROVIDE THAT INVESTIGATIONS RELATING TO APPLICATIONS FOR RETAIL LIQUOR LICENSES SHALL INCLUDE FINGERPRINT-BASED CRIMINAL HISTORY CHECKS, TO PROVIDE FOR THE SUBMISSION OF FINGERPRINTS AND FEES FOR SUCH INVESTIGATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1003, IDAHO CODE, TO PROVIDE THAT INVESTIGATIONS RELATING TO APPLICATIONS FOR BREWERS', DEALERS' AND WHOLESALERS' LICENSES SHALL INCLUDE FINGERPRINT-BASED CRIMINAL HISTORY CHECKS, TO PROVIDE FOR THE SUBMISSION OF FINGERPRINTS AND FEES FOR SUCH INVESTIGATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1010, IDAHO CODE, TO PROVIDE THAT INVESTIGATIONS RELATING

TO APPLICATIONS FOR LICENSES TO SELL BEER AT RETAIL SHALL INCLUDE FINGERPRINT-BASED CRIMINAL HISTORY CHECKS, TO PROVIDE FOR THE SUBMISSION OF FINGERPRINTS AND FEES FOR SUCH INVESTIGATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1307, IDAHO CODE, TO PROVIDE THAT INVESTIGATIONS RELATING TO APPLICATIONS FOR RETAIL WINE LICENSES, WINE BY THE DRINK LICENSES AND WINE DISTRIBUTOR'S LICENSES SHALL INCLUDE FINGERPRINT-BASED CRIMINAL HISTORY CHECKS, TO PROVIDE FOR THE SUBMISSION OF FINGERPRINTS AND FEES FOR SUCH INVESTIGATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 23-1308A, IDAHO CODE, TO PROVIDE THAT INVESTIGATIONS RELATING TO APPLICATIONS FOR WINERY LICENSES SHALL INCLUDE FINGERPRINT-BASED CRIMINAL HISTORY CHECKS, TO PROVIDE FOR THE SUBMISSION OF FINGERPRINTS AND FEES FOR SUCH INVESTIGATIONS AND TO MAKE TECHNICAL CORRECTIONS.

S 1015
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-908, IDAHO CODE, TO PROVIDE FOR EXPIRATION AND RENEWAL OF LIQUOR BY THE DRINK LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1010, IDAHO CODE, TO PROVIDE FOR EXPIRATION AND RENEWAL OF LICENSES TO SELL BEER AT RETAIL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1316, IDAHO CODE, TO PROVIDE FOR EXPIRATION AND RENEWAL OF LICENSES TO MANUFACTURE, IMPORT, BOTTLE, BROKER OR POSSESS FOR RESALE, DISTRIBUTE OR SELL WINE AND TO MAKE A TECHNICAL CORRECTION; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

S 1013, S 1014, and **S 1015** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:25 p.m. until the hour of 11:30 a.m., Wednesday, January 17, 2001.

JOHN SANDY, Acting President

Attest: JEANNINE WOOD, Secretary

TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 17, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Danielson called the Senate to order at 11:30 a.m.

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

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 16, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

SR 101
BY STATE AFFAIRS COMMITTEE
A SENATE RESOLUTION

ESTABLISHING RATES OF COMPENSATION FOR EMPLOYEES OF THE SENATE.

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

WHEREAS, Senate Rule 7(C) provides that the compensation of employees of the Senate shall be fixed by resolution of the Senate.

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

1. Secretary of the Senate . . . . . $20.49 hourly
2. Assistant Secretary of the Senate . . . . . $14.35 hourly
3. Sergeant at Arms, Docket Clerk, Journal Clerk, Secretary to the Secretary of the Senate . . . . . $12.64 hourly

Provided, however, that any person who is serving in their second year of such service shall be paid the hourly rate of $12.96; and further provided that any person who is serving in their third year of such service shall be paid the hourly rate of $13.43; and further provided that any person who is serving in their fourth or subsequent year of such service shall be paid the hourly rate of $13.91.

4. Assistant to Assistant Majority Leadership and Caucus Chairman, Assistant to Minority Leadership, Minority Leadership Staff Assistant, Assistant Sergeant at Arms, Research Assistant Secretary, Secretary to State Affairs Committee, Secretary to Finance Committee, Secretary to Judiciary and Rules Committee, Secretary to Health and Welfare Committee, Secretary to Education Committee, Secretary to Agricultural Affairs Committee, Secretary to Commerce and Human Resources Committee, Secretary to Resources and Environment Committee, Secretary to Local Government and Taxation Committee, Secretary to Transportation Committee, Pool Secretaries, Chief Mail Clerk, Lounge Hostesses . . . . . $10.57 hourly

Provided, however, that any person who is serving in their second year of such service shall be paid the hourly rate of $11.10; and further provided that any person who is serving in their third year of such service shall be paid the hourly rate of $11.36; and further provided that any person who is serving in their fourth or subsequent year of such service shall be paid the hourly rate of $11.63.

5. Mail Clerks, Senate Doorkeeper . . . . . $9.43 hourly

Provided, however, that any person who is serving in their second year of such service shall be paid the hourly rate of $9.89; and further provided that any person who is serving in their third year of such service shall be paid the hourly rate of $10.14; and further provided that any person who is serving in their fourth or subsequent year of such service shall be paid the hourly rate of $10.36.

6. Pages, Messengers . . . . . $ 5.65 hourly
7. Chaplain . . . . . $17.45 hourly

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

Senator Frasure was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 17, 2001

The JUDICIARY AND RULES Committee reports that **S 1013, S 1014**, **S 1015**, and **SR 101** have been correctly printed.

DARRINGTON, Chairman

S 1013 and **S 1014** were referred to the Judiciary and Rules Committee.

S 1015 was referred to the State Affairs Committee.

Moved by Senator Risch, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **SR 101** be suspended.

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

Roll call resulted as follows:

AYES–Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS–None.

Absent and excused–Branch. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the Acting President declared the rules suspended and announced that **SR 101** was before the Senate for final consideration.

Moved by Senator Risch, seconded by Senator Stennett, that **SR 101** be adopted.

The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Branch. Total - 1.

Total - 35.

Whereupon the Acting President declared **SR 101** adopted, title was approved, and the resolution ordered filed in the office of the Secretary of the Senate.

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

Messages from the Governor

January 16, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that Dennis S. Hansen of Meridian, Idaho, was appointed as a member of the Idaho Public Utilities Commission to serve a term commencing February 2, 2001, and expiring January 8, 2007.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

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

Motions and Resolutions

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

On motion by Senator Darrington, seconded by Senator Stennett, the Gubernatorial appointment of Jim Kempton as a member of the Northwest Power Planning Council was confirmed by voice vote.

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

On request by Senator Risch, granted by unanimous consent, the Resources and Environment Committee report relative to the Gubernatorial appointment of Jim Caswell retained its place on the calendar for one legislative day.

The Senate advanced to the Eleventh Order of Business.

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

S 1016
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO MOTOR VEHICLES AND VESSELS; AMENDING SECTION 49-114, IDAHO CODE, TO REVISE THE DEFINITION OF "MOPED" TO PROVIDE THAT THE CYCLE SHALL HAVE BOTH MOTORIZED AND PEDAL PROPULSION; AMENDING SECTION 49-407, IDAHO CODE, TO LIMIT USE OF YEAR OF MANUFACTURE MOTOR VEHICLE LICENSE PLATES TO MODEL YEARS UP TO AND THROUGH 1974 AND TO PROVIDE FOR DISTRIBUTION OF REVENUES; AMENDING SECTIONS 49-408 AND 49-409, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION OF REVENUES; AMENDING SECTION 49-411, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTIONS 49-414, 49-417B, 49-418B AND 49-419A, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION OF REVENUES; AMENDING SECTION 49-420B, IDAHO CODE, TO PROVIDE THAT LEWIS AND CLARK COMMEMORATIVE LICENSE PLATES MAY NOT BE ISSUED TO ANY VEHICLE WITH A REGISTERED MAXIMUM GROSS WEIGHT OVER TWENTY-SIX THOUSAND POUNDS; AMENDING SECTION 49-434, IDAHO CODE, TO CLARIFY THAT WRECKERS SHALL BE REGISTERED AT THEIR UNLADEN WEIGHT; AMENDING SECTION 49-443, IDAHO CODE, TO PROVIDE THAT COUNTY ASSESSORS SHALL FURNISH UNIQUELY-NUMBERED REGISTRATION STICKERS TO VALIDATE DUPLICATE OR SUBSTITUTE LICENSE PLATES; AMENDING SECTION 49-501A, IDAHO CODE, TO CLARIFY THAT TITLING OF VEHICLES INCLUDES TITLING OF VESSELS UNLESS OTHERWISE PROVIDED; AMENDING SECTION 49-506, IDAHO CODE, TO PROVIDE THAT RECORDS PERTAINING TO CERTIFICATES OF TITLE MAY BE DESTROYED AFTER TWENTY YEARS; AMENDING SECTION 49-510, IDAHO CODE, TO PROVIDE THAT AN AGENT OF A LIENHOLDER MAY ACT ON BEHALF OF A LIENHOLDER WHEN FILING DOCUMENTS REQUIRED BY THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 49-524, IDAHO CODE, TO PROVIDE THAT SALVAGE CERTIFICATES SHALL NOT BE ISSUED FOR VESSELS; AMENDING SECTION 67-7039, IDAHO CODE, TO PROVIDE THAT THE TERM "VESSEL" SHALL BE INTERCHANGEABLE WITH THE TERM "VEHICLE" UNLESS OTHERWISE PROVIDED; AMENDING SECTION 67-7040, IDAHO CODE, TO PROVIDE THAT DRIFTBOATS ARE EXEMPT FROM VESSEL TITLING; AND AMENDING SECTION 67-7041, IDAHO CODE, TO PROVIDE THAT AN AGENT OF A LIENHOLDER MAY ACT ON BEHALF OF A LIENHOLDER WHEN FILING DOCUMENTS REQUIRED BY THE IDAHO TRANSPORTATION DEPARTMENT AND TO MAKE A TECHNICAL CORRECTION.

S 1017
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO DRIVERS LICENSES, IDENTIFICATION CARDS AND PROOF OF FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-306, IDAHO CODE, TO SPECIFY TYPES OF BUSINESSES WHOSE DRIVERS MAY BE ISSUED SEASONAL CLASS B OR C DRIVERS LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE THAT NO DRIVER'S LICENSE SHALL CONTAIN A STATEMENT OR INDICATION OF A PERSON'S MEDICAL CONDITION UNLESS REQUESTED BY THE APPLICANT; AMENDING SECTION 49-1208, IDAHO CODE, TO SPECIFY THE PERIOD OF TIME FOR WHICH PROOF OF FINANCIAL RESPONSIBILITY IS REQUIRED; REPEALING SECTION 49-1209, IDAHO CODE; AMENDING SECTION 49-1210, IDAHO CODE, TO REQUIRE THAT PROOF OF FINANCIAL RESPONSIBILITY SHALL BE FURNISHED TO THE DEPARTMENT FOR EACH VEHICLE REGISTERED BY ANY PERSON REQUIRED TO PROVIDE SUCH PROOF; REPEALING SECTIONS 49-1215, 49-1216, 49-1218 AND 49-1219, IDAHO CODE; AMENDING SECTION 49-1220, IDAHO CODE, TO DELETE REFERENCES TO REPEALED PROVISIONS OF LAW AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-1430, IDAHO CODE, TO DELETE REFERENCE TO A REPEALED SECTION OF LAW; AND AMENDING SECTION 49-2444, IDAHO CODE, TO SPECIFY INFORMATION THAT SHALL BE PRINTED ON IDENTIFICATION CARDS ISSUED BY

THE TRANSPORTATION DEPARTMENT AND TO PROVIDE THAT NO IDENTIFICATION CARD SHALL CONTAIN A STATEMENT OR INDICATION OF A PERSON'S MEDICAL CONDITION UNLESS REQUESTED BY THE APPLICANT AND TO MAKE TECHNICAL CORRECTIONS.

S 1018
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1347B, IDAHO CODE, TO EXTEND THE EFFECTIVE DATE OF THE SUNSET CLAUSE ON THE WORKFORCE DEVELOPMENT TRAINING TAX UNTIL JANUARY 1, 2007.

S 1019
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1350, IDAHO CODE, TO PROVIDE THAT TAXABLE WAGE RATES FOR ALL COVERED EXPERIENCE-RATED EMPLOYERS SHALL BE DETERMINED IN ACCORDANCE WITH SCHEDULE II FOR CALENDAR YEAR 2002 AND TO MAKE TECHNICAL CORRECTIONS.

S 1020
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1368, IDAHO CODE, TO DELETE THE PENALTY FOR EMPLOYERS WHO FAIL TO PROVIDE SEPARATION INFORMATION WITHIN TEN DAYS OF A DEPARTMENT REQUEST; AND DECLARING AN EMERGENCY.

S 1021
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1346, IDAHO CODE, 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 MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-1346A, IDAHO CODE, 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.

S 1016, S 1017, S 1018, S 1019, S 1020, and **S 1021** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 11:30 a.m., Thursday, January 18, 2001.

JUDI DANIELSON, Acting President

Attest: JEANNINE WOOD, Secretary

ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 18, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Darrington called the Senate to order at 11:30 a.m.

Roll call showed all members present except President Pro Tempore Geddes, absent and formally excused on state business as Acting Governor for the State of Idaho; Senators Bunderson and Riggs, absent and formally excused by the Chair; and Senators Cameron, Dunklin, and Schroeder, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 17, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

Senator Cameron was recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

Senator Schroeder was recorded present at this order of business.

SCR 101
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
PROVIDING A STATEMENT OF LEGISLATIVE FINDINGS AND DECLARING JUNE 16, 2001, AND THE THIRD SATURDAY IN JUNE THEREAFTER AS "JUNETEENTH NATIONAL FREEDOM DAY" AND TO CONDUCT APPROPRIATE CEREMONIES AND PRESENTATIONS DURING THAT DAY TO HONOR IDAHOANS OF AFRICAN DESCENT.

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

WHEREAS, more than 130 years old, Juneteenth National Freedom Day is the oldest African-American holiday observance in the United States and is also known as Emancipation Day, the Emancipation Celebration, Freedom Day, Jun-Jun and Juneteenth; and

WHEREAS, Juneteenth National Freedom Day commemorates the strong survival instinct of African-Americans who were first brought to this country in slave ships on a month-long journey across the Atlantic Ocean known as the Middle Passage; and

WHEREAS, approximately eleven and one-half million African-Americans survived the voyage, and the number that died along the way is likely greater, only to be forced to submit to slavery for many years after arrival in the United States; and

WHEREAS, events in the history of the United States which led to the Civil War centered around sectional differences between the North and South that were based on economic and social divergence caused by the existence of slavery; and

WHEREAS, in 1862, the first clear signs that the end of slavery was imminent came when laws abolishing slavery in the territories of Oklahoma, Nebraska, Colorado and New Mexico were passed and in September of that same year, President Lincoln warned the eleven rebellious Confederate States that if they did not return to the Union by January 1, 1863, he would declare their slaves forever free via the Emancipation Proclamation; and

WHEREAS, Congress passed the Thirteenth Amendment to the Constitution of the United States on January 31, 1865, abolishing slavery throughout the United States and its territories and news of this action reached the states and territories at different times and it was not until June 19, 1865, that the message of freedom reached the slaves in Texas, Oklahoma, Louisiana, Arkansas and California; and

WHEREAS, spontaneous celebration erupted throughout the country when African-Americans learned of their freedom on Juneteenth National Freedom Day and celebrated the abolishment of slavery with excitement and great joy. It is a reminder to all Americans of the status and importance of Americans of African descent as American citizens.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that June 16, 2001, and the third Saturday of June of every year thereafter be designated as "Juneteenth National Freedom Day" and that appropriate ceremonies and presentations be conducted during that day to honor Idahoans of African descent.

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

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Dunklin was recorded present at this order of business.

January 18, 2001

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

DARRINGTON, Chairman

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

S 1018, S 1019, S 1020, and **S 1021** were referred to the Commerce and Human Resources Committee.

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

Motions and Resolutions

The Acting President announced the Resources and Environment Committee report, having been held, relative to the Gubernatorial appointment of Jim Caswell, was before the Senate for final consideration. The question being, "Shall the report be adopted?"

On motion by Senator Danielson, seconded by Senator Noh, the Gubernatorial appointment of Jim Caswell as Administrator of the Office of Species Conservation was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1022
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE UNIFORM FOREIGN-MONEY CLAIMS ACT; AMENDING TITLE 10, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 10, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE SCOPE, TO PROVIDE FOR VARIATION 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 TIMES OF MONEY CONVERSION AND TO PROVIDE FOR FORM OF JUDGMENT, TO PROVIDE FOR CONVERSIONS OF FOREIGN MONEY IN DISTRIBUTION PROCEEDINGS, TO PROVIDE FOR PREJUDGMENT INTEREST AND JUDGMENT INTEREST, TO PROVIDE FOR ENFORCEMENT OF FOREIGN JUDGMENTS, 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 FOR SUPPLEMENTARY GENERAL PRINCIPLES OF LAW, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE THAT THE CHAPTER APPLIES TO ACTIONS AND DISTRIBUTION PROCEEDINGS COMMENCED AFTER THE EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE.

S 1023
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT; REPEALING CHAPTER 10, TITLE 68, IDAHO CODE; AMENDING TITLE 68, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 10, TITLE 68, IDAHO CODE, TO PROVIDE A NEW UNIFORM PRINCIPAL AND INCOME ACT, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FIDUCIARY DUTIES AND GENERAL PRINCIPLES, TO PROVIDE A TRUSTEE'S POWER TO ADJUST, TO PROVIDE FOR NOTICE OF PROPOSED ACTION, TO PROVIDE FOR DETERMINATION AND DISTRIBUTION OF NET INCOME, TO PROVIDE FOR DISTRIBUTION TO RESIDUARY AND REMAINDER BENEFICIARIES, TO PROVIDE WHEN THE RIGHT TO INCOME BEGINS AND ENDS, TO PROVIDE FOR APPORTIONMENT OF RECEIPTS AND DISBURSEMENTS WHEN DECEDENT DIES OR INCOME INTEREST BEGINS, TO PROVIDE FOR APPORTIONMENT WHEN INCOME INTEREST ENDS, TO PROVIDE FOR CHARACTER OF RECEIPTS, TO PROVIDE FOR DISTRIBUTION FROM A TRUST OR ESTATE, TO PROVIDE FOR BUSINESS AND OTHER ACTIVITIES CONDUCTED BY A TRUSTEE, TO PROVIDE FOR PRINCIPAL RECEIPTS, TO PROVIDE FOR RENTAL PROPERTY, TO PROVIDE FOR AN OBLIGATION TO PAY MONEY, TO PROVIDE FOR INSURANCE POLICIES AND SIMILAR CONTRACTS, TO PROVIDE THAT INSUBSTANTIAL ALLOCATIONS ARE NOT REQUIRED, TO PROVIDE FOR DEFERRED COMPENSATION, ANNUITIES, AND SIMILAR PAYMENTS, TO PROVIDE FOR LIQUIDATING AN ASSET, TO PROVIDE FOR MINERALS, WATER, AND OTHER NATURAL RESOURCES, TO PROVIDE FOR TIMBER, TO PROVIDE FOR PROPERTY NOT PRODUCTIVE OF INCOME, TO PROVIDE FOR DERIVATIVES AND OPTIONS, TO PROVIDE FOR ASSET-BACKED SECURITIES, TO PROVIDE FOR DISBURSEMENTS FROM INCOME, TO PROVIDE FOR DISBURSEMENTS FROM PRINCIPAL, TO PROVIDE FOR TRANSFERS FROM INCOME TO PRINCIPAL FOR DEPRECIATION, TO PROVIDE FOR TRANSFERS FROM INCOME TO REIMBURSE PRINCIPAL, TO PROVIDE FOR INCOME TAXES, TO PROVIDE FOR ADJUSTMENTS BETWEEN PRINCIPAL AND INCOME BECAUSE OF TAXES, TO PROVIDE FOR UNIFORM APPLICATION AND CONSTRUCTION, TO PROVIDE SEVERABILITY AND TO PROVIDE FOR APPLICATION TO EXISTING TRUSTS AND ESTATES.

S 1024
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO STATE BUILDING AUTHORITY ACT; AMENDING SECTION 67-6405, IDAHO CODE, TO REVISE THE COMPENSATION FOR COMMISSIONERS OF THE BOARD AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6421, IDAHO CODE, TO PROVIDE FOR THE LEASING OF STATE PROPERTY TO THE IDAHO STATE BUILDING AUTHORITY; AND DECLARING AN EMERGENCY.

S 1025
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DIVISION OF PURCHASING; AMENDING SECTION 67-5716, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5717, IDAHO CODE, TO REVISE POWERS AND DUTIES OF THE ADMINISTRATOR OF THE DIVISION OF PURCHASING AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5718, IDAHO CODE, TO REVISE PROCEDURES FOR REQUISITIONS FOR PROPERTY; AMENDING SECTION 67-5718A, IDAHO CODE, TO DELETE REFERENCE TO AND DEFINITIONS RELATED TO INFORMATION TECHNOLOGY, TO PROVIDE THAT THE ADMINISTRATOR MAY AWARD MULTIPLE CONTRACTS UNDER SPECIFIED CRITERIA AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5720, IDAHO CODE, TO PROVIDE PROCEDURES FOR ACQUISITION OF PROPERTY IN THE OPEN MARKET, TO PROVIDE FOR EMERGENCY PURCHASES AND TO REVISE NOTICE REQUIREMENTS; AMENDING SECTION 67-5722, IDAHO CODE, TO DELETE REFERENCE TO REGISTERED VENDORS; AMENDING SECTION 67-5726, IDAHO CODE, TO DELETE REFERENCE TO REGISTERED VENDORS AND TO MAKE A GRAMMATICAL CORRECTION; AMENDING SECTION 67-5727A, IDAHO CODE, TO DELETE REFERENCE TO REGISTERED VENDORS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5729, IDAHO CODE, TO DELETE REFERENCE TO REGISTERED VENDORS AND TO PROVIDE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5730, IDAHO CODE, TO REVISE PROCEDURES PROVIDING FOR A QUALIFIED VENDOR, TO PROVIDE CRITERIA FOR HOW A VENDOR MAY BE DISQUALIFIED, TO DELETE THE REQUIREMENT OF AND REFERENCE TO A REGISTERED

VENDOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5732, IDAHO CODE, TO PROVIDE FOR RULES ADDRESSING SPECIFICATIONS DEVELOPMENT, PERFORMANCE TESTING AND SUBMISSION AND EVALUATION OF BIDS; AND AMENDING SECTION 67-5733, IDAHO CODE, TO REVISE THE APPEALS PROCESS.

S 1022, S 1023, S 1024, and **S 1025** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 11:30 a.m., Friday, January 19, 2001.

DENTON DARRINGTON, Acting President

Attest: JEANNINE WOOD, Secretary

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 19, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Thorne called the Senate to order at 11:30 a.m.

Roll call showed all members present except President Pro Tempore Geddes, absent and formally excused on state business as Acting Governor for the State of Idaho; Senators Bunderson, Branch, Dunklin, Riggs, and Sorensen, absent and formally excused by the Chair; and Senators Davis, Hawkins, Lee, Noh, and Schroeder, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Lee and Schroeder were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 18, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Noh was recorded present at this order of business.

January 19, 2001

The JUDICIARY AND RULES Committee reports that **S 1022, S 1023, S 1024, S 1025,** and **SCR 101** have been correctly printed.

DARRINGTON, Chairman

S 1022 and **S 1023** were referred to the Commerce and Human Resources Committee.

S 1024 and **S 1025** were referred to the State Affairs Committee.

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

January 18, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1018, S 1019,** and **S 1020** with the recommendation that they do pass.

ANDREASON, Chairman

S 1018, S 1019, and **S 1020** were filed for second reading.

The Senate advanced to the Seventh Order of Business.

Reports of Special Committees

Senators Davis and Hawkins were recorded present at this order of business.

The following Senators were appointed by President Pro Tempore Geddes to serve on Special Committees for the Fifty-Sixth Idaho Legislature:

Lunchroom:	Senator Lodge
Lincoln Day:	Senator Brandt
Memorial:	Senator Goedde

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

Messages from the House

January 18, 2001

Mr. President:

I transmit herewith **H 17, H 20,** and **H 21** which have passed the House.

JUKER, Chief Clerk

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

January 19, 2001

Mr. President:

I transmit herewith **HCR 2** and **HCR 5**, and I return herewith **SJM 101**, which have passed the House.

JUKER, Chief Clerk

HCR 2 and **HCR 5** were filed for first reading.

SJM 101 was referred to the Judiciary and Rules Committee for enrolling.

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

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

S 1026
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO LEGAL SERVICE EXPENSE PLANS; AMENDING CHAPTER 1, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-114B, IDAHO CODE, 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; AND DECLARING AN EMERGENCY.

S 1027
BY SCHROEDER AND DUNKLIN
AN ACT
RELATING TO PREKINDERGARTEN SCHOOL PROGRAMS; AMENDING SECTION 33-201, IDAHO CODE, TO FURTHER DEFINE SCHOOL AGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1001, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002H, IDAHO CODE, TO AUTHORIZE SUPPORT UNITS FOR PREKINDERGARTEN PROGRAMS FROM FUNDS APPROPRIATED AND TO PROVIDE THE METHOD OF CALCULATING SUPPORT; AND AMENDING SECTIONS 33-515 AND 33-1004G, IDAHO CODE, TO PROVIDE CORRECT CODE CITATIONS.

S 1028
BY SCHROEDER AND DUNKLIN
AN ACT
RELATING TO SCHOOL AGE; AMENDING SECTION 33-201, IDAHO CODE, TO STRIKE A MINIMUM AGE REQUIREMENT FOR ATTENDANCE IN SCHOOLS AND TO MAKE A TECHNICAL CORRECTION.

S 1029
BY SCHROEDER, INGRAM, STENNETT, WHITWORTH, DUNKLIN
AN ACT
RELATING TO MINIMUM WAGE LAW; AMENDING SECTION 44-1502, IDAHO CODE, TO PROVIDE RECORDKEEPING REQUIREMENTS FOR AGRICULTURAL PIECE RATE WORKERS; AMENDING SECTION 44-1504, IDAHO CODE, TO PROVIDE APPLICATION OF MINIMUM WAGE LAW TO AGRICULTURAL LABOR; AND PROVIDING AN EFFECTIVE DATE.

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

H 17, H 20, and **H 21**, by Mr. Speaker, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

HCR 2, by Bell, was introduced, read at length, and referred to the State Affairs Committee.

HCR 5, by Smith, was introduced, read at length, and referred to the Health and Welfare Committee.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:50 a.m. until the hour of 11:30 a.m., Monday, January 22, 2001.

J. L. "JERRY" THORNE, Acting President

Attest: JEANNINE WOOD, Secretary

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 22, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Cameron called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Branch, absent and formally excused by the Chair; and Senators Lee, Noh, and Wheeler, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Noh and Wheeler were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 19, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

January 22, 2001

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

DARRINGTON, Chairman

S 1026 and **S 1029** were referred to the Commerce and Human Resources Committee.

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

January 19, 2001

The JUDICIARY AND RULES Committee reports that **SJM 101** has been correctly enrolled.

DARRINGTON, Chairman

The Acting President announced that **SJM 101** will be held at the desk for the signature of the President Pro Tempore, and when so signed, will be transmitted to the House for the signature of the Speaker.

January 19, 2001

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

Brian Whitlock as Administrator of the Division of Financial Management, term to expire at the pleasure of the Governor.

RICHARDSON, Vice-Chairman

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

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

Motions and Resolutions

On request by Senator King-Barrutia, granted by unanimous consent, **SCR 101** retained its place on the calendar for one legislative day.

Senator Lee was recorded present at this order of business.

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

Second Reading of Bills

S 1018, S 1019, and **S 1020**, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:50 a.m. until the hour of 11:15 a.m., Tuesday, January 23, 2001.

DEAN L. CAMERON, Acting President

Attest: JEANNINE WOOD, Secretary

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 23, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Sorensen called the Senate to order at 11:15 a.m.

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

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 22, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Schroeder was recorded present at this order of business.

January 22, 2001

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

Thomas J. Hearn to the Idaho Sexual Offender Classification Board, term to expire January 1, 2002;

Moscelene Sunderland to the Idaho Sexual Offender Classification Board, term to expire January 1, 2007.

DARRINGTON, Chairman

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

January 22, 2001

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate with a Dissenting Reasons and Conclusions Report as filed by a member of the Committee:

John E. Burns to the Idaho Fish and Game Commission, term to expire June 30, 2004.

NOH, Chairman

January 19, 2001

Jeannine Wood
Secretary of the Senate
Statehouse Mail

Madam Secretary:

The enclosed report is the *Dissenting Reasons and Conclusions Report* of the Minority member of the Senate Resources and Environment Committee.

Pursuant to Senate Rule 21(B), I respectfully ask that the report be included in the Senate Journal.

Sincerely
/s/ Clint Stennett
Senate Minority Leader

RESOURCES AND ENVIRONMENT COMMITTEE
DISSENTING REASONS AND CONCLUSIONS ON THE NOMINATION OF JOHN BURNS
TO THE IDAHO FISH AND GAME COMMISSION

I, the undersigned Senator, dissent from the report of the Senate Resources and Environment Committee regarding the nomination of John Burns as Idaho Fish and Game Commissioner.

I made a motion to send the nomination of Mr. Burns to the full Senate **WITHOUT RECOMMENDATION** for the following reasons:

1. **The nomination of any candidate that does not declare a political party affiliation by signing an official oath violates the *Idaho Code*. The Legislative Services Office of the Idaho Legislature has concluded that:**

> **Section 34-501, Idaho Code,** defines "political party" as an "organization of electors under a given name." Political parties are those organizations of electors recognized by the Idaho Secretary of State. Currently, the Secretary of State recognizes six political parties: (1) Republican; (2) Democrat; (3) Libertarian; (4) Reform; (5) Natural Law; and (6) American Heritage. The "independent party" is not a recognized political party in the State of Idaho.

In identifying himself as an independent, Mr. Burns has eliminated himself from statutorial consideration for appointment to the Idaho Fish and Game Commission. The appointment of Mr. Burns by the Governor, and approval by the Senate, will violate the *Idaho Code*.

Clearly, legislative intent for commissions in Idaho was to create a steering body that eliminated or minimized the element of politics in overseeing agency implementation of state law. What other reason would explain the need to specify a maximum number of commissioners affiliated with any one party? By interpreting the statute to include that persons who claim that they are not affiliated with any particular party are a party themselves, misses the intent of this code. Although it is a fact that there are a number of very qualified Idahoans without political party affiliation that would serve the state well on the Fish and Game Commission, allowing these individuals to serve voids the intent of *Idaho Code* which is to provide for compromise when appointing persons to a commission.

2. **The requirement that each commissioner take an oath of office that includes a *declaration as to the name of the political party to which such commissioner belongs.*** As noted in point one (1) above, a person that is an independent clearly cannot fulfill this oath.

The Minority believes that the character and integrity of Mr. Burns is beyond reproach. However, I feel we would be remiss in not bringing this issue to the attention of the Senate. I am concerned that decisions made by an illegally constituted Board of Commissioners could be called into question. The Minority party believes the Majority party has ignored *Idaho Code* in confirming the Governor's appointment of Mr. Burns. For these

reasons, the Minority member of the Resources and Environment Committee opposes the appointment of John Burns to the Idaho Fish and Game Commission.

/s/Clint Stennett
Senate Minority Leader

The Dissenting Reasons and Conclusions Report was ordered filed in the office of the Secretary of the Senate and spread upon the pages of the Journal pursuant to Senate Rule 21(B).

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

January 22, 2001

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

Dr. Frederick L. Wood, III, to the Idaho Fish and Game Commission, term to expire June 30, 2004.

NOH, Chairman

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

January 22, 2001

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

Dennis S. Hansen as a member of the Idaho Public Utilities Commission, term to expire January 8, 2007.

SORENSEN, Chairman

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

January 22, 2001

The STATE AFFAIRS Committee reports out **S 1015** with the recommendation that it do pass.

SORENSEN, Chairman

S 1015 was filed for second reading.

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

Messages from the Governor

January 22, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that I have appointed Senator Jack Riggs of Coeur d'Alene, Idaho, to the Office of Lieutenant Governor for the remainder of the term of the office which expires January 6, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 22, 2001

Mr. President:

I transmit herewith **HCR 6** and **H 55**, which have passed the House.

JUKER, Chief Clerk

HCR 6 and **H 55** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Cameron was recorded present at this order of business.

On request by Senator King-Barrutia, granted by unanimous consent, **SCR 101** was referred to the State Affairs Committee.

The Acting President announced the State Affairs Committee report relative to the Gubernatorial appointment of Brian Whitlock was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Richardson, seconded by Senator Ingram, the Gubernatorial appointment of Brian Whitlock as Administrator of the Division of Financial Management was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

HCR 6, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 55, by Deal, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:35 a.m. until the hour of 11:30 a.m., Wednesday, January 24, 2001.

SHEILA SORENSEN, Acting President

Attest: JEANNINE WOOD, Secretary

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 24, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Richardson called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Branch and Deide, absent and formally excused by the Chair; and Senators Danielson, Dunklin, Noh, and Schroeder, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 23, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Messages from the House

Senators Danielson, Dunklin, Noh, and Schroeder were recorded present at this order of business.

January 23, 2001

Mr. President:

I transmit herewith **H 66** which has passed the House.

JUKER, Chief Clerk

H 66 was filed for first reading.

January 23, 2001

Mr. President:

I return herewith Enrolled **SJM 101** which has been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **SJM 101** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The Acting President announced the Judiciary and Rules Committee report relative to the Gubernatorial appointments of Thomas J. Hearn and Moscelene Sunderland was before the Senate for final consideration. The question being, "Shall the report be adopted?"

On motion by Senator Darrington, seconded by Senator Sorensen, the Gubernatorial appointment of Thomas J. Hearn as a member of the Idaho Sexual Offender Classification Board was confirmed by voice vote.

On motion by Senator Lodge, seconded by Senator Dunklin, the Gubernatorial appointment of Moscelene Sunderland as a member of the Idaho Sexual Offender Classification Board was confirmed by voice vote.

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

The Acting President announced the Resources and Environment Committee report relative to the Gubernatorial appointment of John E. Burns was before the Senate for final consideration. The question being, "Shall the report be adopted?"

Moved by Senator Burtenshaw, seconded by Senator Williams, that the report of the Resources and Environment Committee be adopted. The question being, "Shall the motion pass?"

Roll call vote was requested by Senators Whitworth, Dunklin, and Stennett.

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 29.

NAYS--Dunklin, Frasure, Stennett, Whitworth. Total - 4.

Absent and excused--Branch, Deide. Total - 2.

Total - 35.

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

The Acting President announced the Resources and Environment Committee report relative to the Gubernatorial appointment of Dr. Frederick L. Wood, III, to the Idaho Fish and Game Commission was before the Senate for final consideration.

Moved by Senator Cameron, seconded by Senator Stennett, that the report of the Resources and Environment Committee be adopted. The question being, "Shall the motion pass?"

Roll call vote was requested by Senators Whitworth, Dunklin, and Stennett.

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 32.

NAYS--Whitworth. Total - 1.

Absent and excused--Branch, Deide. Total - 2.

Total - 35.

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

The Acting President announced the State Affairs Committee report relative to the Gubernatorial appointment of Dennis S. Hansen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Geddes, seconded by Senator Stennett, the Gubernatorial appointment of Dennis S. Hansen as a member of the Idaho Public Utilities Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

H 66, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1015, by State Affairs Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 11:30 a.m., Thursday, January 25, 2001.

MEL RICHARDSON, Acting President

Attest: JEANNINE WOOD, Secretary

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 25, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Frasure called the Senate to order at 11:30 a.m.

Roll call showed all members present except President Pro Tempore Geddes, absent and formally excused on state business as Acting Governor for the state of Idaho; Senators Andreason, Branch, and Ipsen, absent and formally excused by the Chair; and Senator Riggs, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 24, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 102
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

TO THE FAMILIES OF PHILLIP ANDERSON AND JAMES MOULSON.

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

WHEREAS, Corporal Phillip Anderson, twenty-three years of age, was killed in the line of duty in Eden, Idaho, on January 3, 2001; and

WHEREAS, Corporal James Moulson, thirty years of age, was killed in the line of duty in Eden, Idaho, on January 3, 2001; and

WHEREAS, Corporal Phillip Anderson served with the Jerome County Sheriff's Department for two years; and

WHEREAS, Corporal James Moulson served with the Jerome County Sheriff's Department for five years; and

WHEREAS, both Corporal Phillip Anderson and Corporal James Moulson, by their outstanding service and devotion, brought honor to the Jerome County Sheriff's Department and to all peace officers across the state of Idaho; and

WHEREAS, Corporal Phillip Anderson and Corporal James Moulson were the Jerome County Sheriff's Department's only trained K-9 officers; and

WHEREAS, the deaths of Corporal Phillip Anderson and Corporal James Moulson are tragedies for all citizens of the state of Idaho, particularly those citizens of Jerome County who most directly benefitted from the service and commitment of these two individuals; and

WHEREAS, Corporal Phillip Anderson and Corporal James Moulson will be remembered and missed by their families, friends and the communities in which they worked and lived as dedicated officers and caring individuals; and

WHEREAS, it is appropriate that the Legislature of the State of Idaho, on behalf of the citizens of this state, recognize and memorialize Corporal Phillip Anderson and Corporal James Moulson and express our sympathy to their families.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we extend our sympathy to the families of Phillip Anderson and James Moulson at the loss of two citizens whose devotion to public service and their communities we commend and recognize.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Resolution to the families of Phillip Anderson and James Moulson with our deepest sympathies.

SCR 102 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 24, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SJM 101** was delivered to the Office of the Secretary of State at 4 p.m., January 24, 2001.

DARRINGTON, Chairman

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

January 24, 2001

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

Blake Hall to the State Board of Education, term to expire March 1, 2005;

Darrell Manning to the State Board of Education, term to expire March 1, 2002.

SCHROEDER, Chairman

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

January 24, 2001

The FINANCE Committee reports out **H 66** with the recommendation that it do pass.

CAMERON, Chairman

H 66 was filed for second reading.

January 24, 2001

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the

Committee recommends that said appointment be confirmed by the Senate:

Jack Riggs to the Office of Lieutenant Governor, term to expire January 6, 2003.

SORENSEN, Chairman

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

January 24, 2001

The STATE AFFAIRS Committee reports out **HCR 2, HCR 6,** and **S 1024** with the recommendation that they do pass.

SORENSEN, Chairman

HCR 2 and **HCR 6** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

S 1024 was filed for second reading.

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

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

S 1030
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO COMMUNITY PROPERTY; AMENDING SECTION 32-906, IDAHO CODE, TO PROVIDE THAT INCOME FROM COMMUNITY PROPERTY IS COMMUNITY PROPERTY UNLESS OTHERWISE DECLARED, TO PROVIDE THAT INCOME FROM SEPARATE PROPERTY IS THE SEPARATE PROPERTY OF THE SPOUSE OWNING THE PROPERTY, TO DELETE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION.

S 1031
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE UNIFORM PROBATE CODE; AMENDING SECTION 15-3-916, IDAHO CODE, TO PROVIDE REFERENCES TO TRUSTS AND OTHER DISPOSITIVE INSTRUMENTS IN THE APPORTIONMENT OF ESTATE TAXES.

S 1032
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ANNUITY CONTRACTS; AMENDING SECTION 41-1836, IDAHO CODE, TO INCREASE THE MAXIMUM TOTAL EXEMPTION OF BENEFITS DUE AND PAYABLE UNDER ANNUITY CONTRACTS AND TO MAKE TECHNICAL CORRECTIONS.

S 1033
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE UNIFORM PROBATE CODE; AMENDING SECTION 15-2-102, IDAHO 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 AND TO MAKE TECHNICAL CORRECTIONS.

S 1034
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2002; AND EXPRESSING LEGISLATIVE INTENT REGARDING THE STUDENTS WHO ARE ELIGIBLE TO RECEIVE THESE FUNDS.

S 1035
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO A MINOR; AMENDING SECTION 39-5705, IDAHO CODE, TO STRIKE A REQUIREMENT TO VERIFY AGE; AMENDING SECTION 39-5708, IDAHO CODE, TO PROVIDE A SCHEDULE OF PENALTIES FOR VIOLATION OF PERMIT; AMENDING SECTION 39-5710, IDAHO CODE, TO PROVIDE A FORMULA FOR DETERMINATION OF THE NUMBER OF INSPECTIONS TO BE CONDUCTED; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1036
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO ADJUSTMENTS TO TAXABLE INCOME; AMENDING SECTION 63-3022, IDAHO CODE, TO PROVIDE THAT IF THE CONTRIBUTION IS MADE TO COLLEGE SAVINGS ACCOUNTS ON OR BEFORE APRIL 15, 2001, IT MAY BE DEDUCTED FOR TAX YEAR 2000, TO PROVIDE THAT AN INDIVIDUAL CAN MAKE ANOTHER CONTRIBUTION AND CLAIM THE DEDUCTION ACCORDING TO THE LIMITS PROVIDED IN THIS SUBSECTION DURING 2001 FOR TAX YEAR 2001 AS LONG AS THE CONTRIBUTION IS MADE ON OR BEFORE DECEMBER 31, 2001, TO PROVIDE THAT, IN THE CASE OF AN INDIVIDUAL, THE AMOUNT OF A NONQUALIFIED WITHDRAWAL FROM AN INDIVIDUAL TRUST ACCOUNT OR SAVINGS ACCOUNT ESTABLISHED PURSUANT TO CHAPTER 54, TITLE 33, IDAHO CODE, SHALL BE ADDED TO TAXABLE INCOME AND TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1030, S 1031, S 1032, S 1033, S 1034, S 1035, and **S 1036** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

Senator Riggs was recorded present at this order of business.

S 1018 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Andreason, Branch, Geddes, Ipsen. Total - 4.

Total - 35.

Whereupon the Acting President declared **S 1018** passed, title was approved, and the bill ordered transmitted to the House.

S 1019 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total- 30.

NAYS--Whitworth. Total - 1.

Absent and excused--Andreason, Branch, Geddes, Ipsen. Total - 4.

Total - 35.

Whereupon the Acting President declared **S 1019** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, **S 1020** retained its place on the Third Reading Calendar for one legislative day.

S 1015 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Andreason, Branch, Geddes, Ipsen. Total - 4.

Total - 35.

Whereupon the Acting President declared **S 1015** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 11:30 a.m., Friday, January 26, 2001.

EVAN FRASURE, Acting President

Attest: JEANNINE WOOD, Secretary

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 26, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Ingram called the Senate to order at 11:30 a.m.

Roll call showed all members present except President Pro Tempore Geddes, absent and formally excused on state business as Acting Governor for the state of Idaho; Senators Andreason, Branch, Burtenshaw, Darrington, Davis, Ipsen, Noh, and Sandy, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

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

Reports of Standing Committees

Senator Cameron was recorded present at this order of business.

January 26, 2001

The JUDICIARY AND RULES Committee reports that **S 1030, S 1031, S 1032, S 1033, S 1034, S 1035, S 1036**, and **SCR 102** have been correctly printed.

DARRINGTON, Chairman

S 1030, S 1031, S 1032, and **S 1033** were referred to the Judiciary and Rules Committee.

S 1034 was referred to the Finance Committee.

S 1035 was referred to the State Affairs Committee.

S 1036 was referred to the Local Government and Taxation Committee.

SCR 102 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

January 26, 2001

The FINANCE Committee reports out **S 1034** with the recommendation that it do pass.

CAMERON, Chairman

S 1034 was filed for second reading.

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

Messages from the House

January 25, 2001

Mr. President:

I transmit herewith **H 68, H 69**, and **H 54** which have passed the House.

JUKER, Chief Clerk

H 68, H 69, and **H 54** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Williams, granted by unanimous consent, the Education Committee report relative to the Gubernatorial appointment of Blake Hall was held for one legislative day.

The Acting President announced the Education Committee report relative to the Gubernatorial appointment of Darrell Manning was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Deide, seconded by Senator Schroeder, the Gubernatorial appointment of Darrell Manning as a member of the Idaho State Board of Education was confirmed by voice vote.

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

On request by Senator Risch, granted by unanimous consent, the State Affairs Committee report relative to the Gubernatorial appointment of Senator Jack Riggs to the Office of Lieutenant Governor was held for Tuesday, January 30, 2001.

The Acting President announced that **HCR 2** was before the Senate for final consideration.

Moved by Senator Lee, seconded by Senator Stennett, that **HCR 2** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Boatright, Brandt, Bunderson, Cameron, Danielson, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Richardson, Riggs, Risch, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 24.

NAYS--None.

Absent and excused--Andreason, Branch, Burtenshaw, Darrington, Davis, Geddes, Ipsen, Noh, Sandy, Schroeder, Whitworth. Total - 11.

Total - 35.

Whereupon the Acting President declared **HCR 2** adopted, title was approved, and the resolution ordered returned to the House.

The Acting President announced that **HCR 6** was before the Senate for final consideration.

Moved by Senator Lee, seconded by Senator Stennett, that **HCR 6** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Boatright, Brandt, Bunderson, Cameron, Danielson, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Richardson, Riggs, Risch, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 25.

NAYS--None.

Absent and excused--Andreason, Branch, Burtenshaw, Darrington, Davis, Geddes, Ipsen, Noh, Sandy, Schroeder. Total - 10.

Total - 35.

Whereupon the Acting President declared **HCR 6** adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1037
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO CERTAIN ABANDONED CHILDREN; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 81, TITLE 39, IDAHO CODE, TO PROVIDE A TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR THE EMERGENCY CUSTODY OF CERTAIN ABANDONED CHILDREN, TO PROVIDE CERTAIN REQUIREMENTS, TO PROVIDE FOR CONFIDENTIALITY, TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR CERTAIN SAFE HAVENS AND TO PROVIDE CERTAIN CUSTODIAL PARENTS WITH IMMUNITY FROM PROSECUTION FOR ABANDONMENT, TO PROVIDE FOR PROTECTIVE CUSTODY, TO PROVIDE FOR PLACEMENT AND TO PROVIDE FOR IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR CERTAIN INDIVIDUALS TAKING CHILDREN INTO CUSTODY, TO PROVIDE FOR SHELTER CARE HEARINGS, TO PROVIDE FOR INVESTIGATIONS, TO PROVIDE FOR ADJUDICATORY HEARINGS AND 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 AND TO PROVIDE FOR A PROCEDURE WHERE A CLAIM FOR PARENTAL RIGHTS IS MADE AND TO PROVIDE FOR A REPORT TO THE LEGISLATURE; AMENDING SECTION 16-1513, IDAHO CODE, TO PROVIDE FOR NOTIFICATION OF THE REGISTRY FOR PARENTAL CLAIMS FOR CERTAIN ABANDONED CHILDREN TO THOSE REGISTERING NOTICE OF COMMENCEMENT OF PATERNITY PROCEEDINGS; AMENDING SECTION 16-1612, IDAHO CODE, TO PROVIDE FOR CUSTODY OF CERTAIN ABANDONED CHILDREN WITHOUT AN ORDER; AMENDING SECTION 16-1613, IDAHO CODE, TO PROVIDE AN EXCEPTION TO NOTICE REQUIREMENTS FOR SHELTER CARE PROCEEDINGS FOR PARENTS OF CERTAIN ABANDONED CHILDREN; AMENDING SECTION 16-1632, IDAHO CODE, TO LIMIT THE RIGHTS AND POWERS OF THE GUARDIAN AD LITEM TO OBTAIN INFORMATION REGARDING THE PARENTS OF CERTAIN ABANDONED CHILDREN; AMENDING SECTION 16-2007, IDAHO CODE, TO PROVIDE THAT CERTAIN PARENTS SHALL BE DEEMED TO HAVE ABANDONED A CHILD LEFT WITH A SAFE HAVEN AND TO HAVE WAIVED ANY RIGHT IN RELATION TO THE CHILD AND WAIVED RIGHT TO NOTICE OF HEARING TO TERMINATE PARENTAL RIGHTS.

S 1037 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 68 and **H 69**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 54, by Bell, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 66, by Appropriations Committee, was read the second time at length and filed for third reading.

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

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Dunklin, by voice vote the Senate adjourned at 12:10 p.m., until the hour of 11:30 a.m., Monday, January 29, 2001.

CECIL D. INGRAM, Acting President

Attest: JEANNINE WOOD, Secretary

TWENTY- SECOND LEGISLATIVE DAY
MONDAY, JANUARY 29, 2001

Senate Chamber

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

Roll call showed all members present except Senators Bunderson, Danielson, Dunklin, and Schroeder, absent and formally excused by the Chair; and Senators Frasure and Lee, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Frasure and Lee were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 25, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

January 29, 2001

The JUDICIARY AND RULES Committee reports that **S 1037** has been correctly printed.

DARRINGTON, Chairman

S 1037 was referred to the Health and Welfare Committee.

January 26, 2001

The JUDICIARY AND RULES Committee reports out **S 1005, S 1006, S 1007, S 1008, S 1009, S 1010, S 1011,** and **S 1012** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1005, S 1006, S 1007, S 1008, S 1009, S 1010, S 1011, and **S 1012** were filed for second reading.

January 26, 2001

The FINANCE Committee reports out **H 68** and **H 69** with the recommendation that they do pass.

CAMERON, Chairman

H 68 and **H 69** were filed for second reading.

January 29, 2001

The HEALTH AND WELFARE Committee reports out **HCR 5** with the recommendation that it do pass.

LODGE, Vice-Chairman

HCR 5 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

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

Motions and Resolutions

The President Pro Tempore announced the Education Committee report, having been held, relative to the Gubernatorial appointment of Blake Hall was before the Senate for final consideration. The question being, "Shall the report be adopted?"

On motion by Senator Williams, seconded by Senator Stennett, the Gubernatorial appointment of Blake Hall as a member of the State Board of Education was confirmed by voice vote.

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

The President Pro Tempore announced that **SCR 102** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

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

The Senate advanced to the Eleventh Order of Business.

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

S 1038
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5211, IDAHO CODE, TO REVISE THE INFORMATION WHICH THE STATE DEPARTMENT OF EDUCATION MUST DISTRIBUTE UPON REQUEST AND TO MAKE TECHNICAL CHANGES; AND AMENDING SECTION 33-5212, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION MAY REVIEW THE EDUCATIONAL EFFECTIVENESS OF CHARTER SCHOOLS AND REPORT TO THE LEGISLATURE.

S 1039
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS; AMENDING THE CHAPTER HEADING FOR CHAPTER 34, TITLE 54, IDAHO CODE; AMENDING SECTION 54-3401, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 54-3402, IDAHO CODE, TO PROVIDE FOR LICENSURE OF MARRIAGE AND FAMILY THERAPISTS AND TO PROVIDE EXEMPTIONS; AMENDING SECTION 54-3403, IDAHO CODE, TO PROVIDE FOR THE IDAHO STATE LICENSING BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS, TO PROVIDE MEMBERSHIP AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3404, IDAHO CODE, TO PROVIDE POWERS OF THE IDAHO STATE LICENSING BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 34, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3405C, IDAHO CODE, TO PROVIDE QUALIFICATIONS FOR LICENSURE AS A LICENSED MARRIAGE AND FAMILY THERAPIST; AMENDING SECTION 54-3406, IDAHO CODE, TO PROVIDE FOR ENDORSEMENT; AMENDING SECTION 54-3408, IDAHO CODE, TO PROVIDE PROHIBITED ACTS REGARDING A LICENSED MARRIAGE AND FAMILY THERAPIST OR PRACTICING OR ATTEMPTING TO

OFFER TO PRACTICE MARRIAGE AND FAMILY THERAPY; REPEALING SECTION 54-3410, IDAHO CODE; AMENDING SECTION 54-3410A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR PRIVILEGE FROM DISCLOSURE OF CONFIDENTIAL COMMUNICATIONS BETWEEN PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND CLIENTS; AMENDING SECTION 54-3410B, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR INFORMATION DISCLOSURE TO CLIENTS BY MARRIAGE AND FAMILY THERAPISTS; AMENDING SECTION 54-3411, IDAHO CODE, TO PROVIDE A FEE FOR ENDORSEMENT; AMENDING SECTION 54-3414, IDAHO CODE, TO PROVIDE POWERS AND DUTIES OF THE BUREAU OF OCCUPATIONAL LICENSES; AND DECLARING AN EMERGENCY.

S 1038 and **S 1039** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1034, by Finance Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Ipsen, granted by unanimous consent, **S 1020** retained its place on the Third Reading Calendar for one legislative day.

H 66 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Branch, Brandt, Burtenshaw, Cameron, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Riggs, Risch, Sandy, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Boatright. Total - 1.

Absent and excused--Bunderson, Danielson, Dunklin, Schroeder. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **H 66** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:25 p.m. until the hour of 11 a.m., Tuesday, January 30, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 30, 2001

Senate Chamber

At the request of the President Pro Tempore, Acting President Risch called the Senate to order at 11 a.m.

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

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of January 26, 2001, and January 29, 2001, were read and approved as corrected.

DARRINGTON, Chairman

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

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

Reading of Communications

January 30, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

Please accept my resignation as state Senator from Legislative District No. 4, effective today upon confirmation and taking the oath of office as Lieutenant Governor of the State of Idaho.

I have enjoyed being a member of the Idaho Legislature and I look forward to continuing that service as the Lieutenant Governor and President of the Senate.

Sincerely,
/s/ Jack T. Riggs
Idaho State Senator
Legislative District No. 4

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

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

Reports of Standing Committees

January 30, 2001

The JUDICIARY AND RULES Committee reports that **S 1038** and **S 1039** have been correctly printed.

DARRINGTON, Chairman

S 1038 was referred to the Education Committee.

S 1039 was referred to the Health and Welfare Committee.

January 29, 2001

The JUDICIARY AND RULES Committee reports out **S 1014** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, **S 1014** was referred to the Fourteenth Order of Business, General Calendar.

January 29, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 55** with the recommendation that it do pass.

THORNE, Chairman

H 55 was filed for second reading.

January 29, 2001

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

Lyle R. Cobbs to the Board of Tax Appeals, term to expire June 30, 2003;

Severina Sam Haws to the Idaho Tax Commission, term to expire April 1, 2005.

THORNE, Chairman

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

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

Messages from the House

January 29, 2001

Mr. President:

I transmit herewith **H 81, H 82, H 83, H 84, H 42, H 43,** and **H 12** which have passed the House.

JUKER, Chief Clerk

H 81, H 82, H 83, H 84, H 42, H 43, and **H 12** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Sandy, granted by unanimous consent, the Acting President appointed three committees of two members each to wait upon the Governor, the Justices of the Supreme Court, and the elected officials, and escort them into the Senate Chamber for the Oath of Office ceremony of Lieutenant Governor Designate, Senator Jack Riggs.

The Acting President appointed Senators Sandy and Stennett as the committee to wait upon the Governor and escort him to the Senate Chamber.

The Acting President appointed Senators Stegner and Keough as the committee to wait upon the elected officials and escort them to the Senate Chamber.

The Acting President appointed Senators Darrington and Dunklin as the committee to wait upon the Justices of the Supreme Court and escort them to the Senate Chamber.

The committees appointed by the Acting President returned and escorted the Supreme Court Justices, the elected officials, and the Governor into the Senate Chamber where they were presented to the Senate by the Acting President.

The Acting President announced the State Affairs Committee report relative to the Gubernatorial appointment of Senator Jack Riggs was before the Senate for consideration.

On motion by Senator Sorensen, seconded by Senator Stennett, the Gubernatorial appointment of Senator Jack Riggs to the office of Lieutenant Governor of the State of Idaho was confirmed by voice vote.

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

On request by Senator Sandy, granted by unanimous consent, the Acting President appointed President Pro Tempore Geddes and Senators Goedde and Boatright as the committee to escort the Lieutenant Governor Designate to the Podium to receive the Oath of Office.

The Oath of Office was administered to Lieutenant Governor Jack Riggs by Chief Justice Linda Copple Trout.

The Acting President presented the Lieutenant Governor with the Senate gavel and welcomed him as Senate President.

President Riggs assumed the Chair.

The committees came forward and escorted the Supreme Court Justices and the elected officials to their respective offices and were, upon their return, thanked and discharged by the President.

The committee came forward and escorted the Governor to his office and was, upon its return, thanked and discharged by the President.

The President announced that **HCR 5** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Brandt, seconded by Senator Stennett, **HCR 5** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1040
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO DAIRY FARM NUTRIENT MANAGEMENT PLANS; AMENDING SECTION 37-401, IDAHO CODE, TO PROVIDE THAT NUTRIENT MANAGEMENT PLANS SUBMITTED TO THE DEPARTMENT BY DAIRY FARMS SHALL INCLUDE ALL WRITTEN CONTRACTS THE DAIRY FARM HAS ENTERED WITH RECIPIENTS OF LIVESTOCK WASTE AND TO PROVIDE FOR SOIL TESTING.

S 1041
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO REAL ESTATE TRANSACTIONS; AMENDING SECTION 55-2508, IDAHO CODE, TO REQUIRE THAT SELLERS DISCLOSE THE KNOWN PRESENCE OF NOXIOUS WEEDS ON PROPERTY.

S 1042
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO NOXIOUS WEED MANAGEMENT; AMENDING SECTION 22-2405, IDAHO CODE, TO PROVIDE THAT THE COUNTY CONTROL AUTHORITY SHALL REVIEW AND APPROVE NOXIOUS WEED MANAGEMENT PLANS; AND AMENDING CHAPTER 13, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-1335, IDAHO CODE, TO REQUIRE THE SUBMISSION OF AN APPROVED NOXIOUS WEED MANAGEMENT PLAN UPON FILING OF SUBDIVISION PLATS, TO PROVIDE FOR REVIEW AND APPROVAL OF PLANS BY THE COUNTY CONTROL AUTHORITY, TO PROVIDE FOR NOTICE OF COMPLIANCE AND TO PROVIDE THAT TITLES SHALL NOT BE INVALIDATED FOR NONCOMPLIANCE.

S 1043
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION AND NOTIFICATION ACT; AMENDING SECTION 18-8319, IDAHO CODE, TO PROVIDE THAT NOTIFICATION OF THE SEXUAL OFFENDER CLASSIFICATION BOARD'S DESIGNATION OF AN OFFENDER AS A VIOLENT SEXUAL PREDATOR WILL BE SERVED UPON THE OFFENDER WITHIN TEN WORKING DAYS OF THE DESIGNATION AND UPON THE APPROPRIATE SHERIFF AS SOON AS THE OFFENDER'S RESIDENCE INFORMATION IS MADE AVAILABLE; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

S 1044
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE POWERS AND DUTIES OF THE STATE APPELLATE PUBLIC DEFENDER; AMENDING SECTION 19-870, IDAHO CODE, TO CLARIFY THE TYPES OF POST-CONVICTION RELIEF PROCEEDINGS THE STATE APPELLATE PUBLIC DEFENDER MAY BE APPOINTED TO BY A COURT, TO REQUIRE THE STATE APPELLATE PUBLIC DEFENDER TO CONTINUE REPRESENTING CERTAIN DEFENDANTS IN RETRIAL OR RESENTENCING AND TO REQUIRE THE STATE APPELLATE PUBLIC DEFENDER TO OBTAIN CONFLICT COUNSEL FOR CERTAIN DEFENDANTS; AND DECLARING AN EMERGENCY.

S 1045
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO CRIME VICTIMS COMPENSATION; AMENDING SECTION 72-1007, IDAHO CODE, TO PROVIDE THAT RECORDS AND INFORMATION IN THE POSSESSION OF THE INDUSTRIAL COMMISSION FOR PURPOSES OF ADMINISTERING THE CRIME VICTIMS COMPENSATION ACT SHALL BE KEPT CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE WITH CERTAIN EXCEPTIONS AND TO PROVIDE PROCEDURES; AND AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE FOR AN EXEMPTION FROM DISCLOSURE, WITH EXCEPTIONS, FOR RECORDS OF THE INDUSTRIAL COMMISSION RELATING TO ADMINISTRATION OF THE CRIME VICTIMS COMPENSATION ACT.

S 1046
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE CLASSIFICATION OF EMPLOYEES; AMENDING SECTION 67-5303, IDAHO CODE, TO LIMIT THE DEFINITION OF NONCLASSIFIED EMPLOYEES OF THE STATE BRAND BOARD TO THE STATE BRAND INSPECTOR AND ALL DISTRICT SUPERVISORS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 25-1104, IDAHO CODE, TO PROVIDE CERTAIN AUTHORITY TO THE STATE BRAND INSPECTOR IN RELATION TO THE FOUR DISTRICT SUPERVISORS, TO PROVIDE THAT THE IDAHO CLASSIFIED PERSONNEL SYSTEM SHALL GOVERN THE EMPLOYMENT OF CERTAIN EMPLOYEES AND TO CORRECT A CODIFIER ERROR.

S 1047
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-305, IDAHO CODE, 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 AND TO MAKE TECHNICAL CORRECTIONS.

S 1048
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO A MINOR; AMENDING SECTION 39-5705, IDAHO CODE, TO STRIKE A REQUIREMENT TO VERIFY AGE; AMENDING SECTION 39-5708, IDAHO CODE, TO PROVIDE A SCHEDULE OF PENALTIES FOR VIOLATION OF PERMIT; AMENDING SECTION 39-5710, IDAHO CODE, TO PROVIDE A FORMULA FOR DETERMINATION OF THE NUMBER OF INSPECTIONS TO BE CONDUCTED; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1049
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO EQUALIZATION OF ASSESSMENTS; AMENDING SECTION 63-511, IDAHO CODE, TO PROVIDE FOR AWARDS OF ATTORNEY'S FEES AND COSTS TO TAXPAYERS IN APPEALS FROM THE COUNTY BOARD OF EQUALIZATION WHERE THE DISTRICT COURT DETERMINES THAT THE BOARD OF EQUALIZATION ASSESSED VALUE IS AT LEAST FIFTEEN PERCENT MORE THAN THE VALUE OF THE PROPERTY AS DETERMINED BY THE COURT.

S 1040, S 1041, S 1042, S 1043, S 1044, S 1045, S 1046, S 1047, S 1048, and **S 1049** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 81, H 82, H 83, and **H 84**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 42 and **H 43**, by Mr. Speaker, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 12, by Mr. Speaker, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1005, S 1006, S 1007, S 1008, S 1009, S 1010, S 1011, and **S 1012**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 68 and **H 69**, by Appropriations Committee, were read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:15 p.m. until the hour of 11 a.m., Wednesday, January 31, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 31, 2001

Senate Chamber

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

Roll call showed all members present except Senator Dunklin, absent and formally excused by the Chair; and Senators Cameron, Noh, and Sorensen, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 30, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

January 31, 2001

The JUDICIARY AND RULES Committee reports that **S 1040, S 1041, S 1042, S 1043, S 1044, S 1045, S 1046, S 1047, S 1048,** and **S 1049** have been correctly printed.

DARRINGTON, Chairman

S 1040, S 1041, and **S 1042** were referred to the Agricultural Affairs Committee.

S 1043, S 1044, S 1045, S 1046, and **S 1047** were referred to the Judiciary and Rules Committee.

S 1048 was referred to the State Affairs Committee.

S 1049 was referred to the Local Government and Taxation Committee.

January 30, 2001

The HEALTH AND WELFARE Committee reports out **S 1037** with the recommendation that it do pass.

IPSEN, Chairman

S 1037 was filed for second reading.

January 30, 2001

The FINANCE Committee reports out **H 81, H 82, H 83,** and **H 84** with the recommendation that they do pass.

CAMERON, Chairman

H 81, H 82, H 83, and **H 84** were filed for second reading.

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

Messages from the House

Senators Noh and Sorensen were recorded present at this order of business.

January 30, 2001

Mr. President:

I transmit herewith Enrolled **HCR 2** and **HCR 6** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HCR 2** and **HCR 6** and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Cameron was recorded present at this order of business.

The President announced the Local Government and Taxation Committee report relative to the Gubernatorial appointments of Lyle R. Cobbs and Severina "Sam" Haws was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ipsen, seconded by Senator Thorne, the Gubernatorial appointment of Lyle R. Cobbs as a member of the Board of Tax Appeals was confirmed by voice vote.

On motion by Senator Bunderson, seconded by Senator Whitworth, the Gubernatorial appointment of Severina "Sam" Haws as a member of the State Tax Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1050
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO REAL ESTATE BROKERS AND SALESPERSONS; AMENDING SECTION 54-2020, IDAHO CODE, TO INCREASE THE MAXIMUM FEE THAT MAY BE CHARGED FOR THE ISSUANCE OR RENEWAL OF AN IDAHO REAL ESTATE LICENSE.

S 1051
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2004, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2012, IDAHO CODE, TO REVISE MINIMUM REQUIREMENTS FOR INDIVIDUAL PRIMARY IDAHO REAL ESTATE LICENSES; AMENDING SECTION 54-2014, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-2015, IDAHO CODE, TO REVISE THE PROCEDURE FOR WAIVER REQUESTS, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE A

CORRECT CODE CITATION; AMENDING SECTION 54-2016, IDAHO CODE, TO REVISE REQUIREMENTS FOR PRIMARY IDAHO REAL ESTATE LICENSES FOR LEGAL BUSINESS ENTITIES, SOLE PROPRIETORSHIPS AND BRANCH OFFICES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2018, IDAHO CODE, TO DELETE REFERENCE TO POSTMARK, TO PROVIDE THAT CERTAIN EXPIRED LICENSES SHALL BE AUTOMATICALLY TERMINATED AND MAY NOT BE RENEWED, TO PROVIDE FOR THE PLACEMENT OF LICENSES ON INACTIVE STATUS, TO PROVIDE FOR THE RECEIPT BY INACTIVE LICENSEES OF CERTAIN REFERRAL FEES, TO PROVIDE FOR THE REACTIVATION OF INACTIVE LICENSES, TO PROVIDE FOR NOTICE BY THE LICENSEE TO THE COMMISSION OF CERTAIN CHANGES, TO PROVIDE THAT ONLY LICENSES SIGNED BY LICENSEES SHALL BE VALID, TO PROVIDE FOR THE EFFECTIVE DATE FOR APPLICATION REQUESTS FOR LICENSURE AND LICENSE CHANGES AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-2019, IDAHO CODE, TO REVISE GROUNDS FOR DENIAL OR NONRENEWAL OF LICENSE AND TO PROVIDE THAT THE DISCOVERY OF CERTAIN FACTS AFTER A LICENSE HAS BEEN ISSUED MAY BE GROUNDS FOR THE EXPIRATION, TERMINATION, SUSPENSION OR REVOCATION OF A LICENSE; AMENDING SECTION 54-2020, IDAHO CODE, TO PROVIDE THAT THE COMMISSION SHALL ASSESS FEES; AMENDING SECTION 54-2022, IDAHO CODE, TO PROVIDE THAT THE COMMISSION MAY WAIVE OR MODIFY ONE OR MORE PRELICENSE COURSE REQUIREMENTS UNDER CERTAIN CONDITIONS; AMENDING SECTION 54-2023, IDAHO CODE, TO REVISE CONTINUING EDUCATION REQUIREMENTS; AMENDING SECTION 54-2025, IDAHO CODE, TO REVISE CERTIFICATION REQUIREMENTS; AMENDING SECTION 54-2027, IDAHO CODE, TO PROVIDE FOR THE DISCLOSURE OF FEES BY COURSE PROVIDERS, TO PROVIDE FOR NOTICE TO THE COMMISSION OF COURSE CHANGES, TO PROVIDE THAT THE COMMISSION MAY REQUIRE COURSE PROVIDERS TO PAY A NONREFUNDABLE POSTING AND RECORDING FEE; AMENDING SECTION 54-2036, IDAHO CODE, TO PROVIDE THAT THE COMMISSION MAY ADOPT NATIONAL STANDARDS AND REQUIRE NATIONAL CERTIFICATION FOR CERTAIN COURSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2039, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-2040, IDAHO CODE, TO PROVIDE THAT WALL LICENSES REQUIRING CHANGES SHALL BE RETURNED TO THE COMMISSION WITH A FEE FOR PRINTING AND ISSUANCE OF A NEW LICENSE, TO PROVIDE FOR THE RETURN TO THE COMMISSION OF CERTAIN WALL LICENSES, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2041, IDAHO CODE, TO PROHIBIT THE COMMINGLING OF ENTRUSTED MONEYS WITH CERTAIN OTHER MONEYS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-2042, IDAHO CODE, TO PROVIDE THAT THE COMMISSION MAY APPROVE CERTAIN ENTITIES AS ESCROW DEPOSITORIES UPON DISCLOSURE OF SPECIFIED INFORMATION; AMENDING SECTION 54-2046, IDAHO CODE, TO PROVIDE FOR THE DISBURSEMENT OF FUNDS TO ESCROW AGENTS; AMENDING SECTION 54-2050, IDAHO CODE, TO PROVIDE THAT PARTIES MAY AGREE IN WRITING THAT CERTAIN COPIES AND ELECTRONICALLY GENERATED AGREEMENTS SHALL BE ENFORCEABLE AS ORIGINALS; AMENDING SECTION 54-2052, IDAHO CODE, TO PROVIDE THAT PARTIES MAY AGREE IN WRITING THAT ELECTRONICALLY GENERATED AGREEMENTS SHALL BE ENFORCEABLE AS ORIGINALS; AMENDING SECTION 54-2056, IDAHO CODE, TO PROVIDE THAT A BROKER WHO TERMINATES THE ASSOCIATION OF A SALES ASSOCIATE FOR CERTAIN VIOLATIONS SHALL PROMPTLY NOTIFY THE COMMISSION IN WRITING; AMENDING SECTION 54-2058, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS SHALL BE MADE AVAILABLE TO THE COMMISSION FOR INVESTIGATORY PURPOSES; AMENDING SECTION 54-2061, IDAHO CODE, TO PROVIDE THAT LICENSEES SHALL REPORT CONVICTIONS, INCOMPETENCY DECLARATIONS AND ADVERSE CIVIL JUDGMENTS TO THE COMMISSION WITHIN TWENTY DAYS; AMENDING SECTION 54-2062, IDAHO CODE, TO PROVIDE THAT LICENSEES SHALL REPORT ADVERSE FINAL ADMINISTRATIVE ACTIONS TO THE COMMISSION WITHIN TWENTY DAYS; AMENDING SECTION 54-2085, IDAHO CODE, TO REVISE DISCLOSURE AND WRITING REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 54-2087, IDAHO CODE, TO REVISE DUTIES AND OBLIGATIONS OF BROKERAGES AND LICENSEES TO CLIENTS.

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

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

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

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:30 a.m. until the hour of 11 a.m., Thursday, February 1, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 1, 2001

Senate Chamber

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

Roll call showed all members present except Senators Branch and Risch, absent and formally excused by the Chair; and Senators Dunklin, Keough, and Noh, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Dunklin and Noh were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 31, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 103
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE IDAHO BOARD OF PHARMACY RELATING TO LISTING OF THE DRUG CARISOPRODOL.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Board of Pharmacy relating to listing of the drug carisoprodol 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 Senate and the House of Representatives concurring therein, that IDAPA 27.01.01, Section 446 and all related subsequent renumbering of the following sections, rules of the Idaho Board of Pharmacy relating to listing of the drug carisoprodol, adopted as a pending rule under Docket number 27-0101-0003, be, and the same are hereby rejected and declared null, void and of no force and effect.

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

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 1, 2001

The JUDICIARY AND RULES Committee reports that **S 1050** and **S 1051** have been correctly printed.

DARRINGTON, Chairman

S 1050 and **S 1051** were referred to the Commerce and Human Resources Committee.

January 31, 2001

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

Jay F. Kunze to the Idaho Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2003;

Suzanne B. Schaefer to the Idaho Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2003;

Mark P. VonLindern to the Idaho Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2003;

David Hand to the Idaho Commission for the Blind and Visually Impaired, term to expire July 1, 2003;

Dianne S. Milhollin to the Idaho Commission for the Blind and Visually Impaired, term to expire July 1, 2003;

David L. Ryan to the Idaho Commission for the Blind and Visually Impaired, term to expire July 1, 2003.

IPSEN, Chairman

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

January 31, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1036** with the recommendation that it do pass.

THORNE, Chairman

S 1036 was filed for second reading.

January 31, 2001

The STATE AFFAIRS Committee reports out **S 1025** and **SCR 101** with the recommendation that they do pass.

SORENSEN, Chairman

S 1025 was filed for second reading.

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

January 31, 2001

The JUDICIARY AND RULES Committee reports out **H 17, H 20,** and **H 21** with the recommendation that they do pass.

DARRINGTON, Chairman

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

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

Messages from the House

Senator Keough was recorded present at this order of business.

January 31, 2001

Mr. President:

I transmit herewith **H 93, H 94, H 95, H 36, H 61, H 62, H 64, H 100**, and **H 67** which have passed the House.

JUKER, Chief Clerk

H 93, H 94, H 95, H 36, H 61, H 62, H 64, H 100, and **H 67** were filed for first reading.

January 31, 2001

Mr. President:

I transmit herewith Enrolled **H 66** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 66** and ordered it returned to the House.

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

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

S 1052
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO LIMITED PARTNERSHIPS; AMENDING SECTION 53-247, IDAHO CODE, TO PROVIDE THAT WHEN ALL THE PARTNERS OR THEIR REPRESENTATIVES IN A LIMITED PARTNERSHIP ASSIGN THEIR RIGHTS IN PARTNERSHIP PROPERTY TO ONE OR MORE THIRD PERSONS WHO PROMISE TO PAY THE DEBTS AND WHO CONTINUE THE BUSINESS OF THE DISSOLVED PARTNERSHIP, CREDITORS OF THE DISSOLVED PARTNERSHIP ARE ALSO CREDITORS OF THE PERSON OR PARTNERSHIP CONTINUING THE BUSINESS AND IN SUCH A CASE THE ASSETS SHALL BE DISTRIBUTED TO THE ASSIGNEES.

S 1053
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO REIMBURSEMENT OF ATTORNEY'S FEES BY CERTAIN NEEDY PERSONS; AMENDING SECTION 19-854, IDAHO CODE, TO PROVIDE FOR REIMBURSEMENT TO THE COUNTY BY CERTAIN NEEDY PERSONS WHO HAVE RECEIVED SERVICES OF AN ATTORNEY PROVIDED AT PUBLIC EXPENSE, TO PROVIDE THAT THE IMMEDIATE INABILITY OF THE NEEDY PERSON TO PAY THE REIMBURSEMENT SHALL NOT ALONE RESTRICT THE COURT FROM ORDERING REIMBURSEMENT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1054
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CIVIL ACTIONS FOR PROPERTY DAMAGE RESULTING FROM MOTOR VEHICLE COLLISIONS; AMENDING CHAPTER 8, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-808, IDAHO CODE, TO PROVIDE FOR AN AWARD OF TREBLE DAMAGES, ATTORNEY'S FEES AND COSTS IN CERTAIN CIVIL ACTIONS FOR PROPERTY DAMAGE RESULTING FROM A MOTOR VEHICLE COLLISION, TO PROVIDE CONDITIONS FOR APPLICATION AND TO PROVIDE THAT THIS SECTION DOES NOT SUPERSEDE OR IMPAIR APPLICATION OF OTHER STATUTES REGARDING CERTAIN RELIEF BUT DOES NOT ALLOW FOR A DUPLICATE AWARD OF ATTORNEY'S FEES AND COSTS.

S 1055
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO THE COMPREHENSIVE STATE WATER PLAN; RATIFYING AND APPROVING 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; AND DECLARING AN EMERGENCY.

S 1056
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME PERMITS; AMENDING SECTION 36-416, IDAHO CODE, TO STRIKE A PERMIT FEE FOR PRIVATE PONDS; AND AMENDING SECTION 36-706, IDAHO CODE, TO STRIKE REFERENCE TO A PERMIT FEE FOR PRIVATE PONDS.

S 1057
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO CONVEYANCE OF CITY OWNED PROPERTY; AMENDING SECTION 50-1401, IDAHO CODE, TO PROVIDE A STATEMENT OF THE GENERAL AUTHORITY OF THE CITY TO MANAGE REAL PROPERTY; AMENDING SECTION 50-1402, IDAHO CODE, TO GOVERN PROCEDURES FOR DETERMINATION OF VALUE OF PROPERTY; REPEALING SECTIONS 50-1403, 50-1404, 50-1405, 50-1406 AND 50-1407, IDAHO CODE; AMENDING CHAPTER 14, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-1403, IDAHO CODE, TO GOVERN DISPOSITION OF REAL PROPERTY AFTER A PUBLIC HEARING; AMENDING CHAPTER 14, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-1404, IDAHO CODE, TO SPECIFY TERMS OF SALE TO GOVERN CONTRACTS FOR CONVEYANCE OF CITY PROPERTY; AMENDING CHAPTER 14, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-1405, IDAHO CODE, TO GOVERN THE DISPOSITION OF PROCEEDS OF A SALE; AMENDING CHAPTER 14, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-1406, IDAHO CODE, TO GOVERN THE DISPOSITION OF EXCESS PROCEEDS UPON DISPOSAL OF LAND ACQUIRED BY FORECLOSURE; AMENDING CHAPTER 14, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-1407, IDAHO CODE, TO GOVERN THE POWER OF CITIES TO LEASE ANY REAL OR PERSONAL PROPERTY OF THE CITY; AMENDING SECTION 50-305, IDAHO CODE, TO STRIKE REFERENCE TO OBSOLETE PROVISIONS GOVERNING SALE OF CITY OWNED HOSPITAL; AND AMENDING SECTION 33-2101A, IDAHO CODE, TO STRIKE REFERENCE TO OBSOLETE PROVISIONS.

S 1058
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO THE IMPORTATION OF CIGARETTES; AMENDING SECTION 63-2523, IDAHO CODE, TO UPDATE A REFERENCE TO THE INTERNAL REVENUE CODE FOR PURPOSES OF PENALTIES; REPEALING SECTION 63-2524, IDAHO CODE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1059
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE DISPOSITION OF DECEASED PERSON'S REMAINS; AMENDING SECTION 54-1142, IDAHO CODE, TO ENUMERATE PERSONS AUTHORIZED TO CONTROL THE DISPOSITION OF THE REMAINS OF A DECEASED PERSON IF THE DECEDENT HAS 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, 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 AND TO MAKE TECHNICAL CORRECTIONS.

S 1052, S 1053, S 1054, S 1055, S 1056, S 1057, S 1058, and **S 1059** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 93, H 94, and **H 95**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 36, by Mr. Speaker, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 61, H 62, H 64, and **H 100**, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 67, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1037, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 81, H 82, H 83, and **H 84**, by Appropriations Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1020, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Branch, Cameron, Davis, Risch. Total - 4.

Total - 34. (District 4 seat temporarily vacant.)

Whereupon the President declared **S 1020** passed, title was approved, and the bill ordered transmitted to the House.

S 1024 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Branch, Risch. Total - 2.

Total - 34. (District 4 seat temporarily vacant.)

Whereupon the President declared **S 1024** passed, title was approved, and the bill ordered transmitted to the House.

S 1034 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Branch, Risch. Total - 2.

Total - 34. (District 4 seat temporarily vacant.)

Whereupon the President declared **S 1034** passed, title was approved, and the bill ordered transmitted to the House.

S 1005 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Branch, Hawkins, Ingram, Risch. Total - 4.

Total - 34. (District 4 seat temporarily vacant.)

Whereupon the President declared **S 1005** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On request by Senator Sandy, granted by unanimous consent, Melissa Simpson was elected as an attache for the First Regular Session of the Idaho Legislature and the following attache assignment changes were made:

Carolyn Wagnild . . . . . Republican Secretarial Pool
Melissa Simpson . . . . . Majority Leader Secretary
Molly Anderson . . . . Finance Committee Secretary.

On motion by Senator Sandy, seconded by Senator Stennett, by voice vote the Senate adjourned at 12 noon until the hour of 11:15 a.m., Friday, February 2, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 2, 2001

Senate Chamber

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

Roll call showed all members present except Senators Branch, Darrington, Lee, and Risch, absent and formally excused by the Chair; and Senators Bunderson, Burtenshaw, Cameron, Dunklin, Hawkins, Keough, and Richardson, absent and excused. (District 4 seat is temporarily vacant.)

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 1, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

February 2, 2001

The JUDICIARY AND RULES Committee reports that **S 1052, S 1053, S 1054, S 1055, S 1056, S 1057, S 1058, S 1059,** and **SCR 103** have been correctly printed.

DARRINGTON, Chairman

S 1052 and **S 1054** were referred to the Commerce and Human Resources Committee.

S 1053 and **S 1059** were referred to the Judiciary and Rules Committee.

S 1055 and **S 1056** were referred to the Resources and Environment Committee.

S 1057 and **S 1058** were referred to the Local Government and Taxation Committee.

SCR 103 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

February 1, 2001

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

Stephen Allred as Director of the Idaho Department of Environmental Quality, term to expire at the pleasure of the Governor;

Paul C. Agidius to the Idaho Board of Environmental Quality, term to expire July 1, 2004;

Marti A. Calabretta to the Idaho Board of Environmental Quality, term to expire July 1, 2003;

Donald A. Chisholm to the Idaho Board of Environmental Quality, term to expire July 1, 2002;

Dr. Joan M. Cloonan to the Idaho Board of Environmental Quality, term to expire July 1, 2004;

Marguerite P. McLaughlin to the Idaho Board of Environmental Quality, term to expire July 1, 2002;

Nick Purdy to the Idaho Board of Environmental Quality, term to expire July 1, 2003.

NOH, Chairman

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

Senators Bunderson, Burtenshaw, and Keough were recorded present at this order of business.

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

Messages from the House

February 1, 2001

Mr. President:

I transmit herewith **HCR 8**, and I return herewith **SCR 102**, which have passed the House.

JUKER, Chief Clerk

HCR 8 was filed for first reading.

SCR 102 was referred to the Judiciary and Rules Committee for enrolling.

February 1, 2001

Mr. President:

I transmit herewith Enrolled **HCR 5** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HCR 5** and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Dunklin, Cameron, Hawkins, and Richardson were recorded present at this order of business.

The President Pro Tempore announced the Health and Welfare Committee report relative to the Gubernatorial appointments of Jay F. Kunze, Suzanne B. Schaefer, and Mark P. VonLindern was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wheeler, seconded by Senator Sorensen, the Gubernatorial appointment of Jay F. Kunze as a member of the Hazardous Waste Facility Siting License Review Application Panel was confirmed by voice vote.

On motion by Senator King-Barrutia, seconded by Senator Stennett, the Gubernatorial appointment of Suzanne B. Schaefer as a member of the Hazardous Waste Facility Siting License Review Application Panel was confirmed by voice vote.

On motion by Senator Stennett, seconded by Senator Danielson, the Gubernatorial appointment of Mark P. VonLindern as a member of the Hazardous Waste Facility Siting License Review Application Panel was confirmed by voice vote.

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

The President Pro Tempore announced the Health and Welfare Committee report relative to the Gubernatorial appointments of David Hand, Dianne S. Milhollin, and David L. Ryan was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ipsen, seconded by Senator Stennett, the Gubernatorial appointment of David Hand as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

On motion by Senator Brandt, seconded by Senator Stennett, the Gubernatorial appointment of Dianne S. Milhollin as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

On motion by Senator Lodge, seconded by Senator Ipsen, the Gubernatorial appointment of David L. Ryan as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

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

On motion by Senator King-Barrutia, seconded by Senator Sorensen, **SCR 101** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On motion by Senator Sandy, seconded by Senator Danielson, by voice vote Senator John Goedde was assigned to serve as Vice Chairman of the Agricultural Affairs Committee to replace Senator Jack Riggs who resigned from the Senate and was appointed Lieutenant Governor.

The Senate advanced to the Eleventh Order of Business.

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

S 1060
BY EDUCATION COMMITTEE
AN ACT
RELATING TO CHARTER SCHOOLS; AMENDING SECTION 33-5204, IDAHO CODE, TO REQUIRE CHARTER SCHOOLS TO PREPARE AND SUBMIT AUDIT REPORTS AND TO ANNUALLY FILE FINANCIAL AND STATISTICAL REPORTS WITH THE STATE DEPARTMENT OF EDUCATION; AND DECLARING AN EMERGENCY.

S 1060 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 8, by Boe, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1036, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1025, by State Affairs Committee, was read the second time at length and filed for third reading.

H 17, H 20, and **H 21**, by Mr. Speaker, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1006 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Branch, Darrington, Lee, Risch. Total - 4.

Total - 34 (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1006** passed, title was approved, and the bill ordered transmitted to the House.

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

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Branch, Darrington, Lee, Risch. Total - 4.

Total - 34 (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1007** passed, title was approved, and the bill ordered transmitted to the House.

S 1008 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Branch, Darrington, Lee, Risch. Total - 4.

Total - 34 (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1008** passed, title was approved, and the bill ordered transmitted to the House.

S 1009 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Branch, Darrington, Lee, Risch. Total - 4.

Total - 34 (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1009** passed, title was approved, and the bill ordered transmitted to the House.

S 1010 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Branch, Darrington, Lee, Risch. Total - 4.

Total - 34 (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1010** passed, title was approved, and the bill ordered transmitted to the House.

S 1011 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Branch, Darrington, Lee, Risch. Total - 4.

Total - 34 (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1011** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Sandy, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:20 p.m. until the hour of 11:15 a.m., Monday, February 5, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 5, 2001

Senate Chamber

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

Roll call showed all members present except Senators Darrington and Risch, absent and formally excused by the Chair; and Senator Dunklin, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Dunklin was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 2, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

February 5, 2001

The JUDICIARY AND RULES Committee reports that **S 1060** has been correctly printed.

DARRINGTON, Chairman

S 1060 was referred to the Education Committee.

February 2, 2001

The JUDICIARY AND RULES Committee reports that **SCR 102** has been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **SCR 102** and ordered it transmitted to the House for the signature of the Speaker.

February 2, 2001

The JUDICIARY AND RULES Committee reports out **S 1031** with the recommendation that it do pass.

DARRINGTON, Chairman

S 1031 was filed for second reading.

February 2, 2001

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

DARRINGTON, Chairman

S 1032 was filed for second reading.

February 2, 2001

The JUDICIARY AND RULES Committee reports out **S 1033** without recommendation.

DARRINGTON, Chairman

S 1033 was filed for second reading.

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

Motions and Resolutions

The President announced the Resources and Environment Committee report relative to the Gubernatorial appointments of Stephen Allred, Paul C. Agidius, Marti Calabretta, Donald Chisholm, Dr. Joan M. Cloonan, Marguerite McLaughlin, and Nick Purdy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Noh, seconded by Senator Stennett, the Gubernatorial appointment of Stephen Allred as Director of the Idaho Department of Environmental Quality was confirmed by voice vote.

On motion by Senator Schroeder, seconded by Senator Stennett, the Gubernatorial appointment of Paul C. Agidius as a member of the Idaho Board of Environmental Quality was confirmed by voice vote.

On motion by Senator Brandt, seconded by Senator Stennett, the Gubernatorial appointment of Marti Calabretta as a member of the Idaho Board of Environmental Quality was confirmed by voice vote.

On motion by Senator Cameron, seconded by Senator Stennett, the Gubernatorial appointment of Donald Chisholm as a member of the Idaho Board of Environmental Quality was confirmed by voice vote.

On motion by Senator Dunklin, seconded by Senator Danielson, the Gubernatorial appointment of Dr. Joan M. Cloonan as a member of the Idaho Board of Environmental Quality was confirmed by voice vote.

On motion by Senator Noh, seconded by Senator Stennett, the Gubernatorial appointment of Marguerite McLaughlin as a member of the Idaho Board of Environmental Quality was confirmed by voice vote.

On motion by Senator Stennett, seconded by Senator Noh, the Gubernatorial appointment of Nick Purdy as a member of the Idaho Board of Environmental Quality was confirmed by voice vote.

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

The President announced that **SCR 103** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator King-Barrutia, seconded by Senator Stennett, **SCR 103** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1061
BY EDUCATION COMMITTEE
AN ACT
RELATING TO CERTIFICATED EMPLOYEES; AMENDING SECTION 33-514, IDAHO CODE, AS AMENDED BY SECTION 1, CHAPTER 66, LAWS OF 2000, TO AUTHORIZE CRITERIA TO EVALUATE TEACHER EFFECTIVENESS; AND AMENDING SECTION 33-515, IDAHO CODE, TO AUTHORIZE CRITERIA TO EVALUATE TEACHER EFFECTIVENESS.

S 1062
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO EXEMPT PROPERTY AND ALLOWANCES UNDER THE UNIFORM PROBATE CODE; AMENDING CHAPTER 4, PART 2, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-2-401, IDAHO CODE, TO PROVIDE APPLICATION OF LAW TO THE ESTATE OF A DECEDENT WHO DIES DOMICILED IN IDAHO; AMENDING SECTION 15-2-401, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE THE HOMESTEAD ALLOWANCE; AMENDING SECTION 15-2-402, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO INCREASE THE AMOUNT OF EXEMPT PROPERTY AND TO PROVIDE THAT IT SHALL BE IN ADDITION TO ANY HOMESTEAD OR HOMESTEAD ALLOWANCE; AMENDING SECTION 15-2-403, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE THE FAMILY ALLOWANCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 15-2-404, IDAHO CODE, TO REDESIGNATE THE SECTION, TO INCREASE THE LIVING ALLOWANCE TO EIGHTEEN THOUSAND DOLLARS IN A LUMP SUM OR ONE THOUSAND FIVE HUNDRED DOLLARS PER MONTH FOR ONE YEAR, TO REVISE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION.

S 1061 and **S 1062** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Sandy, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 11:15 a.m., Tuesday, February 6, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 6, 2001

Senate Chamber

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

Roll call showed all members present except Senators Branch and Risch, absent and formally excused by the Chair; and Senators Bunderson, Cameron, Stennett, and President Pro Tempore Geddes, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

Senator Bunderson was recorded present at this order of business.

SJM 102
BY RESOURCES AND ENVIRONMENT COMMITTEE
A JOINT MEMORIAL
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, special interest groups requested the President of the United States to designate an Owyhee-Bruneau Canyonlands National Monument in Owyhee County, Idaho, during the last days of the past presidential administration, a designation which would include over two million federal acres, and hundreds of thousands of acres of state land as well as private land, in an area including more than one-half the land mass of Owyhee County; and

WHEREAS, the state of Idaho has been greatly affected by such recent actions as the Craters of the Moon National Monument expansion; and

WHEREAS, the history of national monuments and other special designations for preservation purposes, demonstrates that their administration and management results in closure of road access, elimination of specific recreational uses, elimination of mining, and, through administrative regulations, restriction of all other recreational and permitted uses to a point of near elimination; and

WHEREAS, the land within the proposed Owyhee Canyonland National Monument is currently in sound ecological condition under the existing private and public management; and

WHEREAS, designation of the monument would remove the affected federal lands from the multiple use mandates of Congress and place them under more restrictive administration as a monument where management can adversely impact livestock grazing that is key to the local economy of the county, block access to and use of water rights held as private property rights, eliminate the economic viability of vested mining claims, and deny thousands of citizens the opportunity to recreationally use, enjoy and benefit from the land; and

WHEREAS, the National Environmental Policy Act mandates that environmental policy decisions which affect the quality of the human environment, such as designation of a Canyonlands National Monument, be subjected to public review and public input, and federal laws governing the management of federal lands require consultation with affected state and local governments before such decisions are made; and

WHEREAS, the groups seeking this designation have not consulted with and have not sought input from the Idaho Legislature, the State Land Board or the Governor of Idaho, even though hundreds of thousands of acres of state land would be affected, and have not consulted with and have not sought input from the Board of County Commissioners of Owyhee County or the citizens of Owyhee County who own private property, and property rights which would be affected, and have not consulted with and have not sought input from the thousands of citizens of Idaho who use, enjoy and benefit from recreational opportunities which would be affected; and

WHEREAS, former Secretary of Interior Bruce Babbitt, has previously committed to officials of the State of Idaho, to the members of the delegation representing the State of Idaho in the United States Congress, and to the citizens of Idaho that such monument designations will not be made without advance state and local input; and

WHEREAS, the uniqueness of the Owyhee Canyonlands has been maintained in coexistence with multiple uses of the federal lands and continuing stewardship of adjoining state and private lands, and this successful coexistence demonstrates no necessity, or even desirability, for designation of a national monument; and

WHEREAS, if there had been consultation with the state and local governments, and if there had been public review and input as to the requested designation, the evidence presented by state and local officials and the citizens of Owyhee County and Idaho would demonstrate that the unique qualities of the Canyonlands have coexisted, and can continue to coexist, with multiple uses of the federal lands and with existing stewardship of state and private lands within the area, that there is no necessity for designating a national monument and that an unnecessary designation would adversely impact state and private land and the interests of the citizens of Owyhee County and Idaho; and

WHEREAS, rural Idaho has benefited little from recent prosperity, in part, due to increasing restriction of access to and economic use of federal lands, the designation of a national monument over half of Owyhee County would devastate the rural economy that is dependent on the coexisting economic use of private, state and federal land; and

WHEREAS, the Board of County Commissioners, Assessor and Treasurer of Owyhee County have warned the former President of the United States that designation of the requested monument would severely harm the revenue base which funds local government services to the people of Owyhee County,

would severely harm ranchers and their families whose livelihood is dependent upon livestock grazing, would adversely impact private property rights in water, mining and access, would adversely impact the social and cultural cohesiveness of the communities in the affected area, and would severely restrict citizens' recreation use and enjoyment of, and benefit from, land in the proposed site; and

WHEREAS, the Sheriff of Owyhee County has warned the former President of the United States that restriction of access on the hundreds of miles of county roads, as well as RS 2477 rights-of-way, located in the affected site will adversely impact law enforcement and search and rescue operations, thus adversely impacting the public health and safety; and

WHEREAS, the Idaho Fish and Game Commission has followed with great concern proposals to expand or designate new national monuments in Idaho because of the potential impact for loss of hunting, trapping, wildlife management activities and local decision-making in areas under consideration for national monument status, in particular the Owyhee-Bruneau Canyonlands; and

WHEREAS, the Owyhee Canyonlands provide a tremendous amount of hunting, fishing and outdoor recreation opportunities adjacent to the largest population center in the state. The area provides habitat for a variety of fish and wildlife including sage grouse, chukar, redband trout, small mouth bass, pronghorn antelope, mule deer, elk, bobcat and mountain lion; and

WHEREAS, the Owyhee area proposal encompasses virtually the entire range of California bighorn sheep in Idaho. This population was reestablished in the Owyhees through a series of transplants, research projects and intensive monitoring, beginning in 1963. This wildlife conservation success story is the result of a significant long-term investment by sheep hunters, the Idaho Department of Fish and Game, the Bureau of Land Management, the Foundation for North American Wild Sheep and, more recently, the United States Air Force; and

WHEREAS, under current BLM management, local decision-making allows for a variety of activities and conservation measures. These activities include hunting, fishing, trapping, fish and wildlife research and monitoring, and wildlife management, including bighorn sheep transplants; and

WHEREAS, it is imperative that these activities and the associated management that have worked so well to date be able to continue without additional regulatory constraints or impediments. Public access, recreational activities, and other resource uses, such as grazing, have been coordinated successfully with wildlife programs and the present formula for success should continue.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that the President of the United States refuse to designate the requested Owyhee-Bruneau Canyonlands National Monument without prior consultation with the Governor of Idaho, the State Land Board, the Idaho Legislature, and local government officials in Owyhee County, and without subjecting the request to public review and input.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of 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.

SCR 104
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING A CERTAIN ADMINISTRATIVE RULE OF THE IDAHO STATE TAX COMMISSION THAT IMPOSES A FEE OR CHARGE, CONCERNING PENALTIES AND RELATING TO DISHONORED CHECKS.

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

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Idaho State Tax Commission inadvertently has submitted a pending rule concerning penalties and relating to dishonored checks as a nonfee rule, making it necessary to consider the pending rule separately as a pending fee rule for approval by both houses of the legislature by concurrent resolution before the pending fee rule can go into effect by law; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that a certain administrative rule of the Idaho State Tax Commission that imposes a fee or charge concerning penalties and relating to dishonored checks, IDAPA 35.02.01, Section 400, adopted as a pending rule under Docket Number 35-0201-0001, pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of Rules Coordinator to the Legislature for review during the 2001 legislative session, be, and the same is hereby approved.

SJM 102 and **SCR 104** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 6, 2001

The JUDICIARY AND RULES Committee reports that **S 1061** has been correctly printed. The Committee recommends that **S 1062** not be printed.

DARRINGTON, Chairman

S 1061 was referred to the Education Committee.

S 1062 was filed in the office of the Secretary of the Senate.

February 5, 2000

The JUDICIARY AND RULES Committee reports out **S 1043** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, **S 1043** was referred to the Fourteenth Order of Business, General Calendar.

February 5, 2001

The JUDICIARY AND RULES Committee reports out **S 1045** and **S 1046** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1045 and **S 1046** were filed for second reading.

February 5, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1058** with the recommendation that it do pass.

THORNE, Chairman

S 1058 was filed for second reading.

February 6, 2001

The FINANCE Committee reports out **H 93, H 94,** and **H 95** with the recommendation that they do pass.

CAMERON, Chairman

H 93, H 94, and **H 95** were filed for second reading.

February 5, 2001

The STATE AFFAIRS Committee reports out **HCR 8** and **H 36** with the recommendation that they do pass.

SORENSEN, Chairman

HCR 8 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

H 36 was filed for second reading.

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

Messages from the Governor

February 5, 2001

The Honorable Pro Tempore Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that I have appointed Judy Boyle Bartlett to be Acting State Senator for Legislative District 9. This appointment is effective February 6, 2001, and will continue until such time as Senator W. Ric Branch is able to resume his duties.

Sincerely,
/s/ Dirk Kempthorne
Governor

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

KNOW ALL MEN, by these Presents that pursuant to the provisions of Section 59-917, *Idaho Code*, W. Ric Branch, State Senator, District 9, Gem, Payette, and Washington counties, State of Idaho, has nominated Judy Boyle Bartlett, P.O. Box 57, Midvale, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 9.

NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Judy Boyle Bartlett, Acting State Senator, District 9, for a term commencing on February 6, 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 February, in the year of our Lord two thousand and one and of the Independence of the United States of America the 225th year.

/s/ BY THE GOVERNOR DIRK KEMPTHORNE
/s/ SECRETARY OF STATE PETE T. CENARRUSA

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

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

February 1, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sandra Twiggs of Blackfoot, Idaho, was appointed as a member of the Idaho Commission on Human Rights to serve a term commencing January 24, 2001, and expiring July 1, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 5, 2001

Mr. President:

I transmit herewith **H 114, H 125, H 126,** and **H 15,** as amended, which have passed the House.

JUKER, Chief Clerk

H 114, H 125, H 126, and **H 15,** as amended, were filed for first reading.

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

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

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

S 1063
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO ATHLETE AGENTS; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 48, TITLE 54, IDAHO CODE, 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 AND TO DECLARE CERTAIN CONTRACTS VOID, TO PROVIDE FOR REQUIREMENTS OF REGISTRATION FORMS FOR ATHLETE AGENTS, TO PROVIDE FOR CERTIFICATES OF REGISTRATION, TO PROVIDE FOR ISSUANCE OR DENIAL OF CERTIFICATES OF REGISTRATION AND TO PROVIDE FOR RENEWAL OF CERTIFICATES OF REGISTRATION, TO PROVIDE FOR SUSPENSION, REVOCATION OR REFUSAL TO RENEW REGISTRATIONS, TO PROVIDE FOR TEMPORARY REGISTRATION, TO PROVIDE FOR REGISTRATION AND RENEWAL FEES, TO PROVIDE FOR DEPOSIT AND APPROPRIATION OF FEES, TO PROVIDE FOR REQUIRED FORM OF CONTRACTS, TO PROVIDE FOR NOTICE TO EDUCATIONAL INSTITUTIONS, TO PROVIDE FOR A STUDENT-ATHLETE'S RIGHT TO CANCEL, TO REQUIRE THE RETENTION OF CERTAIN RECORDS, TO PROHIBIT CERTAIN CONDUCT, TO PROVIDE FOR CRIMINAL PENALTIES, TO PROVIDE FOR CIVIL REMEDIES, TO PROVIDE FOR AN ADMINISTRATIVE PENALTY, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR ELECTRONIC SIGNATURES UNDER THE GLOBAL AND NATIONAL COMMERCE ACT AND TO PROVIDE FOR SEVERABILITY; AMENDING SECTION 67-2602, IDAHO CODE, TO PROVIDE AUTHORITY TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE ADMINISTRATION OF THE ATHLETE AGENTS ACT; AMENDING SECTION 67-2609, IDAHO CODE, TO INCREASE THE AMOUNT OF CIVIL FINES THE BUREAU OF OCCUPATIONAL LICENSES MAY COLLECT; AND PROVIDING AN EFFECTIVE DATE.

S 1064
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO CARBON SEQUESTRATION; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 50, TITLE 22, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE FOR THE CREATION OF THE CARBON SEQUESTRATION ADVISORY COMMITTEE, TO PROVIDE FOR MEMBERSHIP AND COMPENSATION OF THE COMMITTEE AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL PROVIDE ADMINISTRATIVE ASSISTANCE, TO PROVIDE FOR POWERS AND DUTIES OF THE CARBON SEQUESTRATION ADVISORY COMMITTEE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE SHALL PREPARE REPORTS, TO PROVIDE FOR POWERS AND DUTIES OF THE DIRECTOR AND TO CREATE THE CARBON SEQUESTRATION ASSESSMENT FUND.

S 1065
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO DAIRY FARM NUTRIENT MANAGEMENT PLANS; AMENDING SECTION 37-401, IDAHO CODE, TO PROVIDE THAT A DAIRY FARM OWNER OR OPERATOR WHO ENTERS INTO AN AGREEMENT WITH ANOTHER PERSON FOR THE RECEIPT OF THE DAIRY FARM'S LIVESTOCK WASTE SHALL STATE THE TERMS OF THE AGREEMENT AND THE NAMES AND ADDRESSES OF THE PARTIES TO THE AGREEMENT IN A WRITTEN CONTRACT, AND SHALL SUBMIT THE WRITTEN CONTRACT TOGETHER WITH A NUTRIENT MANAGEMENT PLAN TO THE DEPARTMENT OF AGRICULTURE.

S 1066
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO DAIRY FARMS; AMENDING SECTION 37-401, IDAHO CODE, TO REQUIRE DAIRY FARMS TO HAVE A PERMIT OR LICENSE TO DIVERT WATER, TO PROVIDE FOR WRITTEN NOTIFICATION BY THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES UPON THE FAILURE OF A DAIRY FARM TO COMPLY WITH A PERMIT OR LICENSE TO DIVERT WATER AND TO PROVIDE THAT IF THE DAIRY FARM FAILS TO COMPLY WITH THE PERMIT OR LICENSE TO DIVERT WATER WITHIN NINETY DAYS OF SUCH NOTIFICATION THE DIRECTOR OR HIS AGENT SHALL REVOKE THE PERMIT AUTHORIZING THE SALE OF MILK FOR HUMAN CONSUMPTION; AND DECLARING AN EMERGENCY.

S 1067
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO DAIRY FARMS; AMENDING SECTION 37-401, IDAHO CODE, TO PROVIDE THAT NEW OR EXPANDING DAIRY FARMS SHALL PRESENT EVIDENCE OF ADEQUATE WATER SUPPLY OR AN APPLICATION FOR ADEQUATE WATER SUPPLY TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE PRIOR TO ISSUANCE OR RENEWAL OF A PERMIT TO SELL MILK FOR HUMAN CONSUMPTION, TO REQUIRE THE PRESENTATION OF EVIDENCE OF ADEQUATE WATER SUPPLY TO THE APPLICABLE LOCAL PLANNING AND ZONING AUTHORITY, TO REQUIRE EVIDENCE OF ADEQUATE WATER SUPPLY FOR THE ISSUANCE OR RENEWAL OF LOCAL SITING PERMITS, TO REQUIRE THAT NEW OR EXPANDING DAIRY FARMS POSSESS A LOCAL SITING PERMIT PRIOR TO ISSUANCE OF A PERMIT FOR THE SALE OF MILK FOR HUMAN CONSUMPTION, TO PROVIDE THAT THE PLANNING AUTHORITY SHALL DETERMINE WHETHER A DAIRY FARM FAILS TO MEET THE REQUIREMENTS OF A SITING PERMIT AND SHALL PROVIDE NOTICE TO THE DIRECTOR OF SUCH FAILURE, TO PROVIDE THAT THE DIRECTOR SHALL REVOKE A PERMIT AUTHORIZING THE SALE OF MILK FOR HUMAN CONSUMPTION IF A NEW OR EXPANDING DAIRY FARM FAILS TO MEET THE REQUIREMENTS OF A SITING PERMIT AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY.

S 1068
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE COUNTY OPTION KITCHEN AND TABLE WINE ACT; AMENDING SECTION 23-1303, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1304, IDAHO CODE, TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY TO PERMIT THE SALE OF TABLE WINE AND/OR DESSERT WINE, TO PROVIDE THAT THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY MAY ADOPT A RESOLUTION TO PROVIDE FOR 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 THAT THE BOARD OF COUNTY COMMISSIONERS SUBMIT THE QUESTION OF PERMITTING THE SALE OF TABLE WINE AND/OR DESSERT WINE AT RETAIL IN THE COUNTY TO THE ELECTORS, TO PROVIDE FOR A FORM OF BALLOT, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

S 1069
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO PORT DISTRICTS; AMENDING SECTION 70-1101, IDAHO CODE, TO INCLUDE THE PROVISION OF ECONOMIC DEVELOPMENT FACILITIES AMONG THE PURPOSES FOR WHICH PORT DISTRICTS ARE AUTHORIZED; AMENDING SECTION 70-1501, IDAHO CODE, 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; AMENDING SECTION 70-1802, IDAHO CODE, TO INCLUDE INDUSTRIAL AND ECONOMIC DEVELOPMENT FACILITIES AND PORT PROPERTIES AND FACILITIES WITHIN THE PURPOSES FOR WHICH PORT DISTRICT REVENUE BONDS MAY BE ISSUED; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1063, S 1064, S 1065, S 1066, S 1067, S 1068, and **S 1069** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 114, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 125 and **H 126**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 15, as amended, by Mr. Speaker, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1031, S 1032, and **S 1033**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

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

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Risch, Stennett. Total - 2.

Total - 34. (District 4 seat temporarily vacant).

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

H 68 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 68** passed, title was approved, and the bill ordered returned to the House.

H 69 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 69** passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Sandy, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 3:15 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senator Risch, absent and formally excused by the Chair; and Senators Andreason, Danielson, Hawkins, Lee, Noh, Schroeder, Sorensen, Wheeler, and President Pro Tempore Geddes, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

H 55 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Lee, Noh, Risch. Total - 3.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 55** passed, title was approved, and the bill ordered returned to the House.

S 1037 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Ipsen and Davis arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat is temporarily vacant).

Whereupon the President declared **S 1037** passed, title was approved, and the bill ordered transmitted to the House.

H 81 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 81** passed, title was approved, and the bill ordered returned to the House.

H 82 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 82** passed, title was approved, and the bill ordered returned to the House.

H 83 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 83** passed, title was approved, and the bill ordered returned to the House.

H 84 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 84** passed, title was approved, and the bill ordered returned to the House.

S 1036 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **S 1036** passed, title was approved, and the bill ordered transmitted to the House.

S 1025 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **S 1025** passed, title was approved, and the bill ordered transmitted to the House.

H 17 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 17** passed, title was approved, and the bill ordered returned to the House.

H 20 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 20** passed, title was approved, and the bill ordered returned to the House.

H 21 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Risch. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 21** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Sandy, seconded by Senator Stennett, by voice vote the Senate adjourned at 4:45 p.m. until the hour of 11:15 a.m, Wednesday, February 7, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 7, 2001

Senate Chamber

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

Roll call showed all members present except Senator Lee, absent and formally excused by the Chair; and Senators Dunklin, Noh, and Schroeder, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 6, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Dunklin was recorded present at this order of business.

February 7, 2001

The JUDICIARY AND RULES Committee reports that **S 1063, S 1064, S 1065, S 1066, S 1067, S 1068, S 1069, SJM 102,** and **SCR 104** have been correctly printed.

DARRINGTON, Chairman

S 1063 was referred to the Judiciary and Rules Committee.

S 1064, S 1065, S 1066, and **S 1067** were referred to the Agricultural Affairs Committee.

S 1068 was referred to the State Affairs Committee.

S 1069 was referred to the Local Government and Taxation Committee.

SJM 102 and **SCR 104** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

February 6, 2001

The FINANCE Committee reports out **H 125** and **H 126** with the recommendation that they do pass.

CAMERON, Chairman

H 125 and **H 126** were filed for second reading.

February 6, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1021, S 1022,** and **S 1023** with the recommendation that they do pass.

ANDREASON, Chairman

S 1021, S 1022, and **S 1023** were filed for second reading.

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

Messages from the House

February 6, 2001

Mr. President:

I transmit herewith **H 71** which has passed the House.

JUKER, Chief Clerk

H 71 was filed for first reading.

February 6, 2001

Mr. President:

I return herewith Enrolled **SCR 102**, which has been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **SCR 102** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Noh and Schroeder were recorded present at this order of business.

The President announced that **HCR 8** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

The President called President Pro Tempore Geddes to the Chair.

On motion by Senator Whitworth, seconded by Senator Frasure, **HCR 8** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1070
BY EDUCATION COMMITTEE
AN ACT
RELATING TO STATE SUPPORT OF SCHOOL FACILITIES; PROVIDING A STATEMENT OF LEGISLATIVE PURPOSE; AMENDING SECTION 33-905, IDAHO CODE, TO STRIKE REFERENCES TO LOTTERY DIVIDENDS AND GOVERN USE OF FUNDS DISTRIBUTED; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-906, IDAHO CODE, TO CREATE THE SCHOOL FACILITY SUPPORT FUND AND TO GOVERN THE USES OF THE MONEYS IN THE FUND; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-907, IDAHO CODE, TO GOVERN THE ALLOCATION AND USE OF EXISTING RESOURCES; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-908, IDAHO CODE, TO GOVERN DISTRIBUTION OF CERTAIN EXISTING RESOURCES; AMENDING SECTION 33-1009, IDAHO CODE, TO PROVIDE TRANSFER OF A CERTAIN REMAINING BALANCE IN THE PUBLIC SCHOOL INCOME FUND; AND AMENDING SECTION 67-7434, IDAHO CODE, TO PROVIDE THE DISTRIBUTION OF LOTTERY DIVIDENDS.

S 1071
BY EDUCATION COMMITTEE
AN ACT
RELATING TO SCHOOL FACILITY FUNDING; AMENDING SECTION 33-802, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICTS SHALL REDUCE LEVIES UPON RECEIPT OF CERTAIN STATE FUNDS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-804, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICTS SHALL REDUCE LEVIES UPON RECEIPT OF CERTAIN

STATE FUNDS; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-905A, IDAHO CODE, TO PROVIDE FOR THE CREATION OF THE SCHOOL FACILITIES FUND AND TO PROVIDE FOR PAYMENTS FROM THE FUND TO SCHOOL DISTRICTS WITH QUALIFYING BONDS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1072
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO THE COMPREHENSIVE PRIMARY AND PREVENTIVE CARE GRANT PROGRAM; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 82, TITLE 39, IDAHO CODE, TO DEFINE TERMS, TO ESTABLISH THE IDAHO COMPREHENSIVE PRIMARY AND PREVENTIVE CARE GRANT PROGRAM, TO PROVIDE FOR SERVICE GRANT APPLICATIONS AND AWARDS, PERMISSIBLE USES OF SERVICE GRANT MONEYS AND TO PROVIDE FOR ANNUAL REPORTS, TO PROVIDE FOR AN ADVISORY COUNCIL, TO PROVIDE FOR THE CREATION OF THE COMPREHENSIVE PRIMARY AND PREVENTIVE CARE FUND AND TO PROVIDE FOR DUTIES OF THE DEPARTMENT OF HEALTH AND WELFARE.

S 1073
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO PARENTAL RIGHTS OF PERSONS WITH DISABILITIES; AMENDING SECTION 15-1-201, IDAHO CODE, TO DEFINE "DISABILITY," TO DEFINE "ADAPTIVE EQUIPMENT" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-5-202, IDAHO CODE, TO STRIKE REFERENCE TO INCAPACITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-5-204, IDAHO CODE, TO PROHIBIT DECISIONS OF GUARDIANSHIP BASED EXCLUSIVELY ON DISABILITY OF THE POTENTIAL GUARDIAN; AMENDING SECTION 16-1501, IDAHO CODE, TO PROHIBIT DISCRIMINATION IN THE DETERMINATION OF ADOPTION OUTCOME AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1504, IDAHO CODE, TO STRIKE REFERENCE TO DISABILITY; AMENDING SECTION 16-1506, IDAHO CODE, TO REQUIRE CONSIDERATION OF A DISABLED INDIVIDUAL'S CAPACITY TO EMPLOY ADAPTIVE AND SUPPORTIVE EQUIPMENT AND SERVICES; AMENDING SECTION 16-2001, IDAHO CODE, TO PROHIBIT DISCRIMINATION; AMENDING SECTION 16-2002, IDAHO CODE, TO DEFINE "DISABILITY," TO DEFINE "ADAPTIVE EQUIPMENT" AND TO PROVIDE A CORRECT CITATION; AMENDING SECTION 16-2005, IDAHO CODE, TO STRIKE REFERENCE TO MENTAL ILLNESS OR MENTAL DEFICIENCY AS A CONDITION FOR TERMINATION; AMENDING SECTION 16-2007, IDAHO CODE, TO FURTHER DESCRIBE CONDITIONS FOR APPOINTMENT OF GUARDIAN AD LITEM; AMENDING SECTION 16-2008, IDAHO CODE, TO REQUIRE CONSIDERATION OF A DISABLED INDIVIDUAL'S CAPACITY TO EMPLOY ADAPTIVE AND SUPPORTIVE EQUIPMENT AND SERVICES; AMENDING SECTION 32-717, IDAHO CODE, TO REQUIRE CONSIDERATION OF A DISABLED INDIVIDUAL'S CAPACITY TO EMPLOY ADAPTIVE AND SUPPORTIVE EQUIPMENT AND SERVICES AND TO REQUIRE A STATEMENT OF FINDINGS; AND AMENDING SECTION 32-1005, IDAHO CODE, TO PROHIBIT DISCRIMINATION AND TO REQUIRE CONSIDERATION OF A DISABLED INDIVIDUAL'S CAPACITY TO EMPLOY ADAPTIVE AND SUPPORTIVE EQUIPMENT AND SERVICES.

S 1074
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO DETERMINATIONS OF CHILD ABUSE, ABANDONMENT AND NEGLECT; AMENDING SECTION 16-1601, IDAHO CODE, TO PROHIBIT DISCRIMINATION AND TO REQUIRE CONSIDERATION OF A DISABLED INDIVIDUAL'S CAPACITY TO EMPLOY ADAPTIVE AND SUPPORTIVE EQUIPMENT AND SERVICES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1602, IDAHO CODE, TO DEFINE "DISABILITY," TO REQUIRE CONSIDERATION OF A DISABLED INDIVIDUAL'S CAPACITY TO EMPLOY ADAPTIVE AND SUPPORTIVE EQUIPMENT AND SERVICES, TO DEFINE "ADAPTIVE EQUIPMENT" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1603, IDAHO CODE, TO STRIKE REFERENCE TO HOMELESSNESS OR POTENTIAL DISABILITY AS CRITERIA FOR DETERMINATION OF JURISDICTION OF THE COURTS; AMENDING SECTION 16-1605, IDAHO CODE, TO REQUIRE CONSIDERATION OF A DISABLED INDIVIDUAL'S CAPACITY TO EMPLOY ADAPTIVE AND SUPPORTIVE EQUIPMENT AND SERVICES; AND AMENDING SECTION 16-1609A, IDAHO CODE, TO ADDRESS MEMBERSHIP ON MULTIDISCIPLINARY INVESTIGATIVE TEAMS.

S 1075
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CORRECT REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420A, IDAHO CODE, TO ESTABLISH AN IDAHO STATE CAPITOL COMMISSION LICENSE PLATE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

S 1076
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO HIGHWAY RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION; AMENDING CHAPTER 20, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-2014, IDAHO CODE, TO AUTHORIZE AND DIRECT THE IDAHO TRANSPORTATION BOARD TO PROMULGATE RULES TO ENSURE THAT THE INTERESTS OF THE PROPERTY OWNER WHOSE REAL PROPERTY IS BEING ACQUIRED

FOR A PUBLIC HIGHWAY PURPOSE ARE PROTECTED AND THAT SUCH REAL PROPERTY OWNERS ARE AFFORDED EVERY OPPORTUNITY TO UNDERSTAND THE PROCESS, INCLUDING THE RIGHTS AND OBLIGATIONS OF THE PROPERTY OWNER AND THE DEPARTMENT, AND THAT ESTABLISHED TIME LIMITS FOR VARIOUS STEPS WITHIN THE PROCESS ARE KNOWN AND OBSERVED BY ALL PARTIES.

S 1077
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES AND IDENTIFICATION CARDS; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE THAT PERSONS WITH A DISABILITY MAY HAVE A NOTATION IMPRINTED ON THE PERSON'S DRIVER'S LICENSE INDICATING THE PERSON HAS A DISABILITY; AND AMENDING SECTION 49-2444, IDAHO CODE, TO PROVIDE THAT PERSONS WITH A DISABILITY MAY HAVE A NOTATION IMPRINTED ON THE PERSON'S IDENTIFICATION CARD INDICATING THE PERSON HAS A DISABILITY AND TO MAKE TECHNICAL CORRECTIONS.

S 1078
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO COMPENSATION OF HIGHWAY DISTRICT COMMISSIONERS; AMENDING SECTION 40-1314, IDAHO CODE, TO INCREASE THE MAXIMUM ALLOWABLE SALARY FOR COMMISSIONERS OF DISTRICTS ORGANIZED UNDER CHAPTER 17, TITLE 40, IDAHO CODE, TO NINE HUNDRED DOLLARS PER MONTH AND TO ONE THOUSAND DOLLARS PER MONTH FOR THE PRESIDENT OR CHAIRMAN OF THE DISTRICT, TO INCREASE THE SALARY OF COMMISSIONERS OF ALL OTHER DISTRICTS TO SEVENTY-FIVE DOLLARS PER DAY NOT TO EXCEED A MAXIMUM OF SIX THOUSAND DOLLARS PER YEAR, AND TO PROVIDE A CODE REFERENCE; AND AMENDING SECTION 40-1404A, IDAHO CODE, TO INCREASE THE MAXIMUM ALLOWABLE SALARY OF COMMISSIONERS IN COUNTYWIDE HIGHWAY DISTRICTS IN COUNTIES WITH A POPULATION OF MORE THAN TWO HUNDRED THOUSAND TO ONE THOUSAND TWO HUNDRED DOLLARS PER MONTH AND TO ONE THOUSAND FOUR HUNDRED DOLLARS PER MONTH FOR THE PRESIDENT OF THE DISTRICT.

S 1079
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO VETERANS SERVICES; AMENDING CHAPTER 2, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-208, IDAHO CODE, TO ESTABLISH SERVICE OFFICERS TO AID VETERANS OR DEPENDENTS WITHIN THE DIVISION OF VETERANS SERVICES.

S 1080
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO COMMERCIAL TRANSACTIONS; AMENDING SECTION 28-42-201, IDAHO CODE, TO PROVIDE THAT THE RATE OF FINANCE CHARGE FOR A LOAN OR CREDIT SALE OF ONE THOUSAND DOLLARS OR MORE SHALL BE THAT WHICH IS AGREED UPON BETWEEN THE PARTIES TO THE TRANSACTION, TO PROVIDE THAT FOR A LOAN OR CREDIT SALE UNDER ONE THOUSAND DOLLARS, THE RATE OF FINANCE CHARGE STATED AS AN ANNUAL PERCENTAGE RATE SHALL NOT EXCEED THIRTY-SIX PERCENT PER YEAR, TO PROVIDE THAT FEES AND CHARGES ARE CONSIDERED INTEREST AND ARE SUBJECT TO THE THIRTY-SIX PERCENT LIMITATION, TO PROVIDE AN EXEMPTION FOR PAWNBROKERS AND TO DEFINE THE TERM "PAWNBROKERS."

S 1081
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5309D, IDAHO CODE, TO REQUIRE A RULE GOVERNING THE EMPLOYMENT AND TRAINING OF INDIVIDUALS ENGAGED AS INVESTIGATORS.

S 1082
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO STATE GOVERNMENT AND STATE AFFAIRS; AMENDING SECTION 67-5711C, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM COMPETITIVE BIDDING FOR ART ACQUIRED, RESTORED OR CONSERVED PURSUANT TO THE IDAHO ART IN PUBLIC PLACES ACT; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 87, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO ESTABLISH AN ART IN PUBLIC PLACES PROGRAM AND TO PROVIDE FOR THE ADMINISTRATION OF THE PROGRAM BY THE IDAHO COMMISSION ON THE ARTS, TO PROVIDE A STATEMENT OF PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR ACQUISITION, RESTORATION AND CONSERVATION OF ART IN STATE BUILDINGS UNDER CONSTRUCTION, RENOVATION, REMODEL OR RESTORATION, TO PROVIDE A FORMULA TO DETERMINE MONETARY AMOUNT THAT MAY BE EXPENDED ON WORKS OF ART AND TO ESTABLISH AND PROVIDE FOR THE ADMINISTRATION OF A STATE FUND, TO PROVIDE A PROCEDURE FOR THE ACQUISITION, RESTORATION OR CONSERVATION OF WORKS OF ART, TO PROVIDE AN EXEMPTION FROM COMPETITIVE BIDDING FOR ART ACQUIRED, RESTORED OR CONSERVED PURSUANT TO THE CHAPTER, TO PROVIDE FOR AN ADVISORY PANEL, TO PROVIDE THE COMMISSION WITH RULEMAKING AUTHORITY AND REQUIREMENTS, TO PROVIDE FOR THE USE OF MATCHING NONSTATE FUNDS, TO PROVIDE FOR PUBLIC EDUCATION PROGRAMS, TO REQUIRE AUTHORIZATION FOR PAYMENT TO ARTISTS AND TO PROVIDE EXCEPTIONS TO APPLICATION OF THE CHAPTER, TO PROVIDE FOR ACQUISITION BY THE STATE ART COLLECTION AND TO PROVIDE FOR MAINTENANCE AND EXPENSES AND TO PROVIDE LIMITATIONS ON THE APPLICATION OF THE CHAPTER.

S 1083
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO MISCELLANEOUS LIENS; AMENDING CHAPTER 8, TITLE 45, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 45-806A, IDAHO CODE, TO PROVIDE FOR THE RECORDING OF AIRCRAFT LIENS WITH THE FEDERAL AVIATION ADMINISTRATION, TO REQUIRE CERTAIN CONTENT FOR LIENS AND TO PROVIDE A TIME LIMIT FOR RECORDING LIENS.

S 1084
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING SECTION 67-5316, IDAHO CODE, TO PROVIDE THAT A CLASSIFIED EMPLOYEE SHALL BE ENTITLED TO BE REPRESENTED BY A PERSON OF THE EMPLOYEE'S OWN CHOOSING DURING THE APPEAL PROCEDURE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-5317, IDAHO CODE, TO PROVIDE THAT A CLASSIFIED EMPLOYEE SHALL BE ENTITLED TO BE REPRESENTED BY A PERSON OF THE EMPLOYEE'S OWN CHOOSING DURING THE PETITION FOR REVIEW PROCEDURE.

S 1070, S 1071, S 1072, S 1073, S 1074, S 1075, S 1076, S 1077, S 1078, S 1079, S 1080, S 1081, S 1082, S 1083, and **S 1084** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 71, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1045 and **S 1046,** by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1058, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

H 93, H 94, and **H 95,** by Appropriations Committee, were read the second time at length and filed for third reading.

H 36, by Mr. Speaker, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1031 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Schroeder, Sorensen, Stegner, Stennett, Wheeler, Whitworth, Williams. Total - 29.

NAYS--None.

Absent and excused--Cameron, Ipsen, Lee, Sandy, Thorne. Total - 5.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1031** passed, title was approved, and the bill ordered transmitted to the House.

S 1032 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator King-Barrutia, granted by unanimous consent, the following clerical correction was made to **S 1032**, pursuant to Senate Rule 9(F):

On page 1, line 33 of the bill, change "($~~35~~01,250)" to "($~~35~~1,250)."

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Schroeder, Sorensen, Stegner, Stennett, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Ipsen, Lee, Sandy, Thorne. Total - 4.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1032** passed, title was approved, and the bill ordered transmitted to the House.

S 1033 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, Lodge, Noh, Richardson, Risch, Schroeder, Sorensen, Stennett, Williams. Total - 24.

NAYS--Brandt, Cameron, King-Barrutia, Stegner, Wheeler, Whitworth. Total - 6.

Absent and excused--Ipsen, Lee, Sandy, Thorne. Total - 4.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President Pro Tempore declared **S 1033** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 11:15 a.m., Thursday, February 8, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 8, 2001

Senate Chamber

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

Roll call showed all members present except Senators Boatright, Cameron, Dunklin, Frasure, Noh, and Sorensen, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 7, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

Senator Dunklin was recorded present at this order of business.

SCR 105
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
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."

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

WHEREAS, the word "squaw" is offensive and hurtful to Native Americans as a derogatory name for Native American women; and

WHEREAS, the state of Idaho encourages tolerance and understanding between non-Indian citizens and Indian tribal members; and

WHEREAS, it is inappropriate for geographical place names in Idaho to include this word; and

WHEREAS, it is appropriate for the state legislature to take steps to achieve the goal of the eventual renaming of all geographical place names in the state of Idaho to eliminate the use of this word.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State Department of Lands and the Idaho Human Rights Commission, in cooperation with representatives of Idaho Tribes, establish a committee to identify all geographic names in the state of Idaho containing the word "squaw" and develop a plan to replace these names within a reasonable time, with other appropriate names. The committee should report its findings and recommendations to the President Pro Tempore of the Senate and the Speaker of the House of Representatives of the Second Regular Session of the Fifty-sixth Idaho Legislature.

SJM 103
BY RESOURCES AND ENVIRONMENT COMMITTEE
A JOINT MEMORIAL
TO THE PRESIDENT OF THE UNITED STATES, THE CHIEF OF THE UNITED STATES FOREST SERVICE, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, on October 19, 1999, the United States Forest Service announced a vast "rulemaking process to propose the protection of the remaining roadless areas within the National Forest System." (64 FR 56306) This rulemaking purportedly includes two draft environmental impact statements, at least one set of draft regulations and a draft environmental assessment; and

WHEREAS, the Notice of Intent (NOI) solicited comments "on the scope of the analysis that should be conducted" and on "the identification of alternatives to the proposal" that would be set out in this multitude of documents. The NOI provided prospective commentators with slightly more than sixty days to comment on this enormous and poorly defined proposal. The NOI was an unacceptable affront to the promise of meaningful public participation that is the centerpiece of the National Environmental Policy Act (NEPA); and

WHEREAS, more than forty million acres of land in the West could be affected by the actions contemplated in the NOI. A permanent moratorium on Forest Service road development would have a devastating impact on timber communities in the West. The proposed moratorium would destroy attempts to develop recreational economies in the West and deny access to huge areas of the West to all but the able bodied. In sum, the moratorium would deny thousands of citizens the opportunity to use, enjoy and benefit from the land; and

WHEREAS, the process used by the Forest Service to consider such a potentially severe decision must reflect absolute fairness and deliberation. The NOI demonstrated neither of those traits. No specific proposals were identified and no preliminary findings were referenced; and

WHEREAS, these failures violated one of NEPA's primary objectives of encouraging and facilitating "public involvement in decisions which affect the quality of the human environment." (40 CFR 1500.2(d)); and

WHEREAS, the NOI stated that it initiated "the scoping process." (64 FR 56307) However, the NOI does not identify "the significant issues related to [the] proposed action," as is required by federal regulations. (40 CFR 1501.7) The NOI did not encourage "the participation of affected federal, state and local agencies" as the regulations implementing NEPA anticipate. (40 CFR 1501.7(a)(1)); and

WHEREAS, the ambiguity and confusion that characterize the NOI was compounded by the fact that the comment period was so brief. Title 40 CFR 1501.8(b)(1)(i)-(viii) specifically set out considerations that the Forest Service should be using in determining the time limits for soliciting comments on the NOI. "(b) The agency may:

(1) Consider the following factors in determining time limits:

(i) Potential for environmental harm.

(ii) Size of the proposed action.

(iii) State of the art of analytic techniques.

(iv) Degree of public need for the proposed action, including the consequences of delay.

(v) Number of persons and agencies affected.

(vi) Degree to which relevant information is known and if not known the time required for obtaining it.

(vii) Degree to which the action is controversial.

(viii) Other time limits imposed on the agency by law, regulations or executive order."; and

WHEREAS, it is obvious that all of these factors support a careful, deliberate consideration of the environmental impacts of the proposed permanent moratorium. The expedited deadline in the NOI was completely inconsistent with 40 CFR 1501.8(b); and

WHEREAS, in an October 28, 1999, letter to Forest Service managers, Michael Dombeck, Chief of the U.S. Forest Service suggested that the Forest Service attempted to complete the environmental analysis of a permanent moratorium in a "short time frame." The U.S. Forest Service continued to ramrod a decision that would shut down forty million acres of western lands into "a short time frame." The spirit, in addition to the clear mandate of NEPA is accomplished by providing meaningful opportunity for public participation and careful, principled, environmental analysis; and

WHEREAS, on December 30, 1999, the State of Idaho brought suit to extend the comment period beyond that mandated by the NOI. The State alleged that it did not, to that point, have a meaningful opportunity to participate in the process, in addition to claiming that the National Forest Management Act and the Administrative Procedure Act had been violated.

WHEREAS, in dismissing the State's suit because it was brought prior to the final agency action, the U.S. district judge noted that the U.S. Forest Service "should make every effort to ensure that the process is properly implemented with reasonable time frames to allow meaningful participation by the public," and that Idaho's concern "over access to and management of its endowment and state forest lands that may be surrounded by national forest land are legitimate concerns of state and local governments and its citizens." Finally, the court declared "Time is not of the essence on an issue that has been studied for over 30 years."

WHEREAS, the closing date for public comments was set for December 20, 1999. With decisions on the management of over forty million acres of land in the West at stake, the time was clearly not adequate time for officials to thoroughly review and analyze the proposal, and to provide the Forest Service with informed and substantive comment;

WHEREAS, on January 5, 2001, only 15 days before President Clinton left office, in an obvious rush to enact flawed and politically motivated policy through the administrative rulemaking process, President Clinton finalized and implemented the roadless rule; and

WHEREAS, on January 9, 2001, the Governor, the Attorney General of Idaho, the Idaho Board of Land Commissioners, and the Idaho Department of Lands, on behalf of the State of Idaho filed suit against the U.S. Forest Service for making a decision to implement the roadless regulation, which regulations implementation creates a potential violation of the National Environmental Policy Act (NEPA) which will cause irreparable injury to the state of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that President Bush impose a moratorium on the roadless regulations pending careful review and study.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Chief of the United States Forest Service, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 104

BY RESOURCES AND ENVIRONMENT COMMITTEE

A JOINT MEMORIAL

TO THE HONORABLE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE INTERIOR, THE SECRETARY OF THE DEPARTMENT OF AGRICULTURE,

THE UNITED STATES FOREST SERVICE, THE UNITED STATES PARK SERVICE, THE BUREAU OF RECLAMATION, THE BUREAU OF LAND MANAGEMENT, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the April 1999 General Accounting Office report entitled "Western National Forests -- A Cohesive Strategy is Needed to Address Catastrophic Wildfire Threats" states, "The most extensive and serious problem related to the health of national forests in the interior west is the over accumulation of vegetation, which has caused an increasing number of large, intense, uncontrollable, and catastrophically destructive wildfires"; and

WHEREAS, the U.S. Forest Service report entitled "Protecting People and Sustaining Resources in Fire-Adapted Ecosystems -- A Cohesive Strategy" in response to the General Accounting Office report, confirmed the conclusion stated above and further warns, "Without increased restoration treatments…wildfire suppression costs, natural resource losses, private property losses, and environmental damage are certain to escalate as fuels continue to accumulate and more acres become high-risk." The report also specifies that, at a low intensity, fire is ecologically beneficial, and has positive effects on biodiversity, soil productivity, and water quality; and

WHEREAS, the U.S. Forest Service further acknowledges that 39 million acres of national forest are at significant risk of catastrophic wildfire and an additional 26 million acres will be at similar risk due to increases in the mortality of trees and brush caused by insects and disease; and

WHEREAS, the National Research Council and the Federal Emergency Management Agency recognized catastrophic wildfires such as those in California in 1993, Florida in 1998 and Idaho in 2000 as among the defining natural disasters of the decade; and

WHEREAS, catastrophic wildfires not only cause damage to the forests and other lands, but place the lives of firefighters at risk and pose threats to human health, personal property, sustainable ecosystems, air and water quality; and

WHEREAS, according to the National Fire Protection Association, wildland-urban interface catastrophic wildfires from 1985 to 1994 destroyed 9,925 homes, and in 1999 burned 6 million acres of public lands nationwide, equivalent to a 1.5 mile-wide swath from Washington D.C. to Los Angeles and back; and in 2000 burned 7.2 million acres, of which 1.2 million were in Idaho, costing the state of Idaho $10 million in state firefighting funds and burning 1 billion board feet of timber, enough to build 100,000 single family houses; and

WHEREAS, the escaped Cerro Grande prescribed fire in May 2000, which consumed 48,000 acres, destroyed 400 homes with losses exceeding $1 billion in Los Alamos, New Mexico, and the escaped Lowden prescribed fire in 1999 that destroyed 23 homes in Lewiston, California, highlight the unacceptable risks of using prescribed burning if, as reported, that burning was the sole forest management practice of federal land management agencies; and

WHEREAS, high risk forest fuel has accumulated in combination with reduced fire response capability by federal agencies during the 1990's, resulting in catastrophic wildfires, like those near Atlanta and Burgdorf, Idaho, becoming more difficult and expensive to extinguish, with a disproportionate burden being placed on state and local resources, while the costs to fight these fires increased by 150 percent between 1986 and 1994, and the costs of maintaining a readiness force increased by 70 percent between 1992 and 1997; and

WHEREAS, current planning efforts of the U.S. Forest Service such as the Sierra Nevada Framework, Interior Columbia Basin Ecosystem Management Project, the Roadless Initiative Rule, and the Federal Monument proclamations rely primarily on extensive use of prescribed fire, which will further exacerbate the risk of catastrophic wildfire on federal lands throughout the west.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that in the interest of protecting the integrity and posterity of our forest and wild lands, wildlife habitat, watershed, air quality, human health and safety, and private property, the U.S. Forest Service and other federal land management agencies must immediately implement a cohesive strategy to reduce the overabundance of forest fuels that place these resources at high risk of catastrophic wildfire.

BE IT FURTHER RESOLVED that the agencies utilize an appropriate mix of fire suppression activities and forest management methodologies, including selective thinning, selective harvesting, grazing, the removal of excessive ground fuels, and small-scale prescribed burns, including increased private, local and state contracts for prefire treatments on federal forest lands. More effective fire suppression on federal forest lands should be pursued through increased funding of mutual aid agreements with professional state and local public firefighting agencies.

BE IT FURTHER RESOLVED that, in the interest of forest health, protection and rural community safety, the Departments of Agriculture and Interior work closely with states and local governments to implement a national prescribed fire strategy for public lands that creates a process for evaluation of worst case scenarios for risk of escape and identifies alternatives that will achieve the land management objectives while minimizing the risk and use of prescribed fire. This strategy should be incorporated into any regulatory land use planning program that proposes the use of prescribed fire as a management practice.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the Honorable President of the United States, George W. Bush, the Secretary of the Interior, the Secretary of the Department of Agriculture, the United States Forest Service, the United States Park Service, the Bureau of Reclamation, the Bureau of Land Management, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SCR 105, **SJM 103**, and **SJM 104** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Noh and Sorensen were recorded present at this order of business.

February 8, 2001

The JUDICIARY AND RULES Committee reports that **S 1070, S 1071, S 1072, S 1073, S 1074, S 1075, S 1076, S 1077, S 1078, S 1079, S 1080, S 1081, S 1082, S 1083,** and **S 1084** have been correctly printed.

DARRINGTON, Chairman

S 1070 and **S 1071** were referred to the Education Committee.

S 1072, S 1073, and **S 1074** were referred to the Health and Welfare Committee.

S 1075, S 1076, S 1077, and **S 1078** were referred to the Transportation Committee.

S 1079, S 1080, S 1081, S 1083, and **S 1084** were referred to the Commerce and Human Resources Committee.

S 1082 was referred to the State Affairs Committee.

February 7, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 102** was delivered to the Office of the Secretary of State at 2:01 p.m., February 7, 2001.

DARRINGTON, Chairman

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

February 7, 2001

The HEALTH AND WELFARE Committee reports out **H 12** and **H 15,** as amended, with the recommendation that they do pass.

IPSEN, Chairman

H 12 and **H 15**, as amended, were filed for second reading.

February 7, 2001

The JUDICIARY AND RULES Committee reports out **S 1047** with the recommendation that it do pass.

DARRINGTON, Chairman

S 1047 was filed for second reading.

February 7, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1057** with the recommendation that it do pass.

THORNE, Chairman

S 1057 was filed for second reading.

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

Messages from the House

February 7, 2001

Mr. President:

I transmit herewith **HCR 11, H 63, H 38, H 39,** and **H 40** which have passed the House.

JUKER, Chief Clerk

HCR 11, H 63, H 38, H 39, and **H 40** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SJM 102** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator King-Barrutia, seconded by Senator Danielson, **SJM 102** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that **SCR 104** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thorne, seconded by Senator Stennett, **SCR 104** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1085
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

S 1086
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO THE PRACTICE OF PHYSICAL THERAPY; REPEALING CHAPTER 22, TITLE 54, IDAHO CODE; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 22, TITLE 54, IDAHO CODE, TO GOVERN THE PRACTICE OF PHYSICAL THERAPY IN IDAHO BY PROVIDING A SHORT TITLE, PROVIDING A DECLARATION OF POLICY, DEFINING TERMS, SPECIFYING EXEMPTIONS FROM THE CHAPTER, CREATING A PHYSICAL THERAPY ADVISORY COMMITTEE, PROVIDING FOR AN APPLICATION FOR LICENSURE AND EXAMINATION AND PROVIDING FOR FEES, PROVIDING FOR DENIAL OF APPLICATION, PROVIDING FOR EXAMINATIONS, PROVIDING QUALIFICATIONS FOR LICENSURE, PROVIDING FOR LICENSURE BY ENDORSEMENT, PROVIDING FOR LICENSURE OF FOREIGN-EDUCATED PHYSICAL THERAPISTS, PROVIDING EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER, PROVIDING FOR LICENSE RENEWAL, PROVIDING FOR REINSTATEMENT OF LICENSE, PROVIDING FOR THE LAWFUL PRACTICE OF PHYSICAL THERAPY, PROVIDING FOR USE OF TITLES AND RESTRICTIONS, PROVIDING FOR THE SUPERVISION OF PHYSICAL THERAPIST ASSISTANTS AND SUPPORTIVE PERSONNEL, PROVIDING GROUNDS FOR DISCIPLINARY ACTION, PROVIDING FOR DISCIPLINARY ACTIONS AND PROCEDURES, PROVIDING FOR DISCIPLINARY PENALTIES, PROVIDING FOR JUDICIAL REVIEW AND DEFINING UNLAWFUL PRACTICE AND PROVIDING FINES AND PENALTIES.

S 1087
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO INSURANCE POLICY STANDARDS FOR MATERNITY BENEFITS; REPEALING SECTION 41-2214, IDAHO CODE.

S 1088
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO OUTSTANDING RESOURCE WATERS; AMENDING SECTION 39-3617, IDAHO CODE, TO PROVIDE AN ANNUAL DESIGNATION DEADLINE, TO STRIKE REFERENCE TO THE BOARD OF HEALTH AND WELFARE AND TO PROVIDE THAT DESIGNATIONS ARE TO BE MADE TO THE BOARD OF ENVIRONMENTAL QUALITY, TO PROVIDE FOR THE DESIGNATION OF WATER BODIES, TO STRIKE REFERENCE TO RECOMMENDATION BY THE BOARD OF CERTAIN STREAM SEGMENTS FOR DESIGNATION AS OUTSTANDING RESOURCE WATERS, TO PROVIDE FOR INITIAL NOMINATING REPORTS, TO PROVIDE FOR LEGISLATIVE DETERMINATION OF THOSE WATER BODIES TO BE INCLUDED IN THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY'S FINAL NOMINATING REPORT, TO STRIKE A REFERENCE TO THE DEPARTMENT OF HEALTH AND WELFARE'S LIST OF CERTAIN OUTSTANDING RESOURCE WATERS, TO PROVIDE FOR FINAL NOMINATING REPORTS, TO PROVIDE FOR PUBLIC NOTICE AND COMMENT AND TO PROVIDE FOR DETERMINATION OF OUTSTANDING RESOURCE WATERS BY THE LEGISLATURE; AMENDING SECTION 39-3620, IDAHO CODE, TO PROVIDE THAT DESIGNATED AGENCIES SHALL SUBMIT BEST MANAGEMENT PRACTICES FOR CERTAIN ACTIVITIES CONCURRENT WITH SUBMISSION OF THE FINAL NOMINATING REPORT FOR OUTSTANDING RESOURCE WATERS AND TO STRIKE REFERENCE TO THE BOARD OF HEALTH AND WELFARE AND TO DESIGNATE THE BOARD OF ENVIRONMENTAL QUALITY.

S 1089
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO RULES OF THE ROAD; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-658, IDAHO CODE, TO PROVIDE FOR REDUCED SPEED LIMITS IN SCHOOL ZONES, TO SPECIFY A FIXED PENALTY FOR EXCEEDING THE POSTED SPEED LIMIT IN A SCHOOL ZONE AND TO PROVIDE FOR REDUCTION OF THE MAXIMUM PENALTY BY ORDINANCE OF THE APPROPRIATE CITY COUNCIL OR BOARD OF COUNTY COMMISSIONERS.

S 1090
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO LICENSE TO CONDUCT HORSE RACES; AMENDING SECTION 54-2508, IDAHO CODE, TO INCREASE THE NUMBER OF RACES WHICH SHALL BE CONDUCTED IN A RACE DAY; AND AMENDING SECTION 54-2512, IDAHO CODE, TO REVISE THE FORMULA GOVERNING THE MINIMUM REQUIREMENTS FOR LICENSURE FOR SIMULCAST PARI-MUTUEL WAGERING AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

S 1091
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO FUNDS OF MUNICIPAL CORPORATIONS; AMENDING SECTION 50-1013, IDAHO CODE, TO PROVIDE ADDITIONAL AUTHORIZED INVESTMENTS FOR FUNDS OF MUNICIPAL CORPORATIONS AND TO MAKE TECHNICAL CORRECTIONS.

S 1085, S 1086, S 1087, S 1088, S 1089, **S 1090,** and **S 1091** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 11, by Judiciary, Rules, and Administration Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 63, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 38, H 39, and **H 40**, by Mr. Speaker, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 125 and **H 126**, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1021, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1022 and **S 1023**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1045 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Frasure, Goedde, Hawkins, Keough, King-Barrutia, Lee, Lodge, Richardson, Sorensen, Stegner, Thorne, Williams. Total - 21.

NAYS--Danielson, Deide, Dunklin, Geddes, Ingram, Ipsen, Noh, Risch, Sandy, Schroeder, Stennett, Wheeler, Whitworth. Total - 13.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **S 1045** passed, title was approved, and the bill ordered transmitted to the House.

S 1046 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Deide. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **S 1046** passed, title was approved, and the bill ordered transmitted to the House.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3:15 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senators Andreason, Burtenshaw, Cameron, Deide, Hawkins, Ingram, Ipsen, Keough, Lee, Noh, Schroeder, Stegner, and Williams, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1058 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 28.

NAYS--None.

Absent and excused--Cameron, Deide, Ipsen, Keough, Noh, Schroeder. Total - 6.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **S 1058** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Danielson, granted by unanimous consent, **H 93** retained its place on the Third Reading Calendar for one legislative day.

H 94 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Cameron, Keough, Risch, Stennett. Total - 4.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 94** passed, title was approved, and the bill ordered returned to the House.

H 95 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Bunderson, Cameron, Keough. Total - 3.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 95** passed, title was approved, and the bill ordered returned to the House.

H 36 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Bunderson, Cameron. Total - 2.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 36** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Dunklin, by voice vote the Senate adjourned at 3:40 p.m. until the hour of 11:15 a.m., Friday, February 9, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 9, 2001

Senate Chamber

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

Roll call showed all members present except Senator Keough, absent and formally excused by the Chair; and Senators Bunderson, Cameron, King-Barrutia, and Noh, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Bunderson, Cameron, and Noh were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 8, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

February 9, 2001

The JUDICIARY AND RULES Committee reports that **S 1085, S 1086, S 1087, S 1088, S 1089, S 1090, S 1091, SCR 105, SJM 103,** and **SJM 104** have been correctly printed.

DARRINGTON, Chairman

S 1085 was referred to the Finance Committee.

S 1086 was referred to the Health and Welfare Committee.

S 1087 was referred to the Commerce and Human Resources Committee.

S 1088 was referred to the Resources and Environment Committee.

S 1089 was referred to the Judiciary and Rules Committee.

S 1090 was referred to the State Affairs Committee.

S 1091 was referred to the Local Government and Taxation Committee.

SCR 105, SJM 103, and **SJM 104** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

February 7, 2001

The STATE AFFAIRS Committee reports out **S 1048**, with amended Statement of Purpose and amended Fiscal Note attached, and with the recommendation that it do pass.

SORENSEN, Chairman

S 1048 was filed for second reading.

February 9, 2001

The FINANCE Committee reports out **S 1085** with the recommendation that it do pass.

CAMERON, Chairman

S 1085 was filed for second reading.

February 9, 2001

The EDUCATION Committee reports out **S 1060** with the recommendation that it do pass.

SCHROEDER, Chairman

S 1060 was filed for second reading.

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

Messages from the House

February 8, 2001

Mr. President:

I transmit herewith Enrolled **H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20,** and **H 21** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20,** and **H 21** and ordered them returned to the House.

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

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

S 1092
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO ABANDONED MOTOR VEHICLES; AMENDING SECTIONS 49-1814, 49-1815 AND 49-1816, IDAHO CODE, TO INCREASE THE THRESHOLD VALUE FOR DISPOSITION OF LOW-VALUED VEHICLES FROM TWO HUNDRED DOLLARS TO SEVEN HUNDRED FIFTY DOLLARS AND TO MAKE TECHNICAL CORRECTIONS.

S 1093
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO AUTOMOBILE INSURANCE; AMENDING SECTION 41-2515, IDAHO CODE, TO REDUCE THE AGE FOR WHICH AN INSURANCE DISCOUNT SHALL BE PROVIDED, TO FIX THE DISCOUNT RATE AT TEN PERCENT, TO ELIMINATE A PROVISION PERMITTING PRIVATE COMPARABLE PREMIUM REDUCTIONS AND TO CORRECT A CODIFIER'S ERROR.

S 1094
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO USE OF SAFETY RESTRAINTS IN MOTOR VEHICLES; AMENDING SECTION 49-673, IDAHO CODE, TO PROVIDE THAT THE OPERATOR OF THE MOTOR VEHICLE IS RESPONSIBLE FOR ENSURING THAT EACH OCCUPANT OF THE VEHICLE HAS A PROPERLY FASTENED SAFETY RESTRAINT, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE AN EXCEPTION TO THOSE OCCUPANTS FOR WHOM A SAFETY RESTRAINT IS NOT AVAILABLE BECAUSE ALL SAFETY RESTRAINTS IN THE VEHICLE ARE PROPERLY IN USE BY OTHER OCCUPANTS AND TO INCREASE THE FINE FROM FIVE DOLLARS TO TWENTY DOLLARS FOR VIOLATION OF SAFETY RESTRAINT USE LAW.

S 1095
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO FEES FOR DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE, TO INCREASE FEES, TO DISTRIBUTE THE INCREASE TO THE EMERGENCY MEDICAL SERVICES III ACCOUNT, AND TO DECREASE THE ALLOCATION TO THE HIGHWAY DISTRIBUTION ACCOUNT OF FEES COLLECTED FOR THE EIGHT-YEAR CLASS D LICENSE AND TO MAKE TECHNICAL CORRECTIONS.

S 1096
BY TRANSPORTATION 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.

S 1097
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO ABANDONED MOTOR VEHICLES; AMENDING SECTION 49-1812, IDAHO CODE, TO PROVIDE THAT NO STORAGE CHARGES IN EXCESS OF FORTY-EIGHT HOURS SHALL ACCRUE TO THE REGISTERED AND LEGAL OWNER OF AN ABANDONED VEHICLE IF SUCH OWNER DID NOT RECEIVE TIMELY

NOTIFICATION OF A POST-STORAGE HEARING AS REQUIRED BY LAW AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 49-1813, IDAHO CODE, TO PROVIDE THAT IT IS A MISDEMEANOR FOR A PERSON TO REMOVE AN ABANDONED VEHICLE UNLESS HE HAS PAID IN FULL ALL CHARGES AND COSTS AUTHORIZED TO BE INCURRED.

S 1098
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO LICENSING OF MOTOR VEHICLE DEALERS AND SALESMEN; AMENDING SECTION 49-1606, IDAHO CODE, TO PROVIDE THAT A LICENSED DEALER AND A FULL-TIME LICENSED SALESMAN EMPLOYED BY A LICENSED DEALER SHALL BE PERMITTED TO PURCHASE VEHICLES AT SALVAGE POOLS; AND AMENDING SECTION 49-1613, IDAHO CODE, TO PROVIDE THAT IT IS ILLEGAL FOR A LICENSEE TO SELL VEHICLES AT A SALVAGE POOL TO ANYONE NOT IN POSSESSION OF AN IDAHO VEHICLE DEALER'S LICENSE OR A LICENSE ISSUED TO A FULL-TIME SALESPERSON EMPLOYED BY AN IDAHO LICENSED DEALER, OR TO INDIVIDUALS FROM ANOTHER STATE UNLESS LICENSED IN THAT STATE AND AUTHORIZED TO DO BUSINESS IN THIS STATE.

S 1099
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO DEVELOPMENT IMPACT FEES; AMENDING SECTION 67-8204, IDAHO CODE, TO PROVIDE THAT A DEVELOPMENT IMPACT FEE ORDINANCE SHALL EXEMPT PUBLIC SCHOOL DISTRICTS FROM DEVELOPMENT IMPACT FEES FOR CONSTRUCTION BY THE SCHOOL DISTRICT OF ANY FACILITY USED IN THE EDUCATIONAL PROCESS AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1100
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO MOTOR VEHICLE DEALERS; AMENDING CHAPTER 16, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1609A, IDAHO CODE, TO PROVIDE THAT A LICENSED DEALER TAKING POSSESSION OF A VEHICLE FOR PURPOSES OF RESALE SHALL SATISFY ALL LIENS PERFECTED ON THE VEHICLE AT TIME OF TAKING POSSESSION WITHIN A TIME CERTAIN, UNLESS THE OWNER AGREES IN WRITING TO DIRECTLY SATISFY ALL LIENS, TO PROVIDE THAT NO SUCH VEHICLE SHALL BE RESOLD OR TRANSFERRED TO ANY RETAIL PURCHASER UNTIL ALL PERFECTED LIENS HAVE BEEN SATISFIED IN FULL AND TO PROVIDE A PENALTY.

S 1101
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO LICENSING OF MOTOR VEHICLE DEALERS AND SALESMEN; AMENDING CHAPTER 16, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1618A, IDAHO CODE, TO PROVIDE FOR EMERGENCY SUSPENSION OF A DEALER'S OR SALESMAN'S LICENSE; AND AMENDING CHAPTER 16, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1637, IDAHO CODE, TO PROVIDE A PENALTY FOR VIOLATION OF LAW.

S 1102
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO PARKING PRIVILEGES FOR PERSONS WITH A DISABILITY; AMENDING SECTION 49-213, IDAHO CODE, TO SPECIFY REQUIREMENTS FOR PARKING SPACES AND USE OF PARKING PRIVILEGES AND TO PROVIDE ENFORCEMENT AND PENALTIES; AND AMENDING SECTION 49-410, IDAHO CODE, TO SPECIFY REQUIREMENTS FOR USE OF PARKING PRIVILEGES FOR PERSONS WITH A DISABILITY, TO PROVIDE ENFORCEMENT AND PENALTIES AND TO MAKE TECHNICAL CORRECTIONS.

S 1103
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO HIGHWAY DISTRICT PURCHASES; AMENDING SECTION 40-906, IDAHO CODE, TO EXEMPT CERTAIN EQUIPMENT PURCHASES FROM THE REQUIREMENT FOR BIDS; AMENDING CHAPTER 9, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-906A, IDAHO CODE, TO PROVIDE THAT A HIGHWAY DISTRICT MAY PURCHASE EQUIPMENT AT A PUBLIC AUCTION IF THE HIGHWAY DISTRICT BOARD OF COMMISSIONERS HAS MADE A FINDING THAT THE EQUIPMENT MAY BE PURCHASED AT A PUBLIC AUCTION AT A LOWER PRICE.

S 1104
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO HIGHWAY DISTRICT COMMISSIONERS; AMENDING SECTION 40-1310, IDAHO CODE, TO PROVIDE THAT CERTAIN POWERS OF HIGHWAY DISTRICT COMMISSIONERS SHALL NOT BE ABROGATED OR SUPERSEDED.

S 1105
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO SALES OF COUNTY PROPERTY; AMENDING SECTION 31-808, IDAHO CODE, TO DELETE LANGUAGE REQUIRING HIGHWAY DISTRICTS TO FOLLOW CERTAIN PROCEDURES FOR THE SALE OF REAL OR PERSONAL PROPERTY.

S 1106
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO POWERS AND DUTIES OF HIGHWAY DISTRICT COMMISSIONERS; AMENDING CHAPTER 14, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-1406A, IDAHO CODE, 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.

S 1107
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO HIGHWAY COMMISSIONERS; AMENDING SECTION 40-1305, IDAHO CODE, TO PROVIDE FOR ALTERNATIVE ELECTIONS AND TERMS OF OFFICE FOR HIGHWAY DISTRICT COMMISSIONERS AND TO PROVIDE THAT HIGHWAY COMMISSIONERS MAY BE ELECTED BY SUBDISTRICT UNDER CERTAIN CONDITIONS.

S 1108
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO OPERATION OF RAILROADS; AMENDING CHAPTER 4, TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 62-403A, IDAHO CODE, TO REQUIRE RAILROAD CORPORATIONS OPERATING IN IDAHO TO HAVE A CERTAIN NUMBER OF EMPLOYEES ON EVERY FREIGHT AND PASSENGER TRAIN.

S 1109
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO HIGHWAY DISTRICTS; AMENDING SECTION 40-1801, IDAHO CODE, TO PROVIDE THAT CERTAIN HIGHWAY DISTRICTS SHALL NOT BE DISSOLVED BY PETITION, TO PROVIDE THAT DISSOLVED HIGHWAY DISTRICTS SHALL BE REPLACED BY EXISTING AND ADJOINING COUNTY HIGHWAY SYSTEMS AND TO PROVIDE FOR PROCEDURES; AMENDING SECTION 40-1802, IDAHO CODE, TO PROVIDE FOR A PETITION INITIATED BY THE GREATER OF FIVE PERCENT OR TWENTY-FIVE QUALIFIED ELECTORS, TO MAKE A GRAMMATICAL CORRECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1803, IDAHO CODE, TO PROVIDE THAT HEARINGS OF PETITIONS SHALL BE AT LEAST SIXTY DAYS FROM THE DATE OF FIRST PUBLICATION OF THE PETITION AND HEARING NOTICE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1804, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1805, IDAHO CODE, TO PROVIDE THAT THE DISSOLUTION OF A HIGHWAY DISTRICT MUST BE IN THE BEST INTERESTS OF THE HIGHWAY DISTRICT AND THE COUNTY HIGHWAY SYSTEM, TO PROVIDE THAT AN ELECTION ON THE QUESTION OF DISSOLUTION OF THE HIGHWAY DISTRICT SHALL BE HELD ON A DATE IN CONFORMANCE WITH SECTION 34-106(1), IDAHO CODE, BUT NOT LESS THAN NINETY DAYS AFTER THE DATE OF THE ORDER DIRECTING THE QUESTION BE SUBMITTED, TO MAKE GRAMMATICAL CORRECTIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1806, IDAHO CODE, TO REVISE HOURS DURING WHICH POLLS SHALL BE OPENED AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTIONS 40-1807 AND 40-1808, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1809, IDAHO CODE, TO PROVIDE THAT AT THE EARLIEST POSSIBLE DATE AFTER THE ELECTION THE COUNTY COMMISSIONERS SHALL CANVASS THE RETURNS, TO MAKE A GRAMMATICAL CORRECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1810, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1811, IDAHO CODE, TO PROVIDE THAT THE TITLE TO ALL MONEYS BELONGING TO THE DISSOLVED HIGHWAY DISTRICT SHALL BE VESTED IN THE COUNTY HIGHWAY SYSTEM, TO PROVIDE THAT NO CITY SHALL BE ENTITLED TO ANY SHARE OF THE MACHINERY, BUILDINGS OR ANY REAL OR PERSONAL PROPERTY OF THE DISSOLVED HIGHWAY DISTRICT, TO PROVIDE CORRECT TERMINOLOGY, TO CORRECT A CODIFIER'S ERROR AND TO MAKE A GRAMMATICAL CORRECTION; AMENDING SECTION 40-1812, IDAHO CODE, TO DELETE LANGUAGE RELATING TO ESTIMATES OF REVENUE, TO DELETE LANGUAGE REQUIRING THAT CLAIMS AGAINST DISSOLVED HIGHWAY DISTRICTS BE PRESENTED TO THE COMMISSIONERS FOR ALLOWANCE, TO PROVIDE THAT CLAIMS AGAINST DISSOLVED HIGHWAY DISTRICTS SHALL BE PAID FROM THE SPECIAL FUND OF THE DISSOLVED HIGHWAY DISTRICT AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1813, IDAHO CODE, TO DELETE REFERENCE TO CHAPTER 17, TITLE 40, IDAHO CODE, TO MAKE A GRAMMATICAL CORRECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1814, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1815, IDAHO CODE, TO DELETE REFERENCE TO THE SUCCEEDING OPERATIONAL UNIT OF THE COUNTY, TO PROVIDE THAT THE COUNTY COMMISSIONERS WHEREIN THE DISSOLVED HIGHWAY DISTRICT WAS SITUATED SHALL HAVE CERTAIN POWERS WITHIN THE RESPECTIVE COUNTIES, TO MAKE GRAMMATICAL CORRECTIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1816, IDAHO CODE, TO MAKE GRAMMATICAL CORRECTIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1817, IDAHO CODE, TO PROVIDE THAT NO NEW PROCEEDINGS FOR THE DISSOLUTION OF A HIGHWAY DISTRICT SHALL BE INITIATED LESS THAN SIX YEARS AFTER PROCEEDINGS FOR SUCH DISSOLUTION FAILED AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1818, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1819, IDAHO CODE, TO REVISE THE EFFECTIVE DATE OF APPLICATION OF CHAPTER

18, TITLE 40, IDAHO CODE, AND TO PROVIDE THAT CERTAIN ACTIONS OR PROCEEDINGS MAY BE CONTINUED BY THE COUNTY OR HIGHWAY DISTRICT; AMENDING SECTION 40-1820, IDAHO CODE, TO DELETE REFERENCE TO CITY HIGHWAY SYSTEMS; AND AMENDING SECTION 40-1821, IDAHO CODE, TO PROVIDE THAT HIGHWAY DISTRICTS WILL BE DEEMED DISSOLVED ONLY AFTER THE APPROPRIATE COUNTY HIGHWAY SYSTEM OR SYSTEMS HAVE ASSUMED CONTROL AND OPERATION OF THE DISSOLVED HIGHWAY DISTRICT AND TO MAKE A GRAMMATICAL CORRECTION.

S 1092, S 1093, S 1094, S 1095, S 1096, S 1097, S 1098, S 1099, S 1100, S 1101, S 1102, S 1103, S 1104, S 1105, S 1106, S 1107, S 1108, and **S 1109** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 12 and **H 15,** as amended, by Mr. Speaker, were read the second time at length and filed for third reading.

S 1047, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1057, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator King-Barrutia was recorded present at this order of business.

H 93, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--Schroeder. Total - 1.

Absent and excused--Keough. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 93** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 125** retained its place on the Third Reading Calendar for one legislative day.

H 126 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Keough. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **H 126** passed, title was approved, and the bill ordered returned to the House.

S 1021 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Keough. Total - 1.

Total - 34. (District 4 seat temporarily vacant).

Whereupon the President declared **S 1021** passed, title was approved, and the bill ordered transmitted to the House.

S 1022 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Keough. Total - 1.

Total - 34. (District 4 seat temporarily vacant)

Whereupon the President declared **S 1022** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Monday, February 12, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 12, 2001

Senate Chamber

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

Roll call showed all members present except Senators Branch, Danielson, Davis, Goedde, Keough, Noh, Sorensen, and Stennett, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

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

Petitions, Resolutions, and Memorials

Senators Branch, Davis, Goedde, and Keough were recorded present at this order of business.

SCR 106
BY EDUCATION 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 ALL LAWS, RULES, PROCEDURES AND PRACTICES THAT HINDER THE SUCCESS OF TEACHERS AND STUDENTS FROM ACHIEVING THE ACHIEVEMENT STANDARDS.

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

WHEREAS, the Idaho Legislature has adopted grade level standards in language arts, math, science, social studies and health for grades K-12; and

WHEREAS, the State Board of Education has begun the process to develop assessment instruments to test students at all levels and disciplines to determine how well they have met the standards; and

WHEREAS, students, teachers, schools and school districts will be judged by how well students perform on these assessment instruments; and

WHEREAS, students, teachers, schools and school districts will be held accountable for student achievement of these standards; and

WHEREAS, there exist numerous laws, rules, procedures and practices which inhibit the successful achievement of the standards, and limit innovative program development by teachers and school districts.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of all laws, rules, procedures and practices that may hinder the success of teachers and students from attaining the achievement standards. The committee shall seek to identify all roadblocks and address appropriate changes to facilitate and promote school success. 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.

SR 102
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
A SENATE 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 Senate of the State of Idaho:

WHEREAS, the Senate 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 Senate, 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 Senate, 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 Senate 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.

SCR 106 and **SR 102** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Danielson, Noh, Sorensen, and Stennett were recorded present at this order of business.

February 12, 2001

The JUDICIARY AND RULES Committee reports that **S 1092, S 1093, S 1094, S 1095, S 1096, S 1097, S 1098, S 1099, S 1100, S 1101, S 1102, S 1103, S 1104, S 1105, S 1106, S 1107, S 1108,** and **S 1109** have been correctly printed.

DARRINGTON, Chairman

S 1092, S 1093, S 1094, S 1095, S 1096, S 1097, S 1098, S 1100, S 1101, S 1102, S 1103, S 1104, S 1105, S 1106, S 1107, and **S 1109** were referred to the Transportation Committee.

S 1099 was referred to the Local Government and Taxation Committee.

S 1108 was referred to the Commerce and Human Resources Committee.

February 9, 2001

The JUDICIARY AND RULES Committee reports out **S 1053** and **S 1059** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1053 and **S 1059** were filed for second reading.

February 9, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1050** and **S 1052** with the recommendation that they do pass.

ANDREASON, Chairman

S 1050 and **S 1052** were filed for second reading.

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

Messages from the House

February 9, 2001

Mr. President:

I transmit herewith **H 41, H 109, H 110, H 111, H 112,** and **HCR 12**, and I return herewith **S 1034**, which have passed the House.

JUKER, Chief Clerk

H 41, H 109, H 110, H 111, H 112, and **HCR 12** were filed for first reading.

S 1034 was referred to the Judiciary and Rules Committee for enrolling.

February 9, 2001

Mr. President:

I transmit herewith Enrolled **HCR 8** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HCR 8**, and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SCR 105** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Wheeler, seconded by Senator Stennett, **SCR 105** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

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

S 1110
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SAFE PUBLIC SCHOOL FACILITIES; AMENDING SECTION 33-1613, IDAHO CODE, TO REQUIRE PUBLICATION OF A SUMMARY OF REPORTS MADE TO THE BOARD OF TRUSTEES.

S 1111
BY EDUCATION COMMITTEE
AN ACT

RELATING TO THE POWERS AND DUTIES OF THE BOARD OF TRUSTEES OF A SCHOOL DISTRICT; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE CONDITIONS GOVERNING THE SALE OR OTHER DISPOSAL OF PROPERTY OWNED BY THE SCHOOL DISTRICT.

S 1112
BY EDUCATION COMMITTEE
AN ACT

RELATING TO REDUCING BONDED INDEBTEDNESS OF SCHOOL DISTRICTS; APPROPRIATING MONEYS FROM THE GENERAL FUND, TO PROVIDE A FORMULA FOR DISTRIBUTION, TO PROVIDE PURPOSES FOR WHICH THE MONEYS MAY BE USED AND TO PROVIDE FOR CARRYOVER AUTHORITY BY SCHOOL DISTRICTS; AND DECLARING AN EMERGENCY.

S 1113
BY EDUCATION COMMITTEE
AN ACT

RELATING TO THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN FUND; REPEALING SECTION 33-1017, IDAHO CODE; PROVIDING THAT THE BALANCE IN THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN FUND SHALL REVERT TO THE GENERAL FUND; AND AMENDING SECTION 33-1613, IDAHO CODE, TO STRIKE PROVISIONS FOR OBTAINING LOANS FROM THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN FUND.

S 1114
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL DISTRICT SALARY-BASED APPORTIONMENT; AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE BASE SALARY AND TO ADOPT REQUIREMENTS FOR A SCHOOL DISTRICT SALARY SCHEDULE.

S 1115
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PROFESSIONAL PERSONNEL OF SCHOOL DISTRICTS; AMENDING SECTION 33-513, IDAHO CODE, TO SPECIFY THE NUMBER OF DAYS WHICH SHALL CONSTITUTE A FULL-TIME CONTRACT FOR PROFESSIONAL PERSONNEL AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO PROVIDE A DEDUCTION FROM SALARY-BASED APPORTIONMENT BASED UPON THE PERCENTAGE BY WHICH A DISTRICT FAILS TO IMPLEMENT A FULL-TIME CONTRACT.

S 1116
BY EDUCATION COMMITTEE
AN ACT

RELATING TO READING ACHIEVEMENT EVALUATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1616, IDAHO CODE, TO PROVIDE STATEWIDE GOALS FOR READING EVALUATIONS AND TO PROVIDE ADDITIONAL ASSISTANCE TO SCHOOLS WHICH FAIL TO ACHIEVE SPECIFIED GOALS.

S 1117
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PREKINDERGARTEN READINESS PROGRAM; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1616, IDAHO CODE, TO PROVIDE A PREKINDERGARTEN READINESS PROGRAM, TO PROVIDE ELIGIBILITY, TO PROVIDE FOR REIMBURSEMENT AND TO PROVIDE REPORTING.

S 1118
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO RETIREMENT BENEFITS; AMENDING SECTION 11-604A, IDAHO CODE, TO FURTHER DEFINE "EMPLOYEE BENEFIT PLAN" AND TO FURTHER GOVERN COMMUNITY PROPERTY INTEREST IN AN INDIVIDUAL RETIREMENT ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS.

S 1119
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO UNLAWFUL DETAINER; AMENDING SECTION 6-303, IDAHO CODE, TO PROVIDE THAT A TENANT OF REAL PROPERTY IS GUILTY OF UNLAWFUL DETAINER IF ANY PERSON UNLAWFULLY ENGAGES IN THE DELIVERY, PRODUCTION OR USE OF A CONTROLLED SUBSTANCE ON THE PREMISES OF THE LEASED PROPERTY DURING THE LEASE TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 6-310, IDAHO CODE, TO PROVIDE A CLAIM FOR RELIEF IN AN ACTION FOR POSSESSION BY A LANDLORD WHO HAS REASONABLE GROUNDS TO BELIEVE A TENANT OR OTHER PERSON IS ENGAGED IN THE UNLAWFUL DELIVERY, PRODUCTION OR USE OF A CONTROLLED SUBSTANCE ON THE LANDLORD'S LEASED PROPERTY DURING THE LEASE TERM; AMENDING SECTION 6-311, IDAHO CODE, TO LIMIT THE GRANT OF A CONTINUANCE IN CASES INVOLVING THE POSSESSION OF REAL PROPERTY IN ACTIONS WHERE THE LANDLORD HAS REASONABLE GROUNDS TO BELIEVE THAT A PERSON HAS BEEN ENGAGED IN THE

UNLAWFUL DELIVERY, PRODUCTION OR USE OF CONTROLLED SUBSTANCES DURING THE LEASE TERM; AMENDING SECTION 6-311A, IDAHO CODE, TO PROVIDE THAT IN AN ACTION FOR POSSESSION OF REAL PROPERTY BASED UPON A COMPLAINT ALLEGING THAT THE LANDLORD HAS REASONABLE GROUNDS TO BELIEVE THAT A PERSON IS ENGAGED IN THE UNLAWFUL DELIVERY, PRODUCTION OR USE OF A CONTROLLED SUBSTANCE OR LEASED PREMISES DURING THE TERM OF THE LEASE, THE MATTER SHALL BE TRIED BEFORE THE COURT WITHOUT A JURY; AMENDING SECTION 6-311E, IDAHO CODE, TO PROVIDE THAT A LANDLORD MAY RECOVER DAMAGES FROM A TENANT IN AN ACTION FOR DAMAGES ARISING OUT OF THE UNLAWFUL PRODUCTION OF A CONTROLLED SUBSTANCE ON LEASED PREMISES DURING THE TERM OF THE LEASE AND TO CORRECT A CODIFIER'S ERROR; AND AMENDING SECTION 6-316, IDAHO CODE, TO PROVIDE FOR FORFEITURE OF THE LEASE AND FOR DAMAGES TO BE AWARDED TO A LANDLORD WHO HAS REASONABLE GROUNDS TO BELIEVE THAT A PERSON IS, OR HAS BEEN ENGAGED IN THE UNLAWFUL DELIVERY, PRODUCTION OR USE OF A CONTROLLED SUBSTANCE.

S 1120
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO PRIVATE PRISONS; AMENDING SECTION 20-801, IDAHO CODE, TO DEFINE TERMS, TO REVISE TERMS AND TO STRIKE A DEFINITION OF "INMATE"; AMENDING SECTION 20-803, IDAHO CODE, TO PROVIDE FOR WRITTEN CONTRACTS, TO STRIKE A REFERENCE TO EXPRESS WRITTEN APPROVAL, TO PROVIDE FOR COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 20-804, IDAHO CODE, TO PROVIDE THAT CITIES AND COUNTIES MAY AUTHORIZE HOUSING OF CERTAIN PRISONERS SUBJECT TO THE REVIEW AND APPROVAL OF THE DEPARTMENT OF CORRECTION, TO STRIKE A REFERENCE TO THE EXPRESS WRITTEN APPROVAL OF CITIES AND COUNTIES TO HOUSE PRISONERS, TO PROHIBIT AUTHORIZATION, APPROVAL OR HOUSING OF CERTAIN PRISONERS, TO STRIKE A REFERENCE TO FINANCIAL INTERESTS, TO PROHIBIT CITIES AND COUNTIES FROM CONTRACTING WITH CERTAIN PRIVATE PRISON CONTRACTORS, TO PROVIDE THAT CERTAIN CONTRACTS ARE VOIDABLE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 20-805, IDAHO CODE, TO PROVIDE CERTAIN REQUIREMENTS AND LIMITATIONS ON CITIES AND COUNTIES IN CONTRACTING WITH PRIVATE PRISON CONTRACTORS, TO CLARIFY CERTAIN REQUIREMENTS AND LIMITATIONS ON CITIES AND COUNTIES IN CONTRACTING WITH PRIVATE PRISON CONTRACTORS, TO REQUIRE CERTAIN TERMS AND CONDITIONS IN CONTRACTS, TO CLARIFY CERTAIN REQUIRED TERMS AND CONDITIONS IN CONTRACTS, TO STRIKE A REFERENCE TO THE IMPOSITION OF A FEE IN LIEU OF TAXES, TO PROVIDE FOR CERTAIN REQUIRED CONTRACTUAL PROVISIONS, TO CLARIFY CERTAIN REQUIRED CONTRACTUAL PROVISIONS, TO PROVIDE FOR CERTAIN POWERS AND RESPONSIBILITIES OF THE CONTRACT MONITOR, TO REFER TO THE PROVISIONS OF THIS CHAPTER, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-806, IDAHO CODE, TO PROVIDE FOR LICENSING, TO EXTEND REQUIREMENTS TO CERTAIN PRIVATE PRISON FACILITIES, TO PROVIDE REQUIREMENTS, TO CLARIFY REQUIREMENTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 20-807, IDAHO CODE, TO PROVIDE THAT CITIES AND COUNTIES MAY AUTHORIZE HOUSING OF CERTAIN OUT-OF-STATE PRISONERS SUBJECT TO THE REVIEW AND APPROVAL OF THE DEPARTMENT OF CORRECTION, TO PROHIBIT AUTHORIZATION, APPROVAL OR HOUSING OF CERTAIN OUT-OF-STATE PRISONERS, TO PROVIDE REQUIREMENTS FOR HOUSING OF CERTAIN OUT-OF-STATE PRISONERS, TO CLARIFY REQUIREMENTS FOR HOUSING OF CERTAIN OUT-OF-STATE PRISONERS, TO STRIKE A REFERENCE TO THE RECEIVING FACILITIES REVIEW OF CERTAIN RECORDS, TO STRIKE A REFERENCE TO REIMBURSEMENT OF COSTS BY THE PRIVATE PRISON CONTRACTOR, TO STRIKE A REFERENCE TO EXPRESS WRITTEN APPROVAL OF THE RELEASE OF OUT-OF-STATE PRISONERS BY CITIES OR COUNTIES AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 20-808, IDAHO CODE, TO CLARIFY CERTAIN PURPOSES OF MONITORING; AMENDING SECTION 20-809, IDAHO CODE, TO PROVIDE FOR NOTIFICATION OF ESCAPES AND CRIMES, TO EXTEND NOTIFICATION REQUIREMENTS TO CERTAIN INCIDENTS COMMITTED INSIDE OR OUTSIDE THE FACILITY, TO PROVIDE FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH CRIMES, TO EXTEND REIMBURSEMENT REQUIREMENTS TO CERTAIN INCIDENTS COMMITTED IN OR ON THE GROUNDS OF, OR OTHERWISE IN CONNECTION WITH, THE FACILITY, TO EXTEND THE REQUIREMENT TO REIMBURSE COSTS TO CERTAIN ACTS REGARDLESS OF WHETHER CONVICTION IS OBTAINED, TO STRIKE A REFERENCE TO CERTAIN ACTS COMMITTED WITHIN THE PRIVATE FACILITY, TO PROVIDE FOR CERTAIN PRISONERS CONVICTED AND SENTENCED FOR OFFENSES WHILE INCARCERATED IN THE STATE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 20-812, IDAHO CODE, TO EXTEND APPLICATION OF CIVIL PENALTIES PROVISIONS TO PRIVATE PRISON CONTRACTORS THAT RENOVATE FACILITIES; AMENDING SECTION 6-904B, IDAHO CODE, TO PROVIDE AN EXCEPTION TO GOVERNMENTAL LIABILITY FOR CERTAIN ACTIONS OF CITIES, COUNTIES, THE IDAHO BOARD OF CORRECTION AND THE IDAHO DEPARTMENT OF CORRECTION; AMENDING SECTION 18-2507, IDAHO CODE, TO EXTEND RECOVERY OF COSTS OF PROSECUTION TO ALL PRISONERS HOUSED IN PRIVATE CORRECTIONAL FACILITIES; AMENDING SECTION 20-209, IDAHO CODE, TO PROVIDE FOR RULES,

TO PROVIDE THE STATE BOARD OF CORRECTION WITH RULEMAKING AUTHORITY IN REGARD TO CERTAIN PRIVATE PRISONS AND TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 20-212, IDAHO CODE, TO EXTEND RULEMAKING AUTHORITY OF THE STATE BOARD OF CORRECTION TO PARTICULAR DUTIES RELEVANT TO CERTAIN PRIVATE PRISONS.

S 1121
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO ANNEXATION AND EXCLUSION OF IRRIGATION DISTRICT LANDS; AMENDING SECTION 43-1010, IDAHO CODE, 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 AMENDING SECTION 43-1108, IDAHO CODE, TO REQUIRE THAT AN EXCLUSION ORDER SHALL BE FILED IN THE RECORDER'S OFFICE OF THE COUNTY WITHIN WHICH ARE SITUATED THE EXCLUDED LANDS.

S 1122
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO WATER USE; AMENDING SECTION 42-222A, IDAHO CODE, TO ALLOW TEMPORARY CHANGES TO WATER RIGHTS BY TRANSFER OR EXCHANGE OF WATER DURING A DROUGHT EMERGENCY, TO ADD 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 CHANGES PURSUANT TO THIS SECTION AND TO CHANGE A REFERENCE FROM ACT TO SECTION; AND DECLARING AN EMERGENCY.

S 1123
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO VETERANS SERVICES; AMENDING CHAPTER 2, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-208, IDAHO CODE, TO ESTABLISH SERVICE OFFICERS TO AID VETERANS OR DEPENDENTS WITHIN THE DIVISION OF VETERANS SERVICES.

S 1124
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO DISCLOSURE OF NONPUBLIC PERSONAL INFORMATION; AMENDING CHAPTER 13, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1334, IDAHO CODE, TO PROHIBIT THE DISCLOSURE OF NONPUBLIC PERSONAL INFORMATION TO NONAFFILIATED THIRD PARTIES AND TO PROVIDE FOR THE ADOPTION OF RULES BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

S 1125
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING CHAPTER 13, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1365A, IDAHO CODE, TO PROVIDE ADDITIONAL UNEMPLOYMENT BENEFITS TO QUALIFYING INDIVIDUALS FOR CERTAIN MONTHS; DECLARING AN EMERGENCY, PROVIDING A RETROACTIVE EFFECTIVE DATE AND PROVIDING A SUNSET CLAUSE.

S 1126
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO STATE GOVERNMENT AND STATE AFFAIRS; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5711D, IDAHO CODE, TO REQUIRE THE EMPLOYMENT OF CERTAIN IDAHO APPRENTICES FOR PARTICULAR STATE PUBLIC WORKS PROJECTS AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION TO MODIFY OR WAIVE THE REQUIREMENT UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE AN EFFECTIVE DATE AND TO PROVIDE APPLICATION.

S 1127
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO LEGAL SERVICE EXPENSE PLANS; AMENDING CHAPTER 1, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-114B, IDAHO CODE, 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; AND DECLARING AN EMERGENCY.

S 1128
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO DOMESTIC CERVIDAE FARMS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3701A, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3702A, IDAHO CODE, TO PROVIDE FOR THE SUPERVISION OF CERVIDAE CHRONIC WASTING DISEASE PROGRAMS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3703A, IDAHO CODE, TO PROVIDE FOR CERVIDAE FACILITIES; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3703B, IDAHO CODE, TO PROVIDE FOR IDENTIFICATION OF CERVIDAE; AMENDING CHAPTER

37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704A, IDAHO CODE, TO PROVIDE FOR DISEASE CONTROL AND GENETICS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704B, IDAHO CODE, TO PROVIDE FOR NOTIFICATION OF DISEASED ANIMALS AND ACTION BY THE ADMINISTRATOR OF THE DIVISION OF ANIMAL INDUSTRIES; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704C, IDAHO CODE, TO RESTRICT IMPORT OF DOMESTIC CERVIDAE AND TO PROVIDE FOR CONDITIONAL IMPORT OF DOMESTIC CERVIDAE; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704D, IDAHO CODE, TO PROVIDE FOR MOVEMENT OF DOMESTIC CERVIDAE FROM ONE PREMISES TO ANOTHER; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704E, IDAHO CODE, TO PROVIDE FOR MANDATORY CERVID CHRONIC WASTING DISEASE MONITORING PROGRAM AND VOLUNTARY CERVID CHRONIC WASTING DISEASE CERTIFICATION PROGRAM SURVEILLANCE PROCEDURES; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704F, IDAHO CODE, TO PROVIDE FOR OFFICIAL CERVID CHRONIC WASTING DISEASE TESTS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704G, IDAHO CODE, TO PROVIDE FOR INVESTIGATION OF CERVID CHRONIC WASTING DISEASE AFFECTED ANIMALS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704H, IDAHO CODE, TO PROVIDE FOR DURATION OF QUARANTINE AND DEPOPULATION; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704I, IDAHO CODE, TO PROVIDE FOR DECLARATION OF EMERGENCY AND CONDEMNATION; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704J, IDAHO CODE, TO PROVIDE FOR HERD PLANS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704K, IDAHO CODE, TO PROVIDE FOR IDENTIFICATION AND DISPOSAL REQUIREMENTS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704L, IDAHO CODE, TO PROVIDE FOR CLEANING AND DISINFECTION; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704M, IDAHO CODE, TO PROVIDE METHODS FOR OBTAINING CERTIFIED CHRONIC WASTING DISEASE CERVID HERD STATUS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704N, IDAHO CODE, TO PROVIDE FOR RECERTIFICATION OF CHRONIC WASTING DISEASE CERVID HERDS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704O, IDAHO CODE, TO PROVIDE FOR MOVEMENT INTO A CERTIFIED CHRONIC WASTING DISEASE CERVID HERD; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704P, IDAHO CODE, TO PROVIDE FOR MOVEMENT INTO A MONITORED CHRONIC WASTING DISEASE CERVID HERD; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704Q, IDAHO CODE, TO PROVIDE FOR RECOGNITION OF MONITORED CHRONIC WASTING DISEASE CERVID HERDS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704R, IDAHO CODE, TO PROVIDE FOR RECOGNITION OF CERTIFIED CHRONIC WASTING DISEASE CERVID HERDS; AMENDING SECTION 25-3505, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION, TO PROVIDE FOR THE INSPECTION OF ALL RECORDS RELATING TO ANIMALS LOCATED ON DOMESTIC CERVIDAE FARMS BY THE DIVISION OF ANIMAL INDUSTRIES, TO PROVIDE FOR INSPECTIONS AND LICENSURE AND TO PROVIDE FOR ADDITIONAL YEARLY INSPECTIONS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3705A, IDAHO CODE, TO PROVIDE FOR REPORTING; AMENDING SECTION 25-3506, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION, TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS CHAPTER AND TO PROVIDE FOR THE SEIZURE, REMOVAL OR DISPOSAL OF ANY UNLAWFULLY POSSESSED DOMESTIC CERVIDAE BY THE DEPARTMENT OF AGRICULTURE; AND AMENDING SECTION 25-3508, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION, TO PROVIDE FOR DOMESTIC CERVIDAE LICENSES.

S 1129

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1362, IDAHO CODE, TO PROVIDE A REDUCED FORMULA FOR VETERANS PURCHASING MEMBERSHIP SERVICE.

S 1130

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO MANUFACTURED HOME DEALER AND BROKER LICENSING; AMENDING SECTION 44-2101, IDAHO CODE, TO PROVIDE THAT NO MANUFACTURED HOME INSTALLER SHALL ENGAGE IN BUSINESS IN IDAHO WITHOUT BEING LICENSED AS PROVIDED BY LAW; AMENDING SECTION 44-2101A, IDAHO CODE, TO DEFINE "MANUFACTURED HOME INSTALLER" AND TO REVISE THE DEFINITION OF "MANUFACTURED HOME SERVICE COMPANY"; AND AMENDING SECTION 44-2106, IDAHO CODE, TO PROVIDE THAT IT IS UNLAWFUL TO ENGAGE IN BUSINESS AS A MANUFACTURED HOME INSTALLER WITHOUT BEING DULY LICENSED BY THE DIVISION OF BUILDING SAFETY.

S 1110, S 1111, S 1112, S 1113, S 1114, S 1115, S 1116, S 1117, S 1118, S 1119, S 1120, S 1121, S 1122, S 1123, S 1124, S 1125, S 1126, S 1127, S 1128, S 1129, and **S 1130** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 41, by Mr. Speaker, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 109, H 110, H 111, and **H 112**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 12, by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1048, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1085, by Finance Committee, was read the second time at length and filed for third reading.

S 1060, by Education Committee, read the second time at length and filed for third reading.

At this time, the President called Senator Brandt to the Chair to preside over the Senate Lincoln Day Memorial Service.

The annual Lincoln Day Memorial Service was presented to the members of the Senate with Senator Brandt presiding. Senator King-Barrutia opened the program with a narration on Young Abraham Lincoln, written by Terrence M. Murphy, Executive Director of the Chicago Bar Association. The *National Anthem* was performed a cappella by Sunnie Page, followed by *God Bless the U.S.A.* sung by Sunnie Page and Miss Idaho, Christi Tiel. General Grant and his retainers then escorted the Senate members to the second floor where they joined House members to hear the Treasure Valley Concert Band, under the direction of Marcellus Brown, perform E.F. Goldman's *Jubilee March*; Aaron Copland's *A Lincoln Portrait*, narrated by Jack Rucker; and *America the Beautiful*, arranged by Juan Barker.

Following the Lincoln Day Memorial Service, the President called the Senate to order.

The President called President Pro Tempore Geddes to the Chair.

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

Petitions, Resolutions, and Memorials

SJR 101
BY EDUCATION COMMITTEE
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO LIMITATIONS ON COUNTY AND MUNICIPAL INDEBTEDNESS, TO ALLOW SCHOOL DISTRICTS TO INCUR INDEBTEDNESS WITH THE ASSENT OF SIXTY PERCENT, RATHER THAN TWO-THIRDS, OF THE QUALIFIED ELECTORS OF THE SCHOOL DISTRICT VOTING AT AN ELECTION HELD FOR THAT PURPOSE AND CONDUCTED AT THE TIME AND PLACE OF THE MAY OR NOVEMBER ELECTION AS PROVIDED BY LAW; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

SCR 107
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO DEVELOP PROPOSALS FOR IMPROVING SCHOOL READINESS AND PRELITERACY SKILLS OF IDAHO'S YOUNG CHILDREN.

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

WHEREAS, providing a high quality education for Idaho's children is one of our highest priorities; and

WHEREAS, the Idaho Legislature has demonstrated its commitment to improving the quality of public education through adoption of such policies as charter schools, achievement standards, technical training and mentor programs for teachers, and the Idaho Reading Initiative; and

WHEREAS, the goal of the Idaho Reading Initiative is to ensure that all capable children learn to read at grade level no later than the end of third grade; and

WHEREAS, the results of the reading indicator, a screening tool required by the Idaho Reading Initiative, for kindergartners given in the fall of 2001 show that only 39% of children began school with expected preliteracy skills and 21% scored in the lowest category for preliteracy skills; and

WHEREAS, a legislative task force found extensive research which verifies that school readiness and preliteracy skills are gained by rearing a child from birth in a nurturing and literacy-enriched environment, and that at-risk children benefit from parent education, properly trained caregivers and quality preschools; and

WHEREAS, many needy children in Idaho are not served by existing programs and the state could offer incentives to improve the quality of child care in the private sector and create opportunities for schools to expand public preschools and kindergarten-readiness programs; and

WHEREAS, the legislative task force wishes to continue its work in order to develop comprehensive recommendations which are cost-effective, accountable and voluntary so that Idaho's children can reach their full potential.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that an interim committee be established to develop proposals for improving the school readiness and preliteracy skills of Idaho's young children. 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, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

SCR 108
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND DIRECTING THE DEPARTMENT OF HEALTH AND WELFARE TO COLLABORATIVELY DEVELOP A MEDICAID BUY-IN PROGRAM FOR THE DISABLED POPULATION THAT WOULD ALLOW RECIPIENTS WHO RETURN TO THE WORK FORCE TO HAVE THE OPTION OF BUYING MEDICAID COVERAGE ON A SLIDING FEE SCALE UNTIL THEY ARE ABLE TO OBTAIN INSURANCE WHICH PROVIDES COVERAGE FOR THE NECESSARY SERVICES.

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

WHEREAS, Idaho's Medicaid Reform Advisory Council (1996) found that a major barrier to Idahoans with disabilities wanting to work is the fear of losing their Medicaid benefits when they return to the work force;

WHEREAS, individuals wanting to work themselves off the system are trapped by the "all-or-nothing" nature of the Medicaid program (i.e., if a person's income is below a certain level, he or she receives full Medicaid benefits; if a person makes one dollar more, he or she receives nothing);

WHEREAS, the Idaho Medicaid Reform Advisory Council recommended that the Department of Health and Welfare request a federal waiver to establish a Medicaid buy-in program with a sliding fee scale for the disabled population that would allow recipients who return to the work force to keep their Medicaid intact until they are able to obtain insurance which provides coverage for the necessary services;

WHEREAS, the Ticket to Work and Work Incentives Improvement Act of 1999 allows states the option of a Medicaid buy-in to working individuals who would be Medicaid eligible, except for increased income;

WHEREAS, the state was awarded grant funds from the Health Care Financing Administration (HCFA) to analyze and design a Medicaid buy-in initiative for legislative consideration in 2002.

WHEREAS, a Medicaid buy-in program would enable recipients to achieve self-sufficiency and independence;

WHEREAS, a Medicaid buy-in program would minimize the risk of increased group insurance rates to employers who hire individuals with disabilities;

WHEREAS, a Medicaid buy-in program would help integrate skilled recipients into the work force and transition them off Medicaid;

WHEREAS, over time, a Medicaid buy-in program would enable participants to contribute to society as they pay taxes and reduce or eliminate their need for public assistance.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature directs the Department of Health and Welfare to collaboratively develop a Medicaid buy-in program to help transition people with disabilities back into the work force while making available the necessary health care coverage on a sliding fee scale.

BE IT FURTHER RESOLVED that the Department of Health and Welfare will present the Medicaid buy-in initiative whereby Medicaid recipients who are disabled can work themselves off the system and achieve self-sufficiency and independence for legislative consideration in 2002.

SCR 109
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
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.

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

WHEREAS, many skilled nursing facilities and intermediate care facilities are subject to inspections by the Joint Commission on Accreditation of Health Care Organizations (JCAHO) or the Commission of Accreditation of Rehabilitation Facilities (CARF) and additional inspections are costly and unnecessarily duplicative; and

WHEREAS, it is in the interests of the facilities, the state of Idaho and the welfare of those who receive care that unnecessary waste be eliminated whenever possible.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Department of Health and Welfare is directed to research and apply for deemed status with the Health Care Financing Administration (HCFA) to allow other accrediting bodies such as JCAHO or CARF to survey and monitor skilled nursing facilities and intermediate care facilities. The Department of Health and Welfare should work with representatives of the facilities to develop the specific terms of this proposal and its implementation including: (1) how the deemed status of accrediting survey would be made optional to facilities; (2) how to proceed if a facility did not pass an independent inspection; (3) how the Department would handle complaint investigations; (4) how the state or HCFA can help pay the cost of the surveys.

BE IT FURTHER RESOLVED that if it is possible for the Department of Health and Welfare to implement such a waiver without amendment to applicable state law, they shall do so. If amendment to statute is required, the Department shall submit such proposed changes to the Second Regular Session of the Fifty-sixth Idaho Legislature.

SCR 110
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
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 PERSONAL CARE SERVICES TO PROVIDE SERVICES NEEDED BY MENTALLY ILL, DEVELOPMENTALLY DISABLED OR MULTIPLE DIAGNOSED INDIVIDUALS.

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

WHEREAS, there are numerous individuals residing in the state of Idaho with mental illness, developmental disabilities or multiple diagnoses; and

WHEREAS, many of these citizens reside in state institutions and are at risk of imminent institutionalization or reside in programs funded solely by state General Funds; and

WHEREAS, there are currently no Medicaid programs available to provide care for these individuals.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Director of the Department of Health and Welfare is requested to research and modify the circumstances under which the Aged and Disabled Waiver and the State Plan Personal Care Services may be utilized to address the needs of mentally ill, developmentally disabled, and multiple diagnosed individuals who may, by use of these services, save General Fund dollars now being used to maintain the individual in state hospitals, correctional facilities and other care settings funded solely by state General Funds.

BE IT FURTHER RESOLVED that at such time as the Department of Health and Welfare adopts other programs for these individuals more appropriate to their conditions, this modification of the Aged and Disabled Waiver and/or State Plan Personal Care Services would no longer apply. The pursuit of modifications to the Aged and Disabled Waiver and/or State Plan Personal Care Services shall ensure that it will not violate any conditions of participation by the state of Idaho in the Medicaid program.

SCR 111
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND DIRECTING THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY WITH THE COOPERATION OF THE DEPARTMENT OF WATER RESOURCES AND OTHER STATE AGENCIES AND INTERESTED PARTIES TO INVESTIGATE STATE PRIMACY FOR THE CLEAN WATER ACT SECTION 404 WETLANDS PROGRAMS AND REPORT RECOMMENDATIONS TO THE FIRST REGULAR SESSION OF THE FIFTY-SEVENTH IDAHO LEGISLATURE.

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

WHEREAS, Idaho statutes place authority over the Clean Water Act 404 programs, more commonly known as the "Wetlands Programs" in the Idaho Department of Environmental Quality and the Idaho Department of Water Resources, however, neither agency has specific authority to seek primacy for the Wetlands Programs; and

WHEREAS, the Clean Water Act Section 404 programs for Idaho are currently administered by the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency; and

WHEREAS, primacy delegation of federal programs to the states is complex and will require careful investigation into federal statutes, rules and regulations before any delegation takes place; and

WHEREAS, there is evidence that there will be federal support for the state to take primacy for Clean Water Act Section 404 programs.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that it is legislative intent that the Idaho Department of Environmental Quality, with the cooperation of the Department of Water Resources, take the lead in establishing a committee to investigate primacy for the Clean Water Act Section 404 programs for Idaho. The committee should include interested state agencies, federal agencies, and other parties and periodically report progress to the Joint Environmental Common Sense Committee. If the committee determines that primacy is desirable they shall draft necessary statutory changes and present them to the First Regular Session of the Fifty-seventh Idaho Legislature.

SJM 105
BY RESOURCES AND ENVIRONMENT COMMITTEE
A JOINT MEMORIAL
TO THE PRESIDENT OF THE UNITED STATES, THE CHIEF OF THE UNITED STATES FOREST SERVICE, THE SECRETARY OF THE INTERIOR, THE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, in 1996 the Idaho State Board of Land Commissioners (Land Board) appointed the original Federal Lands Task Force which was charged with examining federal land management issues in Idaho and analyzing alternative management ideas on federal lands within the state of Idaho; and

WHEREAS, in July 1998, the task force recommended development of pilot projects to test different types of management approaches; and

WHEREAS, the Land Board appointed a working group made up of a wide variety of viewpoints, experience and geographical balance, along with a coordinator to further develop the ideas for alternative management scenarios recommended by the Federal Lands Task Force in their report; and

WHEREAS, the working group developed a core set of principles which included local involvement and extensive public comment, a balanced, workable, ecosystem-based approach to environmental management that follows environmental law, creating a genuine partnership with the United States Forest Service and that the working group would not espouse state, local or private ownership of federal lands; and

WHEREAS, the working group recommended to the Idaho Land Board five projects encompassing just under 11 million acres of federal land in Idaho, most of which is managed by the United States Forest Service; and

WHEREAS, all the pilot projects conform to environmental statutes while offering a new approach to environmental management of federal lands that will improve forest and rangeland health, improve habitat for fish and wildlife, restore ecosystem health, provide stability for rural communities and increased revenues for Idaho's school children and natural resource dependent counties; and

WHEREAS, the Idaho Land Board has opened a public comment period through February 1, 2001.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that the United States Congress enact legislation enacting pilot projects such as those recommended in the report submitted to the Idaho Board of Land Commissioners entitled, "Breaking the Gridlock: Federal Lands Pilot Projects in Idaho."

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Chief of the United States Forest Service, the Secretary of the Interior, the Director of the Bureau of Land Management, 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.

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

SCR 107, **SCR 108, SCR 109, SCR 110, SCR 111,** and **SJM 105** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

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

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

S 1131
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL DISTRICT FACILITY FINANCING; AMENDING SECTION 33-905, IDAHO CODE, TO CREATE THE DISADVANTAGED SCHOOL DISTRICT BUILDING ACCOUNT AND TO MATCH SCHOOL DISTRICT MONEYS FOR THE PURPOSES OF THE ACCOUNT; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-905A, IDAHO CODE, TO CREATE A SCHOOL FACILITIES FUND TO PROVIDE DISTRIBUTION OF LOTTERY PROCEEDS BASED UPON AVERAGE DAILY ATTENDANCE OF THE DISTRICT; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE A DISTRIBUTION FROM THE SALES TAX TO THE DISADVANTAGED SCHOOL DISTRICT BUILDING ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-7434, IDAHO CODE, TO PROVIDE FOR DEPOSIT OF THE LOTTERY PROCEEDS.

S 1132
BY EDUCATION COMMITTEE
AN ACT

RELATING TO CHARTER SCHOOLS; AMENDING SECTION 33-5209, IDAHO CODE, TO PROVIDE APPEAL OF A DECISION NOT TO APPROVE A REVISION OF THE CHARTER.

S 1133
BY EDUCATION COMMITTEE
AN ACT

RELATING TO GOVERNANCE OF SCHOOLS; AMENDING SECTION 33-512, IDAHO CODE, TO PROVIDE THAT THE REDUCTION IN INSTRUCTIONAL HOURS TO ACCOMMODATE STAFF DEVELOPMENT ACTIVITIES SHALL BE ON DAYS AS DEEMED APPROPRIATE BY THE LOCAL SCHOOL BOARD AND TO MAKE A TECHNICAL CORRECTION.

S 1134
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL DISTRICT FACILITY FINANCING; AMENDING SECTION 33-301, IDAHO CODE, TO CLARIFY THE AUTHORITY OF A SCHOOL DISTRICT TO LEASE REAL AND PERSONAL PROPERTY; AMENDING SECTION 33-601, IDAHO CODE, TO CLARIFY THE AUTHORITY OF A SCHOOL DISTRICT TO LEASE REAL AND PERSONAL PROPERTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-905, IDAHO CODE, TO ESTABLISH PURPOSES OF THE SCHOOL DISTRICT BUILDING ACCOUNT FOR SCHOOL CONSTRUCTION AND RELATED FINANCING PURPOSES, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO CONTRACT WITH SCHOOL DISTRICTS TO MATCH FUNDS IN THE ACCOUNT AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO CONTRACT WITH THE IDAHO STATE BUILDING AUTHORITY TO SECURE FINANCING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-905A, IDAHO CODE, TO CREATE THE SCHOOL FACILITY LOTTERY FUND, TO PROVIDE DISTRIBUTIONS FROM THE FUND AND TO REQUIRE A LONG-RANGE MAINTENANCE PLAN; AMENDING SECTION 33-1111, IDAHO CODE, TO AUTHORIZE THE SALE OF SCHOOL DISTRICT BONDS TO THE IDAHO STATE BUILDING AUTHORITY; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE DISTRIBUTION FROM THE SALES TAX TO THE SCHOOL DISTRICT BUILDING ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6402, IDAHO

CODE, TO FURTHER DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6404, IDAHO CODE, TO STATE FINDINGS OF THE LEGISLATURE CONCERNING SCHOOL BUILDINGS AND OTHER INSTRUCTIONAL FACILITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6409, IDAHO CODE, TO CLARIFY THE AUTHORITY OF THE IDAHO STATE BUILDING AUTHORITY TO PURCHASE BONDS, NOTES AND OTHER OBLIGATIONS AND TO CONVEY REAL OR PERSONAL PROPERTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6410, IDAHO CODE, TO PROVIDE THAT PRIOR APPROVAL BY THE LEGISLATURE IS NOT REQUIRED FOR A SCHOOL BUILDING OR RELATED EDUCATIONAL FACILITY; AND AMENDING SECTION 67-7434, IDAHO CODE, TO PROVIDE THAT LOTTERY PROCEEDS ARE TRANSFERRED TO THE SCHOOL FACILITY LOTTERY FUND.

S 1135
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL LIBRARIANS; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1213, IDAHO CODE, TO REQUIRE CERTAIN SCHOOLS TO EMPLOY CERTIFIED SCHOOL LIBRARIANS, TO PROVIDE FOR CERTAIN APPROPRIATIONS, TO PROVIDE FOR APPLICATION FOR FUNDING, TO PROVIDE CERTAIN REQUIREMENTS AND TO PROVIDE AN EXCEPTION FOR COMPLIANCE WITH THE PROVISIONS OF THE SECTION.

S 1136
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO MOTOR CARRIER FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-1233, IDAHO CODE, TO REMOVE CERTAIN INTRASTATE MOTOR CARRIERS FROM THE LIST OF MOTOR CARRIERS EXEMPTED FROM THE REQUIREMENT TO CARRY THE LIABILITY AND PROPERTY DAMAGE INSURANCE COVERAGE AS SPECIFIED BY RULE OF THE IDAHO TRANSPORTATION BOARD.

S 1137
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO GOLDEN STAR TRAFFIC ACCIDENT MEMORIALS; AMENDING SECTION 49-1316, IDAHO CODE, 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 AND TO MAKE A TECHNICAL CORRECTION.

S 1138
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO SUBCONTRACTORS LISTED ON BID OF GENERAL CONTRACTOR; AMENDING SECTION 67-2310, IDAHO CODE, TO PROVIDE THAT GENERAL CONTRACTORS SHALL NOT BE REQUIRED TO NAME SUBCONTRACTORS ON BIDS SUBMITTED FOR HIGHWAY CONSTRUCTION PROJECTS IN WHICH WORK ON PLUMBING, HEATING AND AIR-CONDITIONING, OR ELECTRICAL SYSTEMS WILL BE SUBCONTRACTED.

S 1139
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO RAILROAD GRADE CROSSINGS; AMENDING SECTION 62-304A, IDAHO CODE, 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, TO PROVIDE THAT THE FUND MAY BE USED TO SUPPORT PUBLIC EDUCATION AND SAFETY PROGRAMS WHICH PROMOTE AWARENESS OF PUBLIC SAFETY AT RAILROAD GRADE CROSSINGS OF PUBLIC STREETS, ROADS OR HIGHWAYS AND TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 62-304C, IDAHO CODE, 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 THE LOCAL AUTHORITY IN PROPORTION TO THE RESPECTIVE BENEFITS TO BE DERIVED, TO PROVIDE FOR A MAXIMUM DOLLAR AMOUNT THAT MAY BE PROVIDED FROM THE RAILROAD GRADE CROSSING PROTECTION FUND TO SUPPORT PUBLIC EDUCATION AND SAFETY PROGRAMS WHICH PROMOTE AWARENESS OF PUBLIC SAFETY AT RAILROAD GRADE CROSSINGS AND TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

S 1140
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 18-3908, IDAHO CODE, TO PROVIDE FOR VIOLATIONS FOR RUNNING WATER ACROSS CERTAIN PUBLIC HIGHWAYS, ROADS OR STREETS BY FLOODING OR SPRINKLER IRRIGATION, TO PROVIDE CERTAIN CONDITIONS TO APPLICATION OF THE SECTION, TO PROVIDE FOR INFRACTIONS AND MISDEMEANORS AND TO PROVIDE FOR CERTAIN EXCEPTIONS; AMENDING SECTION 18-3914, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR VIOLATIONS DEFINED IN THE CHAPTER AS INFRACTIONS.

S 1141
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO ASSESSMENTS ON ANIMALS; AMENDING SECTION 25-2505, IDAHO CODE, TO PROVIDE THAT ALL HORSES, MULES AND ASSES ISSUED AN ANNUAL OR SEASONAL BRAND INSPECTION CERTIFICATE BY THE BRAND BOARD PURSUANT TO SECTION 25-1121, IDAHO

CODE, OR ALL HORSES, MULES AND ASSES CONFINED FOR SLAUGHTER SHALL ONLY BE SUBJECT TO A ONE DOLLAR PER HEAD ASSESSMENT; AND DECLARING AN EMERGENCY.

S 1142
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO ORGANIC FOOD PRODUCTS; REPEALING CHAPTER 314, LAWS OF 1992; AMENDING SECTION 22-1102, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-1103, IDAHO CODE, TO REVISE RULES RELATING TO EDUCATION, TO PROVIDE FOR RULES RELATING TO STANDARDS FOR LIVESTOCK HEALTH CARE AND MEDICAL TREATMENT, TO PROVIDE FOR RULES FOR THE PREVENTION AND CONTROL OF INFECTIONS OR COMMUNICABLE DISEASES AMONG LIVESTOCK, TO PROVIDE FOR RULES RELATING TO STANDARDS FOR PROHIBITIONS AGAINST DENIAL OF HEALTH CARE FOR 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 AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-1105, IDAHO CODE, TO INCLUDE CERTAIN RESALES OF FOOD PRODUCTS WITHIN PROHIBITED REPRESENTATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-1106, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 22-1107, IDAHO CODE, TO REVISE THE MEMBERSHIP OF THE ORGANIC FOOD ADVISORY COUNCIL.

S 1143
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO DOMESTIC CERVIDAE; AMENDING SECTION 25-3506, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION, TO PROVIDE FOR CIVIL VIOLATIONS OF CERTAIN STATUTES AND RULES REGARDING DOMESTIC CERVIDAE, TO PROVIDE FOR CIVIL PENALTIES, TO PROVIDE FOR CERTAIN CRIMINAL OFFENSES AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

S 1144
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO SANITARY INSPECTION OF DAIRY PRODUCTS; AMENDING SECTION 37-401, IDAHO CODE, TO PROVIDE FOR REPORTS, TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO PROVIDE A COPY OF THE NUTRIENT MANAGEMENT PLAN TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY IN WHICH THE DAIRY FARM IS LOCATED, TO REQUIRE INITIAL AND ANNUAL TOTAL BOVINE ANIMAL UNIT COUNT REPORTS, TO PROVIDE FOR VERIFICATION OF THE ANIMAL UNIT COUNT REPORTS BY THE INSPECTION OF THE COUNTY OR DEPARTMENT OF AGRICULTURE, TO REITERATE THAT DAIRY MILK PRODUCTION RECORDS ARE EXEMPT FROM PUBLIC DISCLOSURE, TO PROVIDE FOR PUBLIC DISCLOSURE OF TOTAL ANIMAL UNIT COUNT INFORMATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-403, IDAHO CODE, TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO PROVIDE COPIES OF ALL FINDINGS, CONCLUSIONS AND REPORTS RESULTING FROM CERTAIN EXAMINATIONS AND INSPECTIONS TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY IN WHICH THE DAIRY FARM SUBJECT TO THE EXAMINATION OR INSPECTION IS LOCATED.

S 1145
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO TRAUMA CARE; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 81, TITLE 39, IDAHO CODE, TO CREATE WITHIN THE DEPARTMENT OF HEALTH AND WELFARE A TRAUMA ADVISORY COMMITTEE, TO PROVIDE DUTIES AND TO REQUIRE A REPORT TO THE LEGISLATURE; AND PROVIDING A SUNSET DATE.

S 1146
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO PATIENT CARE RECORDS IN A HOSPITAL; AMENDING SECTION 39-1394, IDAHO CODE, TO PROVIDE FOR HOSPITAL RECORDS TO BE IN AN ELECTRONIC MEDIUM, TO INCREASE THE PERIOD OF TIME THAT CLINICAL LABORATORY TEST RECORDS AND REPORTS MUST BE KEPT BEFORE BEING DESTROYED, 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, TO PROVIDE PROCEDURES AND MECHANISMS FOR AUTHENTICATION AND TO MAKE TECHNICAL CORRECTIONS.

S 1147
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1623, IDAHO CODE, TO PROVIDE AN EXCEPTION 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 FOR INFORMATION REGARDING CERTAIN ABANDONED CHILDREN.

S 1148
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO HEALTH AND SAFETY; AMENDING SECTION 39-118, IDAHO CODE, TO STRIKE AN

EXCEPTION FOR CERTAIN DAIRY SYSTEMS, TO REQUIRE CERTAIN APPROVAL AND COMPLIANCE FOR ALL PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION, MODIFICATION OR EXPANSION OF CERTAIN SYSTEMS, PLANTS AND FACILITIES, TO STRIKE REFERENCE TO CONFINED ANIMAL FEEDING OPERATIONS, TO REQUIRE THAT ALL PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION, MODIFICATION, EXPANSION OR ALTERATION OF CERTAIN FACILITIES FOR CONFINED ANIMAL FEEDING OPERATIONS BE APPROVED BY THE DIRECTOR OF ENVIRONMENTAL QUALITY AND TO REQUIRE THAT CONSTRUCTION COMPLY WITH THE PROVISIONS OF THE SECTION, TO PROVIDE AN EXEMPTION FOR CERTAIN CONFINED ANIMAL FEEDING OPERATIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO DELEGATE CERTAIN AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE IN CERTAIN INSTANCES AND TO PROVIDE FOR THE DELEGATION OF RULEMAKING.

S 1149
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO CAPTIVE WILDLIFE; AMENDING SECTION 36-701, IDAHO CODE, TO PROVIDE FOR WILDLIFE IMPORT AND EXPORT, TO PROVIDE FOR RELEASE PERMITS, TO PROVIDE FOR FEES, TO PROVIDE CERTAIN EXCEPTIONS TO LICENSING AND PERMIT REQUIREMENTS FOR THE IMPORT OR EXPORT OF WILDLIFE, TO PROHIBIT PRIVATE ZOOS AND PRIVATE DRIVE-THROUGH ANIMAL PARKS FROM SELLING ANIMALS TO CERTAIN ENTITIES IN THE STATE OF IDAHO, TO STRIKE A REFERENCE TO EXOTIC WILDLIFE, TO STRIKE A REFERENCE TO WILDLIFE IMPORT AND EXPORT, TO STRIKE A REFERENCE TO RELEASE PERMITS AND FEES, AND TO PROVIDE THAT FACILITIES ARE NOT EXEMPT FROM CERTAIN ANIMAL HEALTH AND ANIMAL CARE PROVISIONS.

S 1150
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO DRUG PUSHER REGISTRATION NOTIFICATION AND COMMUNITY RIGHT-TO-KNOW; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 90, TITLE 18, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A STATEMENT OF LEGISLATIVE FINDINGS, TO DEFINE TERMS, TO SPECIFY THE APPLICATION OF THE PROVISIONS OF THE CHAPTER, TO ESTABLISH A CENTRAL DRUG PUSHER REGISTRY AND PROVIDE FOR AGENCY RESPONSIBILITY, TO REQUIRE NOTICE OF THE DUTY TO REGISTER, TO REQUIRE LOCAL AND ANNUAL REGISTRATION, TO REQUIRE NOTIFICATION OF CHANGE OF ADDRESS OR NAME, TO PROVIDE FOR RELEASE FROM REGISTRATION REQUIREMENTS AND EXPUNGEMENT FROM THE REGISTRY, TO PROVIDE PENALTIES, TO PROVIDE FOR PUBLIC ACCESS TO THE DRUG PUSHER OFFENDER REGISTRY INFORMATION, TO PROVIDE FOR THE DISSEMINATION OF REGISTRY INFORMATION, TO PROVIDE EXEMPTION FROM CIVIL LIABILITY AND TO PROVIDE PENALTIES FOR VIGILANTISM OR OTHER MISUSE OF INFORMATION OBTAINED UNDER THIS CHAPTER; AND AMENDING SECTION 7-805, IDAHO CODE, TO PROVIDE FOR CERTAIN RESTRICTIONS REGARDING APPLICATIONS FOR CHANGE OF NAME FOR CERTAIN CONVICTED DRUG PUSHERS.

S 1151
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO ANNEXATION BY CITIES; AMENDING SECTION 50-222, IDAHO CODE, TO REVISE PROCEDURES FOR ANNEXATION OF ADJACENT TERRITORY, TO PROVIDE GUIDELINES, TO PROVIDE FOR INVOLUNTARY ANNEXATION, TO PROVIDE FOR ELECTIONS, TO PROVIDE THAT THE AREA PROPOSED FOR ANNEXATION SHALL NOT EXCEED TEN PERCENT OF THE AREA WITHIN THE CURRENT INCORPORATED LIMITS OF THE CITY AND TO PROVIDE THAT IN LIEU OF ANNEXATION, A CITY MAY PROVIDE SERVICES BY ENTERING INTO CONTRACTS WITH OWNERS OF PROPERTY IN THE VICINITY OF THE CITY PROVIDED THE RECIPIENTS PAY FOR SUCH SERVICES.

S 1152
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO POWERS OF CITIES; AMENDING SECTION 50-329, IDAHO CODE, TO CLARIFY THE AUTHORITY OF CITIES TO GRANT EXCLUSIVE OR NONEXCLUSIVE FRANCHISES.

S 1153
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO COLLECTION OF DELINQUENCY ON PROPERTY; AMENDING SECTION 63-1007, IDAHO CODE, TO PROVIDE THAT THE RIGHT OF REDEMPTION EXPIRES ONE YEAR FROM THE DATE OF ISSUANCE OF A TAX DEED AND 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; AMENDING SECTION 63-1011, IDAHO CODE, 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; AND PROVIDING AN EFFECTIVE DATE.

S 1154
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO TRANSFERS OF REAL PROPERTY; AMENDING SECTION 9-340D, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM DISCLOSURE FOR CERTAIN PROPERTY TRANSFER CERTIFICATES; AMENDING CHAPTER 3, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-307A, IDAHO CODE, TO PROVIDE A STATEMENT OF PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR REPORTING OF INFORMATION RELATING TO REAL PROPERTY TRANSFERS, TO PROVIDE FOR EXEMPTIONS FROM REPORTING, TO PROVIDE FOR DISCLOSURE OF REPORTING INFORMATION AND TO PROVIDE FOR PENALTIES.

S 1155
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO LIBRARY DISTRICTS; AMENDING CHAPTER 27, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2730, IDAHO CODE, 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 REPORT AND AUDIT OF THE FUND.

S 1156
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO ADVERSE POSSESSION OF REAL PROPERTY; AMENDING SECTIONS 5-208 AND 5-210, IDAHO CODE, 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 AND TO MAKE TECHNICAL CORRECTIONS.

S 1157
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO SCHOOL DISTRICT BONDS; AMENDING SECTION 33-1103, IDAHO CODE, TO STRIKE THE REQUIREMENT THAT BONDS BE ISSUED WITHIN TWO YEARS FROM THE DATE OF THE BOND ELECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1111, IDAHO CODE, TO PROVIDE THAT SCHOOL BONDS MAY BE SOLD AT PUBLIC OR PRIVATE SALE AND TO AUTHORIZE THE SALE OF SCHOOL BONDS BY ELECTRONIC BIDDING; AND DECLARING AN EMERGENCY.

S 1158
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO THE SALE OF BONDS, NOTES AND OTHER OBLIGATIONS OF PUBLIC ENTITIES; AMENDING SECTION 42-4110, IDAHO CODE, TO AUTHORIZE THE SALE OF WATER OR SEWER DISTRICT REVENUE BONDS AT PUBLIC OR PRIVATE SALE, TO AUTHORIZE SALE BY ELECTRONIC BIDDING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 57-214, IDAHO CODE, TO AUTHORIZE SALE OF MUNICIPAL BONDS AT PUBLIC OR PRIVATE SALE, TO AUTHORIZE THE PUBLIC SALE OF BONDS, NOTES OR OTHER OBLIGATIONS BY ELECTRONIC BIDDING, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 57-215, IDAHO CODE, TO PROVIDE FOR NOTICE OF PUBLIC SALE OF BONDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 57-216, IDAHO CODE, TO SPECIFY THE CONTENTS OF A NOTICE OF PUBLIC SALE OF BONDS, TO PROVIDE FOR 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, TO PROVIDE FOR PRIVATE SALE; AMENDING CHAPTER 2, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-232, IDAHO CODE, TO PROVIDE A DEFINITION OF PRIVATE SALE OF BONDS, NOTES OR OTHER OBLIGATIONS; AMENDING CHAPTER 2, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-233, IDAHO CODE, TO PROVIDE FOR THE SALE OF BONDS, NOTES OR OTHER OBLIGATIONS BY ELECTRONIC BIDDING; AND DECLARING AN EMERGENCY.

S 1159
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO THE AWARD OF ATTORNEY'S FEES; AMENDING CHAPTER 1, TITLE 12, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 12-124, IDAHO CODE, TO PROVIDE FOR THE AWARD OF ATTORNEY'S FEES AND COSTS TO THE PREVAILING PARTY WHO RECOVERS POSSESSION OF PROPERTY FROM A PERSON UNLAWFULLY IN ACTUAL POSSESSION IN AN ADVERSE POSSESSION ACTION, IN AN ACTION REGARDING REAL PROPERTY IF THERE IS A DISPUTE OVER THE BOUNDARY LINE, THE COURT SHALL ORDER THAT THE PROPERTY BE SURVEYED BY A LICENSED SURVEYOR AND THAT THE SURVEY LINE MUST BE ABIDED BY, TO PROVIDE PROCEDURES AND TO PROVIDE FOR NOTICE; TO PROVIDE AN EFFECTIVE DATE AND TO PROVIDE APPLICATION.

S 1160
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION OF 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 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 OR THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 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.

S 1131, S 1132, S 1133, S 1134, S 1135, S 1136, S 1137, S 1138, S 1139, S 1140, S 1141, S 1142, S 1143, S 1144, S 1145, S 1146, S 1147, S 1148, S 1149, S 1150, S 1151, S 1152, S 1153, S 1154, S 1155, S 1156, S 1157, S 1158, S 1159, and **S 1160** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 5:15 p.m. until the hour of 11:15 a.m, Tuesday, February 13, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 13, 2001

Senate Chamber

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

Roll call showed all members present except Senator Branch, absent and formally excused by the Chair; and Senator Schroeder, absent and excused. District 4 seat is temporarily vacant.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of February 9, 2001, and February 12, 2001, were read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Schroeder was recorded present at this order of business.

February 13, 2001

The JUDICIARY AND RULES Committee reports that **S 1110, S 1111, S 1112, S 1113, S 1114, S 1115, S 1116, S 1117, S 1118, S 1119, S 1120, S 1121, S 1122, S 1123, S 1124, S 1125, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, S 1133, S 1134, S 1135, S 1136, S 1137, S 1138, S 1139, S 1140, S 1141, S 1142, S 1143, S 1144, S 1145, S 1146, S 1147, S 1148, S 1149, S 1150, S 1151, S 1152, S 1153, S 1154, S 1155, S 1156, S 1157, S 1158, S 1159, S 1160, SJR 101, SR 102, SCR 106, SCR 107, SCR 108, SCR 109, SCR 110, SCR 111,** and **SJM 105** have been correctly printed.

DARRINGTON, Chairman

S 1110, S 1111, S 1112, S 1113, S 1114, S 1115, S 1116, S 1117, S 1131, S 1132, S 1133, S 1134, S 1135, and **SJR 101** were referred to the Education Committee.

S 1118, S 1124, S 1125, S 1126, S 1127, S 1129, and **S 1130** were referred to the Commerce and Human Resources Committee.

S 1119, S 1120, and **S 1150** were referred to the Judiciary and Rules Committee.

S 1121, S 1122, S 1128, S 1143, and **S 1149** were referred to the Resources and Environment Committee.

S 1123, S 1145, S 1146, S 1147, and **S 1148** were referred to the Health and Welfare Committee.

S 1136, S 1137, S 1138, S 1139, and **S 1140** were referred to the Transportation Committee.

S 1141, S 1142, and **S 1144** were referred to the Agricultural Affairs Committee.

S 1151, S 1152, S 1153, S 1154, S 1155, S 1156, S 1157, S 1158, S 1159, and **S 1160** were referred to the Local Government and Taxation Committee.

SR 102, SCR 106, **SCR 107,** and **SCR 108** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

On request by Senator Ipsen, granted by unanimous consent, **SCR 109** and **SCR 110** were referred to the Health and Welfare Committee.

On request by Senator Noh, granted by unanimous consent, **SCR 111** and **SJM 105** were referred to the Resources and Environment Committee.

February 12, 2001

The JUDICIARY AND RULES Committee reports that **S 1034** has been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1034**, and ordered it transmitted to the House for the signature of the Speaker.

February 12, 2001

The JUDICIARY AND RULES Committee reports out **H 61, H 62, H 63,** and **H 64** with the recommendation that they do pass.

DARRINGTON, Chairman

H 61, H 62, H 63, and **H 64** were filed for second reading.

February 12, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **H 114** with the recommendation that it do pass.

NOH, Chairman

H 114 was filed for second reading.

February 12, 2001

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

Dr. Randy MacMillan to the Idaho Board of Environmental Quality, term to expire July 1, 2003.

NOH, Chairman

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

February 12, 2001

The AGRICULTURAL AFFAIRS Committee reports out **S 1042** with the recommendation that it do pass.

BRANCH, Chairman

S 1042 was filed for second reading.

February 12, 2001

The STATE AFFAIRS Committee reports out **HCR 11** with the recommendation that it do pass.

SORENSEN, Chairman

HCR 11 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

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

Messages from the Governor

February 9, 2001

The Honorable Pro Tempore Robert Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that I have appointed Kathy Sims of Coeur d'Alene, Idaho to the office of State Senator, District 4. She will fill the State Senate vacancy created by my appointment of Jack Riggs to Lieutenant Governor.

This appointment is effective February 9, 2001, and continuing until the next general election.

Sincerely,
/s/ Dirk Kempthorne
Governor

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

KNOW ALL MEN, by these Presents that pursuant to the provisions of Section 59-904A *Idaho Code*, the District 4 Legislative Committee of the Republican Party has submitted a list of three nominations to me for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Kathy Sims of Coeur d'Alene, Idaho to the office of State Senator, District 4, for a term commencing February 9, 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 9th day of February, in the year of our Lord two thousand and one, and of the Independence of the United States of America the 225th year.

/s/ BY THE GOVERNOR DIRK KEMPTHORNE
/s/ SECRETARY OF STATE PETE T. CENARRUSA

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

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

February 13, 2001

The Honorable Pro Tempore Robert Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear Mr. President Pro Tempore:

I have the honor to inform you that I have appointed Judy Boyle Bartlett to be Acting State Senator for Legislative District 9. This appointment is effective February 13, 2001, and will continue until such time as Senator W. Ric Branch is able to resume his duties.

Sincerely,
/s/ Dirk Kempthorne
Governor

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

KNOW ALL MEN, by these Presents that pursuant to the provisions of Section 59-917, *Idaho Code*, W. Ric Branch, State Senator, District 9, Gem, Payette, and Washington Counties, State of Idaho, has nominated Judy Boyle Bartlett, P.O. Box 57, Midvale, Idaho, to perform the duties of this office temporarily as Acting State Senator.

NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Judy Boyle Bartlett, Acting State Senator, District 9, for a term commencing February 13, 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 13th day of February, in the year of our Lord two thousand and one and of the Independence of the United States of America the 225th year.

/s/ BY THE GOVERNOR DIRK KEMPTHORNE
/s/ SECRETARY OF STATE PETE T. CENARRUSA

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 12, 2001

Mr. President:

I transmit herewith Enrolled **H 94, H 95,** and **H 36** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 94, H 95,** and **H 36** and ordered them returned to the House.

February 12, 2001

Mr. President:

I return herewith **S 1018** and **S 1019** which have passed the House.

JUKER, Chief Clerk

S 1018 and **S 1019** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SJM 103** was before the Senate for final consideration.

Moved by Senator Danielson, seconded by Senator Sandy, that **SJM 103** be adopted. The question being, "Shall the memorial be adopted?"

Roll call vote was requested by Senators Hawkins, Frasure, and Sorensen.

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--Dunklin, Stennett. Total - 2.

Total - 35.

Whereupon the President declared **SJM 103** adopted, title was approved, and the memorial ordered transmitted to the House.

On motion by Senator Sandy, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 3:15 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senators Bunderson, Cameron, Ingram, Noh, Schroeder, and Whitworth, absent and excused.

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

The President announced that **SJM 104** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Danielson, seconded by Senator Stennett, **SJM 104** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

Senators Ingram and Schroeder were recorded present at this order of business.

S 1161
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED; AMENDING SECTION 67-5403, IDAHO CODE, TO PROVIDE THAT THE NUMBER OF COMMISSIONERS SHALL BE INCREASED FROM FIVE TO SEVEN, AT LEAST FOUR OF WHOM SHALL BE BLIND OR VISUALLY IMPAIRED AND NOT MORE THAN FOUR OF WHOM SHALL BELONG TO THE SAME POLITICAL PARTY AND AT LEAST ONE OF WHOM SHALL BE A MEMBER AS DESIGNATED BY THE NATIONAL FEDERATION OF THE BLIND OF IDAHO.

S 1162
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO POWERS AND DUTIES OF THE PARK AND RECREATION BOARD; AMENDING SECTION 67-4223, IDAHO CODE, TO AUTHORIZE THE BOARD TO WAIVE FEES FOR CERTAIN DISABLED IDAHO VETERANS.

S 1163
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CREATION OF A CONSUMER'S ADVOCATE WITHIN THE PUBLIC UTILITIES COMMISSION; AMENDING CHAPTER 2, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-216, IDAHO CODE, TO CREATE THE CONSUMER'S ADVOCATE DIVISION WITHIN THE PUBLIC UTILITIES COMMISSION, TO PROVIDE APPOINTMENT AND TO REQUIRE OFFICE SPACE; AMENDING CHAPTER 2, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-217, IDAHO CODE, TO PROVIDE POWERS OF THE CONSUMER'S ADVOCATE; AMENDING CHAPTER 2, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-218, IDAHO CODE, TO SPECIFY THE DUTY OF CERTAIN PUBLIC UTILITIES TO PROVIDE DOCUMENTS; AND AMENDING CHAPTER 2, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-219, IDAHO CODE, TO AUTHORIZE THE CONSUMER'S ADVOCATE TO REPRESENT CUSTOMERS' INTERESTS.

S 1164
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES; AMENDING SECTION 67-6602, IDAHO CODE, TO CLARIFY THAT, FOR PURPOSES OF THE CHAPTER, THE DEFINITION OF "PUBLIC OFFICE" INCLUDES MAGISTRATE JUDGES AND TO MAKE A TECHNICAL CORRECTION.

S 1161, S 1162, S 1163, and **S 1164** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1053 and **S 1059**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1050, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1052, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Danielson, by voice vote the Senate adjourned at 3:30 p.m. until the hour of 11:15 a.m., Wednesday, February 14, 2001.

JACK RIGGS, President

Attest: RUSTI HORTON, Assistant Secretary

THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 14, 2001

Senate Chamber

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

Roll call showed all members present except Senator Lee, absent and formally excused by the Chair; and Senators Danielson, Sandy, Schroeder, and Sorensen, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

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

Reports of Standing Committees

February 14, 2001

The JUDICIARY AND RULES Committee reports that **S 1161, S 1162, S 1163,** and **S 1164** have been correctly printed.

DARRINGTON, Chairman

S 1161 was referred to the Health and Welfare Committee.

S 1162 was referred to the Resources and Environment Committee.

S 1163 and **S 1164** were referred to the State Affairs Committee.

February 13, 2001

The TRANSPORTATION Committee reports out **S 1075, S 1017,** and **S 1016** with the recommendation that they do pass.

FRASURE, Chairman

S 1075, S 1017, and **S 1016** were filed for second reading.

February 13, 2001

The HEALTH AND WELFARE Committee reports out **S 1039** with the recommendation that it do pass.

IPSEN, Chairman

S 1039 was filed for second reading.

February 13, 2001

The JUDICIARY AND RULES Committee reports that **S 1018** and **S 1019** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1018** and **S 1019**, and ordered them transmitted to the House for the signature of the Speaker.

February 13, 2001

The EDUCATION Committee reports out **S 1038** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **S 1038** was referred to the Fourteenth Order of Business, General Calendar.

February 13, 2001

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

Donald B. Miller to the Idaho Personnel Commission, term to expire July 1, 2006;

Dennis L. Johnson to the Idaho Public Employee Retirement System Board, term to expire July 1, 2005;

Dr. Nick Hallett to the Idaho Endowment Fund Investment Board, term to expire April 11, 2004;

Gavin Gee to the Idaho Endowment Fund Investment Board, term to expire April 11, 2004.

ANDREASON, Chairman

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

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

Messages from the House

February 13, 2001

Mr. President:

I transmit herewith **H 133, H 119, H 120, H 121, HCR 13, HCR 14, HCR 15, HCR 16, H 160, H 50, H 52, H 49, H 147, H 122, H 101, H 27, H 30, H 31,** and **H 32** which have passed the House.

JUKER, Chief Clerk

H 133, H 119, H 120, H 121, HCR 13, HCR 14, HCR 15, HCR 16, H 160, H 50, H 52, H 49, H 147, H 122, H 101, H 27, H 30, H 31, and **H 32** were filed for first reading.

February 13, 2001

Mr. President:

I transmit herewith Enrolled **H 93** and **H 126** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 93** and **H 126**, and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Danielson, Sandy, Schroeder, and Sorensen were recorded present at this order of business.

On request by Senator Risch, granted by unanimous consent, the Senate approved the appointment of Senator Kathy Sims, District 4, to serve on the Agricultural Affairs Committee, the Education Committee, and the Resources and Environment Committee.

Senator Risch requested unanimous consent that Senator Deide, District 10, be appointed to serve as Chairman of the Agricultural Affairs Committee. Acting Senator Bartlett objected.

On motion by Senator Risch, seconded by Senator Dunklin, by voice vote the Senate approved the appointment of Senator Deide as Chairman of the Agricultural Affairs Committee.

The President announced that **SR 102** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Dunklin, seconded by Senator Whitworth, **SR 102** was adopted by voice vote, title was approved, and the resolution ordered filed in the office of the Secretary of the Senate.

The President announced that **SCR 106** was before the Senate for final consideration.

Moved by Senator Deide, seconded by Senator Dunklin, that **SCR 106** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--Cameron, Hawkins. Total - 2.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared **SCR 106** adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that **SCR 107** was before the Senate for final consideration.

Moved by Senator Dunklin, seconded by Senator Schroeder, that **SCR 107** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Keough, King-Barrutia, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 29.

NAYS--Bartlett (Branch), Cameron, Hawkins, Ipsen, Richardson. Total - 5.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared **SCR 107** adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that **SCR 108** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ipsen, seconded by Senator Stennett, **SCR 108** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

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

H 133, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 119, **H 120, H 121,** and **H 160,** by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 13, HCR 14, HCR 15, and **HCR 16**, by Judiciary, Rules, and Administration Committee, were introduced, read at length, and referred to the Judiciary and Rules Committee.

H 50, H 52, H 49, H 31, and **H 32**, by Mr. Speaker, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 147, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 122, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 101, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 27 and **H 30**, by Mr. Speaker, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 61, H 62, H 63, and **H 64**, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

H 114, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

S 1042, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Whitworth, by voice vote the Senate adjourned at 12:15 p.m. until the hour of 11:15 a.m., Thursday, February 15, 2001.

JACK RIGGS, President

Attest: RUSTI HORTON, Assistant Secretary

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 15, 2001

Senate Chamber

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

Roll call showed all members present except President Pro Tempore Geddes, absent and formally excused by the Chair; and Senators Cameron, Darrington, and Stennett, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Darrington was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of February 13, 2001, and February 14, 2001, were read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

Senator Stennett was recorded present at this order of business.

SCR 112
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO ENTER INTO AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY TO FINANCE THE CONSTRUCTION OF A NEW OFFICE BUILDING AT 514 W. JEFFERSON, BOISE, IDAHO, INCLUDING DEMOLITION OF THE EXISTING ADA COUNTY COURTHOUSE BUILDING, AND THE CONSTRUCTION OF A PARKING STRUCTURE IN THE CAPITOL MALL, EXPRESSING LEGISLATIVE INTENT, AND CONSTITUTING AUTHORIZATION REQUIRED BY THE PROVISIONS OF SECTION 67-6410, IDAHO CODE.

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

WHEREAS, the state of Idaho acquired the real property and improvements (the Ada County Courthouse building) located at 514 W. Jefferson, Boise, Idaho;

WHEREAS, the state of Idaho currently leases the building to Ada County, which is scheduled to move out of the building in approximately January, 2002;

WHEREAS, a recently completed Capitol Mall Master Plan shows that existing office space is being fully utilized and in order to accommodate current and future space needs, an additional facility would be needed and that the property at 514 W. Jefferson can be utilized to address such space needs;

WHEREAS, the courthouse building is in need of major infrastructure repair and replacement and other remodel and repair to be usable by the state and such repair and remodel would require so significant a financial investment that it would not be a cost-effective use of money;

WHEREAS, a new office building at 514 W. Jefferson would be utilized to address the space needs of the Legislature, state agencies and the judiciary, and would also provide hearing rooms for use by the Legislature and accommodate participation by Idaho's citizens;

WHEREAS, parking availability in the capitol mall area is currently insufficient, as documented in the Capitol Mall Master Plan;

WHEREAS, the Department of Administration is charged with the management of multiagency office space constructed through the Idaho State Building Authority and is directed to operate any property acquired for the capitol mall.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and House of Representatives concurring therein, that the Legislature hereby authorizes and provides approval for the Department of Administration 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 for the construction of a new office building at 514 W. Jefferson, including demolition of the existing courthouse building, and the construction of a parking structure in the capitol mall area.

BE IT FURTHER RESOLVED that it is legislative intent in providing this authorization and approval that the Legislature shall determine the use and allocation of space on the first and second floors of the new office building at 514 W. Jefferson, and that the design and configuration of such interior space on the first and second floors shall be developed in cooperation with, and subject to the approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives or their designee(s).

BE IT FURTHER RESOLVED that this resolution constitutes authorization required by the provisions of Section 67-6410, Idaho Code.

SCR 112 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 14, 2001

The HEALTH AND WELFARE Committee reports out **S 1073** and **S 1074** with the recommendation that they do pass.

IPSEN, Chairman

S 1073 and **S 1074** were filed for second reading.

February 14, 2001

The JUDICIARY AND RULES Committee reports out **S 1063** and **H 100** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1063 and **H 100** were filed for second reading.

February 14, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1091, H 109, H 111,** and **H 112** with the recommendation that they do pass.

THORNE, Chairman

S 1091, H 109, H 111, and **H 112** were filed for second reading.

February 14, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 110** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **H 110** was referred to the Fourteenth Order of Business, General Calendar.

February 14, 2001

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

Daniel Fuchs to the Idaho State Board of Health and Welfare, term to expire January 7, 2005.

IPSEN, Chairman

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

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

Messages from the House

February 14, 2001

Mr. President:

I transmit herewith **HCR 9, HCR 10, HCR 19, H 176, H 178, H 124,** and **HCR 20** which have passed the House.

JUKER, Chief Clerk

HCR 9, HCR 10, HCR 19, H 176, H 178, H 124, and **HCR 20** were filed for first reading.

February 14, 2001

Mr. President:

I return herewith Enrolled **S 1034** which has been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1034** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Noh, seconded by Senator Stennett, the Gubernatorial appointment of Dr. Randy MacMillan as a member of the Idaho Board of Environmental Quality was confirmed by voice vote.

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

Senator Cameron was recorded present at this order of business.

The President announced that **HCR 11** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator King-Barrutia, seconded by Senator Stennett, **HCR 11** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced the Commerce and Human Resources Committee report relative to the Gubernatorial appointments of Donald B. Miller, Dennis L. Johnson, Dr. Nick Hallett, and Gavin Gee was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Andreason, seconded by Senator Stennett, the Gubernatorial appointment of Donald B. Miller as a member of the Idaho Personnel Commission was confirmed by voice vote.

On motion by Senator Lodge, seconded by Senator Stennett, the Gubernatorial appointment of Dennis L. Johnson as a member of the Idaho Public Employee Retirement System Board was confirmed by voice vote.

On motion by Senator Bunderson, seconded by Senator Risch, the Gubernatorial appointment of Dr. Nick Hallett as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

On motion by Senator Andreason, seconded by Senator Dunklin, the Gubernatorial appointment of Gavin Gee as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1165
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

S 1166
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO MATERNITY BENEFITS; AMENDING SECTION 41-2214, IDAHO CODE, 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 IS 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 AND TO MAKE A TECHNICAL CORRECTION.

S 1167
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ANNEXATION BY MUNICIPAL CORPORATIONS; REPEALING SECTION 50-222, IDAHO CODE; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-222, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE GENERAL AUTHORITY, TO PROVIDE FOR ANNEXATION OF LAND 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 AND TO PROVIDE FOR ANNEXATION OF NONCONTIGUOUS MUNICIPAL AIRFIELD; REPEALING SECTION 50-222A, IDAHO CODE; AMENDING SECTION 55-2505, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE EXEMPTION FROM DISCLOSURE OF TRANSFERS OF NEWLY CONSTRUCTED RESIDENTIAL PROPERTY THAT PREVIOUSLY HAS NOT BEEN INHABITED AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 55-2508, IDAHO CODE, 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 AMENDING SECTION 67-6526, IDAHO CODE, TO PROVIDE A DEMAND PROCEDURE TO FACILITATE COMPLIANCE WITH 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 OR FOR APPLICATION OF PLANS AND ORDINANCES FOR SUCH AREA OF CITY IMPACT, TO PROVIDE FOR A REVIEW EVERY TEN YEARS AND TO MAKE TECHNICAL CORRECTIONS.

S 1168
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE MEDICAL ASSISTANCE PROGRAM; AMENDING SECTION 56-209d, IDAHO CODE, TO REQUIRE THAT CERTAIN BREAST AND CERVICAL CANCER-RELATED TREATMENT SERVICES BE PROVIDED.

S 1169
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE CLEAN INDOOR AIR ACT; AMENDING SECTION 39-5502, IDAHO CODE, TO REVISE THE DEFINITION OF "PUBLIC PLACE" TO INCLUDE THEATERS, CONCERT HALLS, MUSEUMS, ART GALLERIES AND LIBRARIES; AND AMENDING SECTION 39-5505, IDAHO CODE, TO PROHIBIT SMOKING IN PRIMARY AND SECONDARY PUBLIC SCHOOLS, AND IN LICENSED DAY CARE CENTERS WHEN CHILDREN ARE PRESENT.

S 1165, S 1166, S 1167, S 1168, and **S 1169** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 9 and **HCR 10**, by Revenue and Taxation Committee, were introduced, read at length, and referred to the State Affairs Committee.

HCR 19, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 176, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 178, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 124, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 20, by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1075, S 1017, and **S 1016**, by Transportation Committee, were read the second time at length and filed for third reading.

S 1039, by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 125, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Geddes, Ingram. Total - 2.

Total - 35.

Whereupon the President declared **H 125** passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 3:15 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except President Pro Tempore Geddes, and Senators King-Barrutia, Richardson, and Stennett, absent and formally excused by the Chair; and Senators Andreason, Cameron, Hawkins, Noh, and Sandy, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

Senators Hawkins, Noh, and Sandy were recorded present at this order of business.

S 1023 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Ingram, Ipsen, Keough, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 27.

NAYS--Hawkins. Total - 1.

Absent and excused--Andreason, Cameron, Geddes, King-Barrutia, Lee, Richardson, Stennett. Total - 7.

Total - 35.

Whereupon the President declared **S 1023** passed, title was approved, and the bill ordered transmitted to the House.

H 12 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Ipsen, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 25.

NAYS--None.

Absent and excused--Andreason, Burtenshaw, Cameron, Danielson, Geddes, Keough, King-Barrutia, Lee, Richardson, Stennett. Total - 10.

Total - 35.

Whereupon the President declared **H 12** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, **H 15,** as amended, retained its place on the Third Reading Calendar for one legislative day.

S 1047 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ipsen, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 25.

NAYS--None.

Absent and excused--Andreason, Cameron, Danielson, Geddes, Ingram, Keough, King-Barrutia, Lee, Richardson, Stennett. Total - 10.

Total - 35.

Whereupon the President declared **S 1047** passed, title was approved, and the bill ordered transmitted to the House.

S 1057 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Brandt, Bunderson, Cameron, Darrington, Davis, Deide, Dunklin, Goedde, Ipsen, Lodge, Risch, Sandy, Sorensen, Stegner, Thorne, Wheeler. Total - 17.

NAYS-Bartlett (Branch), Boatright, Burtenshaw, Hawkins, Ingram, Keough, Noh, Schroeder, Sims, Whitworth, Williams. Total - 11.

Absent and excused- Danielson, Frasure, Geddes, King-Barrutia, Lee, Richardson, Stennett. Total - 7.

Total - 35.

Whereupon the President declared **S 1057** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Sandy, by voice vote the Senate adjourned at 4:05 p.m. until the hour of 11:15 a.m., Friday, February 16, 2001.

JACK RIGGS, President

Attest: RUSTI HORTON, Assistant Secretary

FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 16, 2001

Senate Chamber

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

Roll call showed all members present except Senators Davis and Stennett, absent and formally excused by the Chair; and Senators Cameron, Dunklin, Hawkins, Ingram, and Sandy, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Ingram was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 15, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senators Dunklin and Hawkins were recorded present at this order of business.

February 16, 2001

The JUDICIARY AND RULES Committee reports that **S 1165, S 1166, S 1167, S 1168, S 1169,** and **SCR 112** have been correctly printed.

DARRINGTON, Chairman

S 1165 was referred to the Finance Committee.

S 1166, S 1168, and **S 1169** were referred to the Health and Welfare Committee.

S 1167 was referred to the Local Government and Taxation Committee.

On request by Senator Sorensen, granted by unanimous consent, **SCR 112** was referred to the State Affairs Committee.

February 15, 2001

The TRANSPORTATION Committee reports out **S 1095, S 1078,** and **S 1096** with the recommendation that they do pass.

FRASURE, Chairman

S 1095, S 1078, and **S 1096** were filed for second reading.

February 15, 2001

The TRANSPORTATION Committee reports out **S 1093** with the recommendation that it be referred to the Commerce and Human Resources Committee.

FRASURE, Chairman

There being no objection, **S 1093** was re-referred to the Commerce and Human Resources Committee.

February 15, 2001

The HEALTH AND WELFARE Committee reports out **SCR 109** with the recommendation that it do pass.

IPSEN, Chairman

SCR 109 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

February 15, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1034** was delivered to the Office of the Governor at 2:55 p.m., February 15, 2001.

DARRINGTON, Chairman

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

February 15, 2001

The FINANCE Committee reports out **S 1165** with the recommendation that it do pass.

CAMERON, Chairman

S 1165 was filed for second reading.

February 15, 2001

The FINANCE Committee reports out **H 178** with the recommendation that it do pass.

CAMERON, Chairman

H 178 was filed for second reading.

February 16, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1118** and **S 1130** with the recommendation that they do pass.

ANDREASON, Chairman

S 1118 and **S 1130** were filed for second reading.

February 16, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1051** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, **S 1051** was referred to the Fourteenth Order of Business, General Calendar.

February 15, 2001

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

Scott Patrick to the Aeronautics Advisory Board, term to expire January 31, 2002.

FRASURE, Chairman

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

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

Messages from the House

February 15, 2001

Mr. President:

I transmit herewith **H 142**, and I return herewith **S 1005, S 1006, S 1007,** and **S 1008**, which have passed the House.

JUKER, Chief Clerk

H 142 was filed for first reading**.**

S 1005, S 1006, S 1007, and **S 1008** were referred to the Judiciary and Rules Committee for enrolling.

February 15, 2001

Mr. President:

I return herewith Enrolled **S 1018** and **S 1019**, which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1018** and **S 1019** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Risch, granted by unanimous consent, Senator J. Stanley Williams, District 31, was appointed Vice Chairman of the Education Committee.

The President announced the Health and Welfare Committee report relative to the Gubernatorial appointment of Daniel Fuchs was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wheeler, seconded by Senator Dunklin, the Gubernatorial appointment of Daniel Fuchs as a member of the Idaho State Board of Health and Welfare was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

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

H 142, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1073 and **S 1074**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

S 1063, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 100, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1091, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

H 109, H 111, and **H 112**, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Stennett was recorded present at this order of business.

H 15, as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Davis, Hawkins, Sandy. Total - 3.

Total - 35.

Whereupon the President declared **H 15**, as amended, passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 10:30 a.m., Monday, February 19, 2001.

JACK RIGGS, President

Attest: RUSTI HORTON, Assistant Secretary

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 19, 2001

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Andreason, Danielson, Frasure, Hawkins, Ingram, Noh, Sandy, and Stennett, absent and excused.

Due to a disturbance in the Senate Gallery and Chambers, the Senate went at ease for forty-five minutes.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Andreason, Danielson, Frasure, Hawkins, Ingram, Noh, Sandy, and Stennett were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 16, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

February 16, 2001

The JUDICIARY AND RULES Committee reports that **S 1005, S 1006, S 1007**, and **S 1008** have been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1005, S 1006, S 1007**, and **S 1008** and ordered them transmitted to the House for the signature of the Speaker.

February 16, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1018** and **S 1019** were delivered to the Office of the Governor at 1:10 p.m, February 16, 2001.

DARRINGTON, Chairman

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

February 16, 2001

The HEALTH AND WELFARE Committee reports out **S 1145** and **S 1146** with the recommendation that they do pass.

IPSEN, Chairman

S 1145 and **S 1146** were filed for second reading.

February 16, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **SJM 105, S 1055, S 1121,** and **S 1162** with the recommendation that they do pass.

NOH, Chairman

SJM 105 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

S 1055, S 1121, and **S 1162** were filed for second reading.

February 16, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1153, H 160, H 122, H 120**, and **H 119** with the recommendation that they do pass.

THORNE, Chairman

S 1153, H 160, H 122, H 120, and **H 119** were filed for second reading.

February 16, 2001

The EDUCATION Committee reports out **S 1061** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **S 1061** was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

February 16, 2001

Mr. President:

I transmit herewith **H 72, H 73, H 170, H 164, H 2, H 10, H 8, H 167, HCR 17**, and **HJM 1**, and I return herewith **S 1009** and **S 1010**, which have passed the House.

JUKER, Chief Clerk

H 72, H 73, H 170, H 164, H 2, H 10, H 8, H 167, HCR 17, and **HJM 1** were filed for first reading.

S 1009 and **S 1010** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Risch, granted by unanimous consent, the Senate resolved itself into the Committee for the Memorial Service.

MEMORIAL SERVICE

The service was conducted by Memorial Service Committee Chairman, Senator Goedde. The invocation was delivered by Senator Burtenshaw. Three musical selections, *The Lord Is My Shepherd; O' Pastorelle, Addio;* and *Inscription of Hope,* were performed by the Boise Choristers.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator GLENN E. BANDELIN passed on since the close of the First Regular Session of the Fifty-fifth Legislature - to wit, April 7, 1999;

WHEREAS, the late Senator GLENN E. BANDELIN served in the interest of Bonner County during the Twenty-eighth through the Thirtieth and the Thirty-second through the Thirty-fifth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator GLENN E. BANDELIN; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the GLENN E. BANDELIN family.

On motion by Senator Keough, seconded by Senator Stennett, the Memorial to the late Senator Glenn E. Bandelin was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator WARREN H. BROWN passed on since the close of the Second Regular Session of the Fifty-fifth Legislature - to wit, September 19, 2000;

WHEREAS, the late Senator WARREN H. BROWN served in the interest of Adams, Boise, Gem and Valley Counties during the Fortieth through the Forty-second Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator WARREN H. BROWN; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the WARREN H. BROWN family.

On motion by Senator Danielson, seconded by Senator Stennett, the Memorial to the late Senator Warren H. Brown was adopted by voice vote.

Former Senators Walter H. Yarbrough, David Little, and H. Dean Summers were invited to join the members of the Senate in the Chamber and presented their tributes to their colleague, the late Senator Brown.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator and Governor DONALD W. SAMUELSON passed on during the Second Regular Session of the Fifty-fifth Legislature - to wit, January 20, 2000;

WHEREAS, the late Senator and Governor DONALD W. SAMUELSON served in the interest of Bonner County during the Thirty-sixth through the Thirty-eighth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator and Governor DONALD W. SAMUELSON; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the DONALD W. SAMUELSON family.

On motion by Senator Keough, seconded by Senator Stennett, the Memorial to the late Senator Donald W. Samuelson was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator JAMES F. STOICHEFF passed on since the close of the First Regular Session of the Fifty-fifth Legislature - to wit, December 18, 1999;

WHEREAS, the late Senator JAMES F. STOICHEFF served in the interest of Bonner and Boundary Counties during the Fortieth through the Forty-second Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator JAMES F. STOICHEFF; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the JAMES F. STOICHEFF family.

On motion by Senator Keough, seconded by Senator Stennett, the Memorial to the late Senator James F. Stoicheff was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator GRANT L. YOUNG passed on since the close of the Second Regular Session of the Fifty-fifth Legislature - to wit, October 4, 2000;

WHEREAS, the late Senator GRANT L. YOUNG served in the interest of Jefferson County during the Thirty-fifth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator GRANT L. YOUNG; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Fifty-sixth Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the GRANT L. YOUNG family.

On motion by Senator Davis, seconded by Senator Stennett, the Memorial to the late Senator Grant L. Young was adopted by voice vote.

The benediction was offered by Senator Ipsen.

Senator Goedde declared the committee for the Memorial Service dissolved.

President Pro Tempore Geddes returned to the Chair.

The Senate advanced to the Eleventh Order of Business.

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

H 72, H 73, and **H 170**, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 164, by Environmental Affairs Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 2, H 10, and **H 8**, by Mr. Speaker, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 167, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 17, by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

HJM 1, by Sate Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1095, S 1078, and **S 1096**, by Transportation Committee, were read the second time at length and filed for third reading.

S 1165, by Finance Committee, was read the second time at length and filed for third reading.

H 178, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1118, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1130, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Risch, granted by unanimous consent, **H 114** was moved to the head of the Third Reading Calendar, to be followed by all Senate bills.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:45 p.m. until the hour of 10:45 a.m., Tuesday, February 20, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 20, 2001

Senate Chamber

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

Roll call showed all members present except Senators Danielson and Goedde, absent and formally excused by the Chair; and Senators Darrington, Sandy, and Schroeder, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Darrington was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Sandy was recorded present at this order of business.

February 19, 2001

The JUDICIARY AND RULES Committee reports that **S 1009** and **S 1010** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1009** and **S 1010** and ordered them transmitted to the House for the signature of the Speaker.

February 19, 2001

The JUDICIARY AND RULES Committee reports out **S 1119, S 1120, HCR 13, HCR 14, HCR 15,** and **HCR 16** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1119 and **S 1120** were filed for second reading.

HCR 13, HCR 14, HCR 15, and **HCR 16** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

February 19, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **S 1143** with the recommendation that it be referred to the Agricultural Affairs Committee.

NOH, Chairman

There being no objection, **S 1143** was re-referred to the Agricultural Affairs Committee.

February 19, 2001

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

Ernest J. Lombard to the Idaho Park and Recreation Board, term to expire July 1, 2006.

NOH, Chairman

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

February 19, 2001

The STATE AFFAIRS Committee reports out **S 1082,** with amended fiscal note attached, **S 1164,** and **S 1090** with the recommendation that they do pass.

SORENSEN, Chairman

S 1082, S 1164, and **S 1090** were filed for second reading.

February 20, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1155, S 1156,** and **S 1157** with the recommendation that they do pass.

THORNE, Chairman

S 1155, S 1156, and **S 1157** were filed for second reading.

February 20, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1159** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **S 1159** was referred to the Fourteenth Order of Business, General Calendar.

February 20, 2001

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

Sandra Twiggs to Idaho Commission on Human Rights, term to expire July 1, 2003.

SORENSEN, Chairman

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

February 20, 2001

The AGRICULTURAL AFFAIRS Committee reports out **S 1144** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DEIDE, Chairman

There being no objection, **S 1144** was referred to the Fourteenth Order of Business, General Calendar.

February 20, 2001

The HEALTH AND WELFARE Committee reports out **S 1086** with the recommendation that it do pass.

IPSEN, Chairman

S 1086 was filed for second reading.

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

Messages from the House

Senator Schroeder was recorded present at this order of business.

February 19, 2001

Mr. President:

I transmit herewith **H 76, H 144, H 146, H 134, H 140, H 141, H 143, H 150, HJM 6, H 217, H 218, H 4, H 70, H 74, H 75, H 214, H 215, H 13,** as amended, and **H 65**, as amended, and I return herewith **S 1015**, which have passed the House.

JUKER, Chief Clerk

H 76, H 144, H 146, H 134, H 140, H 141, H 143, H 150, HJM 6, H 217, H 218, H 4, H 70, H 74, H 75, H 214, H 215, H 13, as amended, and **H 65**, as amended, were filed for first reading.

S 1015 was referred to the Judiciary and Rules Committee for enrolling.

February 19, 2001

Mr. President:

I transmit herewith Enrolled **HCR 11, H 125,** and **H 12** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HCR 11, H 125,** and **H 12** and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SCR 109** was before the Senate for final consideration.

Moved by Senator Ipsen, seconded by Senator Dunklin, that **SCR 109** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Danielson, Goedde, Hawkins. Total - 3.

Total - 35.

Whereupon the President declared **SCR 109** adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced the Transportation Committee report relative to the Gubernatorial appointment of Scott Patrick was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Sandy, seconded by Senator Whitworth, the Gubernatorial appointment of Scott Patrick as a member of the Idaho Aeronautics Advisory Board was confirmed by voice vote.

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

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

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

S 1170
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION ACT; AMENDING SECTION 18-8303, IDAHO CODE, TO DEFINE "AGGRAVATED OFFENSE"; AMENDING SECTION 18-8304, IDAHO CODE, TO DELETE INCORRECT TERMINOLOGY; AND AMENDING SECTION 18-8310, IDAHO CODE, TO PROVIDE THAT PERSONS CONVICTED OF AN AGGRAVATED OFFENSE SHALL NOT BE EXEMPTED FROM THE REGISTRATION REQUIREMENTS OF THE SEXUAL OFFENDER REGISTRATION ACT AND TO MAKE A TECHNICAL CORRECTION.

S 1171
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO DRUG COURTS; AMENDING TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 19, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A STATEMENT OF POLICY, TO PROVIDE FOR THE ESTABLISHMENT OF DRUG COURTS, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO PROVIDE FOR DRUG COURT EVALUATION, TO PROVIDE FOR THE IMPLEMENTATION OF DRUG COURTS AND TO PROVIDE FOR DRUG COURT FUNDING; AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3201E, IDAHO CODE, TO PROVIDE FOR DRUG COURT PARTICIPANT FEES AND TO PROVIDE FOR A DRUG COURT FUND.

S 1172
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO CHILDREN AND THEIR FAMILIES; AMENDING TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 32, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE A DECLARATION OF PURPOSE, TO PROVIDE FOR IMPLEMENTATION OF A COORDINATED FAMILY SERVICES PLAN, TO PROVIDE FOR EVALUATION OF THE FAMILY COURT SERVICES PLAN AND TO PROVIDE FOR ADMINISTRATION OF FUNDING.

S 1173
BY STATE AFFAIRS 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.

S 1174
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO BOND BANK AUTHORITY; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 87, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE CREATION OF THE IDAHO BOND BANK AUTHORITY, TO SET FORTH MEMBERSHIP, VACANCIES, OFFICERS, QUORUM REQUIREMENTS AND COMPENSATION OF THE AUTHORITY, TO PROVIDE THAT THE AUTHORITY MAY RETAIN OUTSIDE SERVICES, TO PROVIDE FOR POWERS AND DUTIES OF THE AUTHORITY, TO REQUIRE THAT THE AUTHORITY SUBMIT AN ANNUAL REPORT, 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 AND TO PROVIDE FOR TERMS OF AGREEMENT WITH BONDHOLDERS, TO PROVIDE FOR PURCHASE AND DISPOSITION OF BONDS OF THE AUTHORITY, TO PROVIDE FOR PRESUMPTION OF VALIDITY OF BONDS AND CONTRACTS, TO PROVIDE FOR A RESERVE FUND AND TO PROVIDE THAT THE AUTHORITY MAY ESTABLISH ADDITIONAL FUNDS AND ACCOUNTS, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE PERSONALLY LIABLE ON BONDS OR CONTRACTS, TO PROVIDE FOR EXEMPTION OF PROPERTY OF THE AUTHORITY FROM EXECUTION AND SALE, TO PROVIDE FOR AN UNLIMITED SALES TAX ACCOUNT PLEDGE, TO PROVIDE FOR A LIEN OF PLEDGE, TO PROVIDE FOR CREDIT ENHANCEMENT OR LIQUIDITY, TO PROVIDE FOR SURETY FOR DEPOSITS BY BANKS, TO PROVIDE THAT EXPENSES OF ADMINISTRATION SHALL BE LIMITED, TO PROVIDE FOR SWAP CONTRACTS, TO PROVIDE FOR ADDITIONAL POWERS OF CERTAIN MUNICIPALITIES RELATING TO MUNICIPAL BONDS, TO PROVIDE THAT CHAPTER 87, TITLE 67, IDAHO CODE, PROVIDES COMPLETE AUTHORITY, TO PROVIDE THAT THE RIGHTS OF BONDHOLDERS SHALL NOT BE IMPAIRED BY THE STATE, TO PROVIDE FOR PAYMENT TRANSFERS, TO PROVIDE FOR NOTICE OF NONPAYMENT, TO PROVIDE FOR THE STATE FINANCIAL ASSISTANCE INTERCEPT MECHANISM, TO PROVIDE FOR DUTIES OF THE STATE TREASURER AND TO PROVIDE FOR INTEREST AND PENALTY PROVISIONS AND TO REQUIRE COOPERATION BY STATE GOVERNMENT AGENCIES; AMENDING SECTION 63-316, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AND AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE THAT CERTAIN SALES TAX MONEYS MAY BE DISTRIBUTED FOR PURPOSES OF PAYMENT ON MUNICIPAL BONDS, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1170, S 1171, S 1172, S 1173, and **S 1174** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 76, H 70, H 74, and **H 75**, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 144, H 146, H 140, and **H 141**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 134 and **H 65**, as amended, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 143 and **H 150**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HJM 6, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 217 and **H 218**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 4 and **H 13**, as amended, by Mr. Speaker, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 214 and **H 215**, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1145 and **S 1146**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

S 1055 and **S 1121**, by Resources and Environment Committee, were read the second time at length and filed for third reading.

S 1162, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1153, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

H 160, H 122, H 120, and **H 119**, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 114 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Schroeder, Sims, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Danielson, Goedde, Hawkins, Risch, Sorensen. Total - 5.

Total - 35.

Whereupon the President declared **H 114** passed, title was approved, and the bill ordered returned to the House**.**

S 1048 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 32.

NAYS--Whitworth. Total - 1.

Absent and excused--Danielson, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **S 1048** passed, title was approved, and the bill ordered transmitted to the House.

S 1085 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Hawkins, Thorne. Total - 2.

Absent and excused--Danielson, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **S 1085** passed, title was approved, and the bill ordered transmitted to the House.

S 1060 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Williams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Danielson, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **S 1060** passed, title was approved, and the bill ordered transmitted to the House.

S 1053 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 32.

NAYS--Whitworth. Total - 1.

Absent and excused--Danielson, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **S 1053** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Stennett, granted by unanimous consent, **S 1042** was referred to the Fourteenth Order of Business, General Calendar.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Riggs presiding.

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

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1059 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Andreason, Cameron, Danielson, Noh. Total - 4.

Total - 35.

Whereupon the President declared **S 1059** passed, title was approved, and the bill ordered transmitted to the House.

S 1050 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Darrington, Davis, Dunklin, Goedde, Ingram, Keough, King-Barrutia, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 24.

NAYS--Frasure, Geddes, Hawkins, Ipsen, Lee, Whitworth. Total - 6.

Absent and excused--Andreason, Cameron, Danielson, Deide, Noh. Total - 5.

Total - 35.

Whereupon the President declared **S 1050** passed, title was approved, and the bill ordered transmitted to the House.

S 1052 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Andreason, Cameron, Danielson, Noh. Total - 4.

Total - 35.

Whereupon the President declared **S 1052** passed, title was approved, and the bill ordered transmitted to the House.

S 1075 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Danielson, Noh. Total - 3.

Total - 35.

Whereupon the President declared **S 1075** passed, title was approved, and the bill ordered transmitted to the House.

S 1017 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Danielson, Noh. Total - 3.

Total - 35.

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

S 1016 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Danielson, Noh. Total - 3.

Total - 35.

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

S 1039 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Danielson, Noh. Total - 3.

Total - 35.

Whereupon the President declared **S 1039** passed, title was approved, and the bill ordered transmitted to the House.

S 1073 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Danielson, Noh. Total - 3.

Total - 35.

Whereupon the President declared **S 1073** passed, title was approved, and the bill ordered transmitted to the House.

S 1074 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Dunklin, Lee. Total - 2.

Total - 35.

Whereupon the President declared **S 1074** passed, title was approved, and the bill ordered transmitted to the House.

S 1063 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Dunklin, Lee. Total - 2.

Total - 35.

Whereupon the President declared **S 1063** passed, title was approved, and the bill ordered transmitted to the House.

S 1091 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Davis, Dunklin, Stennett, Wheeler. Total - 4.

Total - 35.

Whereupon the President declared **S 1091** passed, title was approved, and the bill ordered transmitted to the House.

S 1095 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, Dunklin. Total - 2.

Total - 35.

Whereupon the President declared **S 1095** passed, title was approved, and the bill ordered transmitted to the House.

S 1078 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, Dunklin. Total - 2.

Total - 35.

Whereupon the President declared **S 1078** passed, title was approved, and the bill ordered transmitted to the House.

S 1096 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, Dunklin. Total - 2.

Total - 35.

Whereupon the President declared **S 1096** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were moved to the head of the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 4:50 p.m. until the hour of 10:30 a.m., Wednesday, February 21, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 21, 2001

Senate Chamber

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

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senators Cameron, Dunklin, King-Barrutia, Sandy, Schroeder, Thorne, and Wheeler, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

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

Reports of Standing Committees

February 21, 2001

The JUDICIARY AND RULES Committee reports that **S 1170, S 1171, S 1172, S 1173,** and **S 1174** have been correctly printed.

DARRINGTON, Chairman

S 1170, S 1171, and **S 1172** were referred to the Judiciary and Rules Committee.

S 1173 was referred to the Transportation Committee.

S 1174 was referred to the State Affairs Committee.

February 20, 2001

The JUDICIARY AND RULES Committee reports that **S 1015** has been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1015** and ordered it transmitted to the House for the signature of the Speaker.

February 20, 2001

The AGRICULTURAL AFFAIRS Committee reports out **S 1143** with the recommendation that it do pass.

DEIDE, Chairman

S 1143 was filed for second reading.

February 20, 2001

The FINANCE Committee reports out **H 217** and **H 218** with the recommendation that they do pass.

CAMERON, Chairman

H 217 and **H 218** were filed for second reading.

February 20, 2001

The TRANSPORTATION Committee reports out **S 1100** and **S 1094** with the recommendation that they do pass.

FRASURE, Chairman

S 1100 and **S 1094** were filed for second reading.

February 20, 2001

The TRANSPORTATION Committee reports out **S 1101** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

FRASURE, Chairman

There being no objection, **S 1101** was referred to the Fourteenth Order of Business, General Calendar.

Senators Cameron, Dunklin, King-Barrutia, Sandy, Schroeder, Thorne, and Wheeler were recorded present at this order of business.

At this time Senator Risch arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senators King-Barrutia and Sorensen to escort the Honorable Mike Simpson, United States Congressman, into the Senate Chamber where he addressed the members of the Senate.

The President thanked Representative Simpson for his remarks and Senators King-Barrutia and Sorensen escorted him from the Chamber, and the committee was discharged.

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

Messages from the House

February 20, 2001

Mr. President:

I transmit herewith **H 275, HCR 25, H 24,** as amended, **HCR 21, H 177,** and **H 181**, and I return herewith **SCR 104** and **S 1021**, which have passed the House.

JUKER, Chief Clerk

H 275, HCR 25, H 24, as amended, **HCR 21, H 177,** and **H 181** were filed for first reading.

SCR 104 and **S 1021** were referred to the Judiciary and Rules Committee for enrolling.

February 20, 2001

Mr. President:

I transmit herewith Enrolled **H 15**, as amended, for the signature of the President, and I return herewith Enrolled **S 1005, S 1006, S 1007,** and **S 1008**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed Enrolled **H 15,** as amended, and ordered it returned to the House.

Enrolled **S 1005, S 1006, S 1007,** and **S 1008** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SJM 105** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Danielson, seconded by Senator Whitworth, **SJM 105** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **HCR 13** was before the Senate for final consideration.

Moved by Senator Darrington, seconded by Senator Dunklin, that **HCR 13** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Davis, Hawkins, Lodge, Stennett, Thorne. Total - 5.

Total - 35.

Whereupon the President declared **HCR 13** adopted, title was approved, and the resolution ordered returned to the House**.**

At this time Senator Risch arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senators Darrington and Whitworth to escort the Honorable Mike Crapo, United States Senator, into the Senate Chamber where he addressed the members of the Senate.

The President thanked Senator Crapo for his remarks and Senators Darrington and Whitworth escorted him from the Chamber, and the committee was discharged.

The President announced that **HCR 14** was before the Senate for final consideration.

Moved by Senator Stegner, seconded by Senator Dunklin, that **HCR 14** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Noh, Richardson, Sandy, Schroeder, Sims, Sorensen, Stegner, Wheeler, Whitworth, Williams. Total - 27.

NAYS--None.

Absent and excused--Cameron, Davis, Deide, Ipsen, Lodge, Risch, Stennett, Thorne. Total - 8.

Total - 35.

Whereupon the President declared **HCR 14** adopted, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 15** was before the Senate for final consideration.

Moved by Senator King-Barrutia, seconded by Senator Dunklin, that **HCR 15** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Noh, Richardson, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Whitworth, Williams. Total - 27.

NAYS--None.

Absent and excused--Cameron, Davis, Deide, Ipsen, Lodge, Risch, Thorne, Wheeler. Total - 8.

Total - 35.

Whereupon the President declared **HCR 15** adopted, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 16** was before the Senate for final consideration.

Moved by Senator Dunklin, seconded by Senator Danielson, that **HCR 16** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Keough, Lee, Noh, Richardson, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Whitworth, Williams. Total - 26.

NAYS--None.

Absent and excused--Cameron, Davis, Ingram, Ipsen, King-Barrutia, Lodge, Risch, Thorne, Wheeler. Total - 9.

Total - 35.

Whereupon the President declared **HCR 16** adopted, title was approved, and the resolution ordered returned to the House.

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

On motion by Senator Bunderson, seconded by Senator Stennett, the Gubernatorial appointment of Ernest J. Lombard as a member of the Idaho Park and Recreation Board was confirmed by voice vote.

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

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

On motion by President Pro Tempore Geddes, seconded by Senator Stennett, the Gubernatorial appointment of Sandra Twiggs as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the following attaches were elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute, salaries to be fixed by **SR 101**:

Pages:

Priscilla Giddings, Riggins
Jesse Rininger, Cambridge
Kristen Ford, Nampa
Carolyn Radakovich, Lewiston
Katy Morrison, Shelley
Shaylee O'Connor, Twin Falls
Abigail Tucker, Twin Falls
Kim Strahle, Idaho Falls
Ciarran Hales, Nampa
Derreck Calkins, Sandpoint

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

The Senate advanced to the Eleventh Order of Business.

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

H 275, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 25, by Agricultural Affairs Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

H 24, as amended, by Mr. Speaker, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 21, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 177, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 181, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1119 and **S 1120**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1082, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1164 and **S 1090**, by State Affairs Committee, were read the second time at length and filed for third reading.

S 1155, S 1156, and **S 1157**, by Local Government and Taxation Committee, were read the second time at length and filed for third reading.

S 1086, by Health and Welfare Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Whitworth, by voice vote the Senate adjourned at 12 noon until the hour of 10:30 a.m., Thursday, February 22, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 22, 2001

Senate Chamber

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

Roll call showed all members present except Senator Brandt, absent and formally excused by the Chair; and Senators Andreason, Boatright, Bunderson, Burtenshaw, Cameron, Hawkins, Ingram, Keough, Lee, and Whitworth, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of February 20, 2001, and February 21, 2001, were read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

February 21, 2001

The JUDICIARY AND RULES Committee reports that **S 1021** and **SCR 104** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1021** and **SCR 104** and ordered them transmitted to the House for the signature of the Speaker.

February 21, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1005, S 1006, S 1007,** and **S 1008** were delivered to the Office of the Governor at 2:36 p.m., February 21, 2001.

DARRINGTON, Chairman

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

February 21, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1083** and **S 1127** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, **S 1083** and **S 1127** were referred to the Fourteenth Order of Business, General Calendar.

February 21, 2001

The HEALTH AND WELFARE Committee reports out **H 2, H 10,** and **SCR 110**, with amended statement of purpose and fiscal note attached, with the recommendation that they do pass.

IPSEN, Chairman

H 2 and **H 10** were filed for second reading.

SCR 110 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

February 21, 2001

The JUDICIARY AND RULES Committee reports out **S 1089** and **S 1150** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, **S 1089** and **S 1150** were referred to the Fourteenth Order of Business, General Calendar.

February 21, 2001

The STATE AFFAIRS Committee reports out **H 142, S 1068,** and **HJM 1** with the recommendation that they do pass.

SORENSEN, Chairman

H 142 and **S 1068** were filed for second reading.

HJM 1 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

February 21, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1069** and **H 150** with the recommendation that they do pass.

THORNE, Chairman

S 1069 and **H 150** were filed for second reading.

Senators Andreason, Boatright, Burtenshaw, Cameron, Ingram, Keough, and Whitworth were recorded present at this order of business.

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

Messages from the Governor

February 21, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that David E. Kinghorn of Lewisville, Idaho, was appointed as a member of the Idaho State Board of Tax Appeals to serve a term commencing January 25, 2001, and expiring June 30, 2001.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 21, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1034, S 1019, S 1018

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 21, 2001

Mr. President:

I transmit herewith **H 182, H 183, H 26, H 34,** and **H 132** which have passed the House.

JUKER, Chief Clerk

H 182, H 183, H 26, H 34, and **H 132** were filed for first reading.

February 21, 2001

Mr. President:

I return herewith Enrolled **S 1009** and **S 1010**, which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1009** and **S 1010** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

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

S 1175
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE BOARD OF EXAMINERS FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

S 1176
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO HOMICIDE; AMENDING SECTION 18-4007, IDAHO CODE, TO INCREASE THE MAXIMUM FINE AND MAXIMUM SENTENCE FOR VEHICULAR MANSLAUGHTER AND TO MAKE A TECHNICAL CORRECTION.

S 1177
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO MAXIMUM SPEED LIMITS; AMENDING SECTION 49-654, IDAHO CODE, 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.

S 1178
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO GAMING COMPACTS BETWEEN THE STATE OF IDAHO AND FEDERALLY RECOGNIZED INDIAN TRIBES; AMENDING SECTION 67-429A, IDAHO CODE, 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; AND DECLARING AN EMERGENCY.

S 1179
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO AUDITORIUM DISTRICTS; AMENDING CHAPTER 49, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4931, IDAHO CODE, TO PROVIDE APPLICATION OF THE CAMPAIGN REPORTING AND LIMITATIONS UPON CONTRIBUTIONS LAW TO AUDITORIUM DISTRICT ELECTIONS.

S 1175, S 1176, S 1177, S 1178, and **S 1179** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 182 and **H 183,** by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 26 and **H 34**, by Mr. Speaker, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 132, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senators Bunderson, Hawkins, and Lee were recorded present at this order of business.

S 1143, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 217 and **H 218**, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1100 and **S 1094**, by Transportation Committee, were read the second time at length and filed for third reading.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Danielson, Chairman of the Committee of the Whole, reported out **S 1038**, **S 1051, S 1061, S 1159, S 1144, S 1042, S 1083, S 1127, S 1089,** and **S 1150**, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1038

AMENDMENTS TO SECTION 2

On page 1 of the printed bill, in line 25, delete "~~shall~~ may" and insert: "shall"; in line 27, delete "~~shall~~" and insert: "shall"; and also in line 27, delete ". ~~not later than July 1, 2004~~" and insert: "not later than July 1, 2004.".

CORRECTION TO TITLE

On page 1, in line 5, delete "MAY" and insert: "SHALL".

SENATE AMENDMENT TO S 1051

AMENDMENT TO SECTION 25

On page 24 of the printed bill, in line 7, delete "receipt from the agency"; and in line 8, delete "disclosure brochure as the".

SENATE AMENDMENTS TO S 1061

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 through 17 and insert: "section 33-515, Idaho Code. Evaluation criteria for general classroom teachers and principals shall include, but is not limited to, classroom management, adherence to district adopted curriculum, parental communication, teacher effectiveness as evidenced by student progress based on criteria agreed to by school board trustees, administrators and teachers, and professional conduct as outlined in the code of ethics of the Idaho teaching profession adopted by the professional standards commission and the state board of education.".

AMENDMENT TO SECTION 2

On page 3, delete lines 6 through 9 and insert: "state board of education. Evaluation criteria for general classroom teachers and principals shall include, but is not limited to, classroom management, adherence to district adopted curriculum, parental communication, teacher effectiveness as evidenced by student progress based on criteria agreed to by school board trustees, administrators and teachers, and professional conduct as outlined in the code of ethics of the Idaho teaching profession adopted by the professional standards commission and the state board of education.".

CORRECTIONS TO TITLE

On page 1, in line 4, following "TEACHER" insert: "AND PRINCIPAL"; and in line 5, following "TEACHER" insert: "AND PRINCIPAL".

SENATE AMENDMENT TO S 1159

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 17 through 22 and insert: "recorded title to the property and one claiming by adverse possession, the court shall award costs and reasonable attorney's fees to the prevailing party.".

CORRECTION TO TITLE

On page 1, delete lines 4 through 9 and insert: "THE AWARD OF ATTORNEY'S FEES AND COSTS TO THE PREVAILING PARTY, TO PROVIDE PROCEDURES AND TO PROVIDE FOR NOTICE; TO PROVIDE".

SENATE AMENDMENTS TO S 1144

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 9, following "located" insert: ", if requested by the county commissioners".

AMENDMENT TO SECTION 2

On page 2, in line 41, following "located" insert: ", if requested by the county commissioners".

CORRECTIONS TO TITLE

On page 1, in line 5, following "LOCATED" insert: "IF REQUESTED BY THE COUNTY COMMISSIONERS"; and in line 15, following "LOCATED" insert: "IF REQUESTED BY THE COUNTY COMMISSIONERS".

SENATE AMENDMENTS TO S 1042

AMENDMENTS TO SECTION 2

On page 2, in line 44, delete "NOXIOUS WEED MANAGEMENT PLANS -- SUBMISSION OF PLANS TO THE"; in line 45, delete "COUNTY CONTROL AUTHORITY -- RECORDING OF PLATS --" and insert: "CERTIFICATES OF ACKNOWLEDGMENT --"; in line 48, delete ", if noxious weeds as defined in section" and insert: "a signed certificate of acknowledgment, the form of which shall be determined by rule by the director of the department of agriculture and shall include a summary of the provisions of chapter 24, title 22, Idaho Code."; and delete lines 49 through 53.

On page 3, delete lines 1 through 12; and in line 13, delete "(4)" and insert: "(2)".

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 11 through 43; and on page 2, delete lines 1 through 40; and in line 41, delete "SECTION 2" and insert: "SECTION 1".

CORRECTIONS TO TITLE

On page 1, in line 2, delete "AMENDING SECTION 22-2405, IDAHO CODE, TO"; delete line 3; in line 4, delete "WEED MANAGEMENT PLANS; AND"; in line 6, delete "AN APPROVED NOXIOUS WEED MANAGEMENT PLAN" and insert: "A SIGNED CERTIFICATE OF ACKNOWLEDGMENT"; in line 7, delete ", TO PROVIDE FOR REVIEW AND APPROVAL OF PLANS BY THE COUNTY CON-"; and in line 8, delete "TROL AUTHORITY, TO PROVIDE FOR NOTICE OF COMPLIANCE".

SENATE AMENDMENT TO S 1083

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 8 through 27 and insert:

"SECTION 1. That Title 45, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 11, Title 45, Idaho Code, and to read as follows:

CHAPTER 11

AIRCRAFT IMPROVEMENT LIENS

45-1101. AIRCRAFT IMPROVEMENT LIENS -- DURATION OF LIEN -- "OWNER" DEFINED. (1) A person who alters, repairs or otherwise labors upon or furnishes materials for an aircraft at the request of the owner of the aircraft has a lien on such aircraft for the contract price of the labor performed and materials furnished or, in the absence of a contract price, for the reasonable value of such labor or materials, and may keep possession of the aircraft until such charges are paid.

(2) A lien recorded pursuant to the provisions of this chapter shall bind an aircraft for a period of not more than ninety (90) days after the lien is recorded or, if credit is given, within ninety (90) days after the expiration of such credit.

(3) A lien shall not be effective for more than one (1) year following the completion or cessation of services, notwithstanding any agreement of the parties.

(4) For purposes of this chapter, an "owner" of an aircraft means:

(a) A person in possession of the aircraft under an agreement to purchase such aircraft, regardless of whether the person or the vendor holds title to the aircraft; and

(b) A person in lawful possession of the aircraft.

45-1102. CLAIM OF LIEN. (1) Before return of the aircraft to the owner, and not more than ninety (90) days after the completion or cessation of any labor performed or materials furnished, the lien claimant shall record a lien claim with the federal aviation administration as a conveyance affecting title to the aircraft.

(2) The claim provided in subsection (1) of this section shall state:

(a) The name of the claimant;

(b) The name of the owner;

(c) The make and model of the aircraft, the manufacturer's serial number, the United States registration number or other details which sufficiently identify the aircraft;

(d) The amount for which the lien is claimed;

(e) The date upon which the labor was completed or ceased or the materials were furnished; and

(f) Any other requirements for recording promulgated by the federal aviation administration.

(3) The claim shall be signed by the claimant or the claimant's agent or attorney. The claim does not need to be verified, and signatures of representatives of the claimant's company do not need to be acknowledged before a notary.

(4) The claim shall be submitted to the federal aviation administration in a form prescribed by, or acceptable to, the administrator of the federal aviation administration and shall be substantially in the following form:

. . . . . Claimant

v.

. . . . . Defendant

Notice is hereby given that ..... claims a lien upon the aircraft described as:

Make: . . . . . .
Model: . . . . . .
Serial number: . . . . . .
U.S. registration number: . . . . . .
Owner or reputed owner: . . . . . .
Date service began: . . . . . .
Date service terminated: . . . . . .
Amount claimed: . . . . . .
Amount already paid: . . . . . .
Amount due under claim of lien for labor and materials expended:. . . . . .

45-1103. SALE OF AIRCRAFT -- NOTICE. (1) If the charges for the labor performed and materials furnished as specified in section 45-1101, Idaho Code, are not paid within three (3) months after the labor is performed or materials are furnished, the person having the lien may sell the aircraft at a public auction and may apply the proceeds of such sale in the following manner:

(a) To the payment of the expenses of the sale;

(b) To the discharge of the lien; and

(c) The balance of the proceeds to the owner of the aircraft.

(2) The sale shall be held in the county in which the aircraft is delivered for alteration or repair.

(3) Before the sale as provided in this section is made, notice of the sale shall be given to the debtor by registered letter directed to the debtor's last known address and also by posting a notice of the sale in three (3) public places in the applicable county, one (1) of which shall be at or near the front door of the post office nearest the place of the sale, for ten (10) days prior to the day of the sale. The notice shall contain a particular description of the aircraft to be sold, the name of the owner of the aircraft, the amount due on the aircraft lien for labor and materials, and the time and place of the sale.

45-1104. PRIORITY OF LIEN. (1) An aircraft improvement lien, when recorded in accordance with the provisions of section 45-1102, Idaho Code, shall take priority over any security interest in the aircraft which is recorded with the federal aviation administration prior to the date of the provision of labor or materials, provided that the person who makes, alters or repairs the aircraft, at least three (3) days before providing such services, gives notice of the intention to provide such services by registered mail to any holder of a security interest which has been recorded with the federal aviation administration. If such holder of a security interest does not, within three (3) days before the intended provision of services, give written notice to the person not to perform such services, the person may provide such services and the lien provided herein attaches to the aircraft.

(2) In every case in which more than one (1) lien is asserted against an aircraft, the court shall rank each lien or class of liens in the following order:

(a) Security interests recorded prior to the performance of labor or furnishing of materials if the secured party has, within the three (3) day notice period provided in this section, instructed a provider of services not to provide such services;

(b) Liens obtained pursuant to this chapter;

(c) Security interests recorded prior to the performance of labor or furnishing of materials where the secured party has not, within the three (3) day notice period provided in this section, instructed a provider of services not to provide such services;

(d) Security interests or liens recorded or arising after a provider of services under this chapter has begun provision of such services.

45-1105. RELEASE OR DISCHARGE OF LIEN. (1) A lien under this chapter may be released and discharged by the lien claimant or the lien claimant's agent by filing a release of lien with the federal aviation administration in a form provided by, or acceptable to, the administrator of the federal aviation administration.

(2) A lien claimant shall discharge any lien filed pursuant to this chapter within fifteen (15) days of satisfaction of the lien.

45-1106. JOINDER OF ACTIONS -- FILING FEES AS COSTS -- ATTORNEY'S FEES. Any number of persons claiming liens against the same aircraft may join in the same action, and when separate actions are commenced the court may consolidate them. The court shall also allow as part of the costs the moneys paid for filing and recording the claim, and reasonable attorney's fees.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 6 and insert: "RELATING TO AIRCRAFT IMPROVEMENT LIENS; AMENDING TITLE 45, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 11, TITLE 45, IDAHO CODE, TO PROVIDE FOR AIRCRAFT IMPROVEMENT LIENS, TO PROVIDE FOR DURATION OF LIEN AND TO DEFINE THE TERM "OWNER," TO PROVIDE FOR CLAIM OF LIEN, TO PROVIDE FOR SALE OF AIRCRAFT AND TO PROVIDE FOR NOTICE OF SALE, TO PROVIDE FOR PRIORITY OF AIRCRAFT IMPROVEMENT LIENS, TO PROVIDE FOR RELEASE AND DISCHARGE OF LIEN, TO PROVIDE FOR JOINDER OF ACTIONS AND TO PROVIDE FOR FILING FEES AS COSTS AND ATTORNEY'S FEES.".

SENATE AMENDMENT TO S 1127

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 19, following "member" insert: "and shall agree to render services to the member when required".

SENATE AMENDMENT TO S 1089

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, delete "more than"; and also in line 21, following "hour" insert: "or more".

SENATE AMENDMENT TO S 1150

AMENDMENTS TO SECTION 1

On page 5 of the printed bill, in line 24, following "(4)" insert: "An offender shall pay a fee of forty dollars ($40.00) to the sheriff at the time of each registration."; in line 26, delete "An"; delete line 27; in line 28, delete "of each registration.".

On page 8, in line 30, delete "CIVIL" and insert: "CERTAIN"; also in line 30, following "LIABILITY." insert: "(1) No person or governmental entity, other than those specifically charged in this chapter with a duty to collect information under this chapter regarding registered drug pusher offenders, has a duty to inquire, investigate or disclose any information regarding registered drug pusher offenders.

(2) No person or governmental entity, other than those specifically charged in this chapter with an affirmative duty to provide public access to information regarding registered drug pusher offenders, shall be held liable for any failure to disclose any information regarding registered drug pusher offenders to any other person or entity.

(3) Every person or governmental entity who, acting without malice or criminal intent, obtains or disseminates information under this chapter shall be immune from civil liability for any damages claimed as a result of such disclosures made or received.";

and also in line 30, preceding "No" insert: "(4)".

CORRECTION TO TITLE

On page 1, in line 13, delete "CIVIL" and insert: "CERTAIN".

The committee also has **S 1014, S 1043, H 110**, and **S 1101** under consideration, reports progress, and begs leave to sit again.

DANIELSON, Chairman

On motion by Senator Danielson, seconded by Senator Stennett, the report was adopted by voice vote.

S 1038, as amended, **S 1051,** as amended, **S 1061,** as amended, **S 1159,** as amended, **S 1144,** as amended, **S 1042,** as amended, **S 1083,** as amended, **S 1127,** as amended, **S 1089,** as amended, and **S 1150,** as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

S 1165 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Brandt, Deide, King-Barrutia. Total - 3.

Total - 35.

Whereupon the President declared **S 1165** passed, title was approved, and the bill ordered transmitted to the House.

S 1118 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Brandt, Deide, King-Barrutia. Total - 3.

Total - 35.

Whereupon the President declared **S 1118** passed, title was approved, and the bill ordered transmitted to the House.

S 1130 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Brandt, Deide, King-Barrutia. Total - 3.

Total - 35.

Whereupon the President declared **S 1130** passed, title was approved, and the bill ordered transmitted to the House.

S 1145 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Brandt, Deide, King-Barrutia. Total - 3.

Total - 35.

Whereupon the President declared **S 1145** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were moved to the head of the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Friday, February 23, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 23, 2001

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Boatright, Bunderson, Cameron, Dunklin, Ingram, Lee, and Noh, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 22, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

Senators Ingram and Lee were recorded present at this order of business.

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

Reports of Standing Committees

Senators Boatright, Bunderson, Cameron, Dunklin, and Noh were recorded present at this order of business.

February 23, 2001

The JUDICIARY AND RULES Committee reports that **S 1175, S 1176, S 1177, S 1178,** and **S 1179** have been correctly printed.

DARRINGTON, Chairman

S 1175 was referred to the Finance Committee.

S 1176 was referred to the Judiciary and Rules Committee.

S 1177 was referred to the Transportation Committee.

S 1178 and **S 1179** were referred to the State Affairs Committee.

February 23, 2001

The JUDICIARY AND RULES Committee reports that **S 1038,** as amended, **S 1051,** as amended, **S 1061,** as amended, **S 1159,** as amended, **S 1144**, as amended, **S 1042,** as amended, **S 1083,** as amended, **S 1127,** as amended, **S 1089,** as amended, and **S 1150,** as amended, have been correctly engrossed.

DARRINGTON, Chairman

S 1038, as amended, **S 1051,** as amended, **S 1061,** as amended, **S 1159,** as amended, **S 1144**, as amended, **S 1042,** as amended, **S 1083,** as amended, **S 1127,** as amended, **S 1089,** as amended, and **S 1150,** as amended, were filed for first reading.

February 23, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1038, S 1051, S 1061, S 1159, S 1144, S 1042, S 1083, S 1127, S 1089,** and **S 1150** have been correctly printed.

DARRINGTON, Chairman

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

February 22, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1009** and **S 1010** were delivered to the Office of the Governor at 2:53 p.m., February 22, 2001.

DARRINGTON, Chairman

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

February 21, 2001

The EDUCATION Committee reports out **S 1070** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **S 1070** was referred to the Fourteenth Order of Business, General Calendar.

February 21, 2001

The EDUCATION Committee reports out **SJR 101, S 1110,** and **S 1113** with the recommendation that they do pass.

SCHROEDER, Chairman

SJR 101, S 1110, and **S 1113** were filed for second reading.

February 22, 2001

The TRANSPORTATION Committee reports out **HCR 20** and **S 1137** with the recommendation that they do pass.

FRASURE, Chairman

HCR 20 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

S 1137 was filed for second reading.

February 22, 2001

The TRANSPORTATION Committee reports out **S 1140** and **S 1077** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

FRASURE, Chairman

There being no objection, **S 1140** and **S 1077** were referred to the Fourteenth Order of Business, General Calendar.

February 22, 2001

The HEALTH AND WELFARE Committee reports out **S 1148, H 8,** and **H 164** with the recommendation that they do pass.

IPSEN, Chairman

S 1148, H 8, and **H 164** were filed for second reading.

February 23, 2001

The FINANCE Committee reports out **S 1175** with the recommendation that it do pass.

CAMERON, Chairman

S 1175 was filed for second reading.

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

Messages from the Governor

February 22, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Vernon Baker of St. Maries, Idaho, was appointed as a member of the Idaho Commission on Human Rights to serve a term commencing January 18, 2001, and expiring July 1, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

February 22, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1005, S 1006, S 1007, S 1008

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 22, 2001

Mr. President:

I transmit herewith **HJM 2, H 216, H 205, H 237, H 128, HCR 7, HCR 18, H 53, HCR 1, H 154, H 155, H 244,** and **H 188**, and I return herewith **S 1024, S 1025,** and **SCR 103**, which have passed the House.

JUKER, Chief Clerk

HJM 2, H 216, H 205, H 237, H 128, HCR 7, HCR 18, H 53, HCR 1, H 154, H 155, H 244, and **H 188** were filed for first reading.

S 1024, S 1025, and **SCR 103** were referred to the Judiciary and Rules Committee for enrolling.

February 22, 2001

Mr. President:

I transmit herewith Enrolled **H 114** for the signature of the President, and I return herewith Enrolled **S 1015**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **H 114** and ordered it returned to the House.

Enrolled **S 1015** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Brandt, granted by unanimous consent, **SCR 110** was held for Tuesday, February 27, 2001.

The President Pro Tempore announced that **HJM 1** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Richardson, seconded by Senator Darrington, **HJM 1** was adopted by voice vote, title was approved, and the Memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1038, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1051, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

S 1061, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1159, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

S 1144, as amended, and **S 1042,** as amended, by Agricultural Affairs Committee, were read the first time at length and filed for second reading.

S 1083, as amended, and **S 1127,** as amended, by Commerce and Human Resources Committee, were read the first time at length and filed for second reading.

S 1089, as amended, and **S 1150,** as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

HJM 2, by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

H 216, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 205, H 237, H 154, and **H 155**, by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 128 and **H 188**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 7, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

HCR 18, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 53, by Mr. Speaker, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 1, by Mortensen, was introduced, read at length, and referred to the Education Committee.

H 244, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

At this time Senator Risch arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President Pro Tempore appointed Senators Lodge and Deide to escort the Honorable C. L. "Butch" Otter, United States Congressman, into the Senate Chamber where he addressed the members of the Senate.

The President Pro Tempore thanked Congressman Otter for his remarks, and Senators Lodge and Deide escorted him from the Chamber, and the committee was discharged.

At this time Senator Risch arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President Pro Tempore appointed Senators Danielson and Andreason to escort the Honorable Larry Craig, United States Senator, into the Senate Chamber where he addressed the members of the Senate.

The President Pro Tempore thanked Senator Craig for his remarks, and Senators Danielson and Andreason escorted him from the Chamber, and the committee was discharged.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 2 and **H 10**, by Mr. Speaker, were read the second time at length and filed for third reading.

H 142, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1068, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1069, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

H 150, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1146 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Ingram, Sandy. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1146** passed, title was approved, and the bill ordered transmitted to the House.

S 1055 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brandt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Hawkins. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1055** passed, title was approved, and the bill ordered transmitted to the House.

S 1121 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1121** passed, title was approved, and the bill ordered transmitted to the House.

S 1162 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1162** passed, title was approved, and the bill ordered transmitted to the House.

S 1153 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1153** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were moved to the head of the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Whitworth, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 10:30 a.m., Monday, February 26, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 26, 2001

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Boatright, Bunderson, Cameron, Davis, Hawkins, Ingram, Keough, Lee, Richardson, Stennett, and Whitworth, absent and excused.

Prayer was offered by Acting Chaplain Montie Ralstin, Jr., Pastor, Boise Valley Christian Communion Church, Boise, Idaho.

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

Reports of Standing Committees

February 23, 2001

The JUDICIARY AND RULES Committee reports that **S 1024, S 1025,** and **SCR 103** have been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1024, S 1025,** and **SCR 103**, and ordered them transmitted to the House for the signature of the Speaker.

February 23, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1015** was delivered to the Office of the Governor at 3:08 p.m., February 23, 2001.

DARRINGTON, Chairman

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

February 23, 2001

The HEALTH AND WELFARE Committee reports out **S 1166** with the recommendation that it do pass.

IPSEN, Chairman

S 1166 was filed for second reading.

February 23, 2001

The EDUCATION Committee reports out **S 1117, S 1132,** and **S 1133** with the recommendation that they do pass.

SCHROEDER, Chairman

S 1117, S 1132, and **S 1133** were filed for second reading.

February 23, 2001

The EDUCATION Committee reports out **S 1028** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **S 1028** was referred to the Fourteenth Order of Business, General Calendar.

February 23, 2001

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

R. John Taylor to the Idaho Endowment Fund Investment Board, term to expire April 11, 2004.

ANDREASON, Chairman

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

February 23, 2001

The JUDICIARY AND RULES Committee reports out **S 1170, S 1171,** and **S 1172** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1170, S 1171, and **S 1172** were filed for second reading.

February 23, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **S 1122** with the recommendation that it do pass.

NOH, Chairman

S 1122 was filed for second reading.

Senators Boatright and Stennett were recorded present at this order of business.

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

Messages from the House

Senators Bunderson, Lee, Richardson, and Whitworth were recorded present at this order of business.

February 23, 2001

Mr. President:

I transmit herewith **H 193, HCR 24, H 257, H 268, H 148, H 195, H 5,** as amended, **H 9,** as amended, and **H 11,** as amended, and I return herewith **SCR 101** and **S 1085**, which have passed the House.

JUKER, Chief Clerk

H 193, HCR 24, H 257, H 268, H 148, H 195, H 5, as amended, **H 9,** as amended, and **H 11,** as amended, were filed for first reading.

SCR 101 and **S 1085** were referred to the Judiciary and Rules Committee for enrolling.

February 23, 2001

Mr. President:

I transmit herewith Enrolled **HCR 13, HCR 14, HCR 15,** and **HCR 16** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HCR 13, HCR 14, HCR 15,** and **HCR 16** and ordered them returned to the House.

February 23, 2001

Mr. President:

I return herewith Enrolled **S 1021** and **SCR 104**, which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1021** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 104** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Cameron, Hawkins, Ingram, and Keough were recorded present at this order of business.

On request by Senator Whitworth, granted by unanimous consent, **HCR 20** retained its place on the calendar for Friday, March 2, 2001.

The Senate advanced to the Eleventh Order of Business.

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

H 193 and **H 195**, by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 24, by Environmental Affairs Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 257, by Environmental Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 268, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 148, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 5, as amended, **H 9**, as amended, and **H 11**, as amended, by Mr. Speaker, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

SJR 101, S 1110, and **S 1113**, by Education Committee, were read the second time at length and filed for third reading.

S 1137, by Transportation Committee, was read the second time at length and filed for third reading.

S 1148, by Resources and Environment Committee, was read the second time at length and filed for third reading.

H 8, by Mr. Speaker, was read the second time at length and filed for third reading.

H 164, by Environmental Affairs Committee, was read the second time at length and filed for third reading.

S 1175, by Finance Committee, was read the second time at length and filed for third reading.

S 1038, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1051, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1061, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1159, as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1144, as amended, and **S 1042**, as amended, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

S 1083, as amended, and **S 1127**, as amended, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1089, as amended, and **S 1150**, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Wheeler, granted by unanimous consent, **S 1156** was referred to the Fourteenth Order of Business, General Calendar.

S 1119 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1119** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, **S 1120**, **S 1082,** and **S 1164** retained their place on the Third Reading Calendar.

S 1090 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1090** passed, title was approved, and the bill ordered transmitted to the House.

S 1155 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1155** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Thorne, granted by unanimous consent, **S 1157** was recommitted to the Local Government and Taxation Committee.

S 1086 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1086** passed, title was approved, and the bill ordered transmitted to the House.

S 1143 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1143** passed, title was approved, and the bill ordered transmitted to the House.

S 1100 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1100** passed, title was approved, and the bill ordered transmitted to the House.

S 1094 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate.

On request by Senator Goedde, **S 1094** retained its place on the Third Reading Calendar for Wednesday, February 28, 2001.

On request by Senator Sorensen, **S 1068** retained its place on the Third Reading Calendar for one legislative day.

The President Pro Tempore called Senator Schroeder to the Chair.

S 1069 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1069** passed, title was approved, and the bill ordered transmitted to the House.

H 61 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 61** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, **H 142** was placed before the Senate for consideration at this time.

H 142 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Lee and Noh arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 142** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were moved to the head of the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Tuesday, February 27, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, FEBRUARY 27, 2001

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Sims, absent and formally excused by the Chair; and Senators Cameron, Danielson, Deide, and Hawkins, absent and excused.

Prayer was offered by Acting Chaplain Montie Ralstin.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of February 23, 2001, and February 26, 2001, were read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Danielson was recorded present at this order of business.

February 26, 2001

The JUDICIARY AND RULES Committee reports that **S 1085** and **SCR 101** have been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1085** and **SCR 101** and ordered them transmitted to the House for the signature of the Speaker.

February 26, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1021** was delivered to the Office of the Governor at 2:05 p.m., February 26, 2001.

DARRINGTON, Chairman

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

February 26, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 104** was delivered to the Office of the Secretary of State at 2:15 p.m., February 26, 2001.

DARRINGTON, Chairman

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

February 26, 2001

The JUDICIARY AND RULES Committee reports out **H 101** with the recommendation that it do pass.

DARRINGTON, Chairman

H 101 was filed for second reading.

February 26, 2001

The AGRICULTURAL AFFAIRS Committee reports out **S 1142** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DEIDE, Chairman

There being no objection, **S 1142** was referred to the Fourteenth Order of Business, General Calendar.

February 26, 2001

The JUDICIARY AND RULES Committee reports out **H 134, H 181, H 182,** and **H 183** with the recommendation that they do pass.

DARRINGTON, Chairman

H 134, H 181, H 182, and **H 183** were filed for second reading.

February 26, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **H 176** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

NOH, Chairman

There being no objection, **H 176** was referred to the Fourteenth Order of Business, General Calendar.

February 26, 2001

The STATE AFFAIRS Committee reports out **S 1179** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SORENSEN, Chairman

There being no objection, **S 1179** was referred to the Fourteenth Order of Business, General Calendar.

February 26, 2001

The STATE AFFAIRS Committee reports out **HJM 6, HCR 21, S 1174,** and **H 146** with the recommendation that they do pass.

SORENSEN, Chairman

HJM 6 and **HCR 21** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

S 1174 and **H 146** were filed for second reading.

February 27, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1152** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **S 1152** was referred to the Fourteenth Order of Business, General Calendar.

February 27, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 143** with the recommendation that it do pass.

THORNE, Chairman

H 143 was filed for second reading.

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

Messages from the Governor

February 27, 2001

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho Legislature

Dear President Pro Tempore:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1009, S 1010

Sincerely,
/s/ Jack Riggs
Acting Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

Senators Cameron, Deide, and Hawkins were recorded present at this order of business.

February 26, 2001

Mr. President:

I transmit herewith **H 302, H 303, H 304, H 247, H 249, H 290, H 223, H 224, HJM 4, H 174,** and **H 14,** as amended, which have passed the House.

JUKER, Chief Clerk

H 302, H 303, H 304, H 247, H 249, H 290, H 223, H 224, **HJM 4, H 174,** and **H 14,** as amended, were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that **SCR 110**, having been held, was before the Senate for final consideration.

Moved by Senator Brandt, seconded by Senator Ipsen, that **SCR 110** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 30.

NAYS--Dunklin, Stennett, Whitworth. Total - 3.

Absent and excused--Ingram, Sims. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **SCR 110** adopted, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Stegner, seconded by Senator Dunklin, the Gubernatorial appointment of R. John Taylor as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1180
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR THE IDAHO WOMEN'S COMMISSION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1181
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1182
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR PUBLIC SCHOOL SUPPORT FOR FISCAL YEAR 2002; PROVIDING THE AMOUNT TO BE EXPENDED FROM STATE SOURCES; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING A TOTAL AMOUNT FROM THE PUBLIC SCHOOL INCOME FUND; PROVIDING FOR MONEYS FOR THE UNEMPLOYMENT INSURANCE PROGRAM; AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE THE BASE SALARY FOR SALARY-BASED APPORTIONMENT; PROVIDING THAT THE STATE DEPARTMENT OF EDUCATION SHALL HAVE CERTAIN AUTHORITY; DIRECTING THAT $3,135,000 IN ONGOING EXPENDITURES AND $7,000,000 IN ONE-TIME EXPENDITURES BE EXPENDED FOR THE PUBLIC SCHOOL TECHNOLOGY GRANT PROGRAM AND DIRECTING A TRANSFER OF $265,000 TO THE LIBRARY SERVICES IMPROVEMENT FUND; DIRECTING THAT NOT MORE THAN $173,000 BE EXPENDED FOR THE IDAHO COUNCIL FOR TECHNOLOGY IN LEARNING EXPENSES; DIRECTING THAT $425,000 BE DISTRIBUTED TO TEACHERS AS CREATIVE AND INNOVATIVE TEACHING GRANTS; DIRECTING THAT $4,575,000 BE ALLOCATED FOR PROGRAMS FOR STUDENTS WITH NON-ENGLISH OR LIMITED-ENGLISH PROFICIENCY, WITH UP TO $100,000 TO BE USED TO STUDY THE EFFECTIVENESS OF LIMITED-ENGLISH PROFICIENCY PROGRAMS; DIRECTING THAT $2,000,000 BE DISTRIBUTED FOR A TEACHER MENTORING AND PEER ASSISTANCE PROGRAM; DIRECTING THAT $4,700,000 OF THE MONEYS ACCRUING PURSUANT TO SECTIONS 63-2506 AND 63-2552A, IDAHO CODE, AND SUCH OTHER MONEYS WHICH MAY BECOME AVAILABLE PURSUANT TO SECTION 67-7439, IDAHO CODE, BE EXPENDED FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THE DISTRIBUTION OF FUNDS FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO FEATURES OF THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; PROVIDING DIRECTION REGARDING THE EXPENDITURE AND DISTRIBUTION OF $1,000,000 FOR EMPLOYMENT AND TRAINING FOR WORKING WITH CHILDREN WITH DISABILITIES; DIRECTING THAT $600,000 BE ALLOCATED FOR TRAINING TO SERVE THE NEEDS OF GIFTED AND TALENTED STUDENTS, WITH UP TO $100,000 TO BE USED TO STUDY THE EFFECTIVENESS OF GIFTED AND TALENTED PROGRAMS; APPROPRIATING THE AMOUNT OF GENERAL FUND MONEY NECESSARY AS DETERMINED BY SECTION 33-1002D, IDAHO CODE, FOR PROPERTY TAX REPLACEMENT; DIRECTING THAT UP TO $418,000 BE DISTRIBUTED FOR MASTER TEACHER AWARD PAYMENTS; RECOGNIZING ADDITIONAL STATE FINANCIAL SUPPORT BEYOND ESTABLISHED BUDGETS AND EXPRESSING LEGISLATIVE INTENT FOR THE USE OF THESE FUNDS AS A ONE-TIME SUPPLEMENT TO THE DISCRETIONARY FUNDING NEEDS OF SCHOOL DISTRICTS; DIRECTING THAT $4,000,000 BE USED FOR THE IDAHO READING INITIATIVE; DIRECTING THAT NO FULL-TIME INSTRUCTIONAL STAFF BE PAID LESS THAN THE BASE SALARY FUNDING PROVIDED FOR SCHOOL DISTRICTS UNDER SECTION 33-1004E, IDAHO CODE; DIRECTING THAT $8,000,000 BE DISTRIBUTED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND USED FOR THE IMPLEMENTATION OF ACHIEVEMENT STANDARDS; DIRECTING DISTRICTS TO EXAMINE TEACHER USE OF PRIVATE FUNDS TO PURCHASE CLASSROOM SUPPLIES, AND ENCOURAGING DISTRICTS TO SET ASIDE CERTAIN GAINSHARING SAVINGS FOR THE PURCHASE OF CLASSROOM SUPPLIES; AND DECLARING AN EMERGENCY FOR SECTION 23 OF THIS ACT.

S 1183
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE PRIMARY AND PREVENTIVE CARE GRANT PROGRAM; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 82, TITLE 39, IDAHO CODE, TO DEFINE TERMS, TO ESTABLISH THE IDAHO PRIMARY AND PREVENTIVE CARE GRANT PROGRAM, TO PROVIDE FOR SERVICE GRANT APPLICATIONS AND AWARDS, PERMISSIBLE USES OF SERVICE GRANT MONEYS AND TO PROVIDE FOR ANNUAL REPORTS, TO PROVIDE FOR A PROGRAM BOARD, TO PROVIDE FOR THE CREATION OF THE PRIMARY AND PREVENTIVE CARE FUND AND TO PROVIDE FOR DUTIES OF THE PROGRAM BOARD AND THE DEPARTMENT OF HEALTH AND WELFARE.

S 1180, S 1181, S 1182, and **S 1183** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 302, H 303, and **H 304**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 247 and **H 249**, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 290, by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 223 and **H 224**, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

HJM 4, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 174, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 14, as amended, by Mr. Speaker, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1166, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1117, S 1132, and **S 1133**, by Education Committee, were read the second time at length and filed for third reading.

S 1170, S 1171, and **S 1172**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1122, by Resources and Environment Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **S 1164** was referred to the Fourteenth Order of Business, General Calendar.

S 1120, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Cameron, Hawkins, Ingram, Schroeder. Total - 4.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1120** passed, title was approved, and the bill ordered transmitted to the House.

S 1082, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Goedde, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 27.

NAYS--Frasure, Geddes, Hawkins, Ingram, Ipsen, Keough. Total - 6.

Absent and excused--Lee, Sims. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1082** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, **S 1068** and **SJR 101** retained their place on the Third Reading Calendar.

S 1110 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Lee, Sims. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1110** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were moved to the head of the Third Reading Calendar.

On motion by Senator Risch, seconded by Senator Whitworth, by voice vote the Senate recessed at 12 noon until the hour of 4 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Pro Tempore Geddes presiding.

Roll call showed all members present except Senator Sims, absent and formally excused by the Chair; and Senators Cameron, Davis, Lee, and Stegner, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1068, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Sorensen, King-Barrutia, and Stennett arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Danielson, Deide, Dunklin, Goedde, Ingram, Keough, King-Barrutia, Lodge, Risch, Schroeder, Sorensen, Stennett, Wheeler, Whitworth. Total - 18.

NAYS--Bunderson, Burtenshaw, Cameron, Darrington, Davis, Frasure, Geddes, Hawkins, Ipsen, Noh, Richardson, Sandy, Thorne, Williams. Total - 14.

Absent and excused--Lee, Sims, Stegner. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1068** passed, title was approved, and the bill ordered transmitted to the House.

SJR 101 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Bunderson, Danielson, Dunklin, Frasure, Goedde, Ingram, Keough, Noh, Risch, Schroeder, Sorensen, Stennett, Whitworth. Total - 15.

NAYS--Bartlett(Branch), Brandt, Burtenshaw, Cameron, Darrington, Davis, Deide, Geddes, Hawkins, Ipsen, King-Barrutia, Lodge, Richardson, Sandy, Stegner, Thorne, Wheeler, Williams. Total - 18.

Absent and excused--Lee, Sims. Total - 2.

Total - 35.

Less than two-thirds having voted in the affirmative, the President Pro Tempore declared that the Senate had failed to adopt **SJR 101** and ordered the resolution filed in the office of the Secretary of the Senate.

On request by Senator Deide, granted by unanimous consent, **S 1113** retained its place on the Third Reading Calendar.

S 1137 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Stegner. Total - 1.

Absent and excused--Bunderson, Lee, Sims. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1137** passed, title was approved, and the bill ordered transmitted to the House.

Senator Goedde requested unanimous consent that **S 1094** be referred to the Fourteenth Order of Business, General Calendar. Senator Frasure objected.

On request by Senator Goedde, granted by unanimous consent, **S 1094** was recommitted to the Transportation Committee.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 5:45 p.m. until the hour of 10:30 a.m., Wednesday, February 28, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 28, 2001

Senate Chamber

At the request of the President Pro Tempore, Senator Bunderson called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senators Boatright, Frasure, Lee, Stegner, and Wheeler, absent and excused.

Prayer was offered by Acting Chaplain Montie Ralstin.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Frasure, Stegner, and Wheeler were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 27, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Boatright was recorded present at this order of business.

February 28, 2001

The JUDICIARY AND RULES Committee reports that **S 1180, S 1181, S 1182,** and **S 1183** have been correctly printed.

DARRINGTON, Chairman

S 1180, S 1181, and **S 1182** were referred to the Finance Committee.

S 1183 was referred to the Health and Welfare Committee.

February 27, 2001

The HEALTH AND WELFARE Committee reports out **H 4, H 5,** as amended, **H 9,** as amended, **H 11,** as amended, and **H 13,** as amended, with the recommendation that they do pass.

IPSEN, Chairman

H 4, H 5, as amended, **H 9,** as amended, **H 11,** as amended, and **H 13,** as amended, were filed for second reading.

February 27, 2001

The HEALTH AND WELFARE Committee reports out **S 1147, S 1168,** and **S 1169** with the recommendation that they do pass.

IPSEN, Chairman

S 1147, S 1168, and **S 1169** were filed for second reading.

February 27, 2001

The EDUCATION Committee reports out **S 1111** and **S 1114** with the recommendation that they do pass.

SCHROEDER, Chairman

S 1111 and **S 1114** were filed for second reading.

February 27, 2001

The FINANCE Committee reports out **H 302, H 303,** and **H 304** with the recommendation that they do pass.

CAMERON, Chairman

H 302, H 303, and **H 304** were filed for second reading.

February 27, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 71** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, **H 71** was referred to the Fourteenth Order of Business, General Calendar.

February 27, 2001

The COMMERCE AND HUMAN Committee reports out **H 133** with the recommendation that it do pass.

ANDREASON, Chairman

H 133 was filed for second reading.

February 27, 2001

The TRANSPORTATION Committee reports out **S 1139,** with amended statement of purpose and amended fiscal note attached, **S 1173,** and **S 1177** with the recommendation that they do pass.

FRASURE, Chairman

S 1139, S 1173, and **S 1177** were filed for second reading.

February 27, 2001

The TRANSPORTATION Committee reports out **S 1104** and **S 1105** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

FRASURE, Chairman

There being no objection, **S 1104** and **S 1105** were referred to the Fourteenth Order of Business, General Calendar.

February 27, 2001

The AGRICULTURAL AFFAIRS Committee reports out **S 1064** and **S 1141** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

DEIDE, Chairman

There being no objection, **S 1064** and **S 1141** were referred to the Fourteenth Order of Business, General Calendar.

February 28, 2001

The FINANCE Committee reports out **S 1180, S 1181,** and **S 1182** with the recommendation that they do pass.

CAMERON, Chairman

S 1180, S 1181, and **S 1182** were filed for second reading.

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

Messages from the House

Senator Lee was recorded present at this order of business.

February 27, 2001

Mr. President:

I transmit herewith **H 313, H 80, H 201, H 202, HCR 27, HCR 28, H 58, H 196, H 162, H 210, H 18,** as amended, **H 189,** as amended, **H 191,** as amended, **H 190, 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, and I return herewith **S 1046** and **S 1165**, which have passed the House.

JUKER, Chief Clerk

H 313, H 80, H 201, H 202, HCR 27, HCR 28, H 58, H 196, H 162, H 210, H 18, as amended, **H 189,** as amended, **H 191,** as amended, **H 190, 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.

S 1046 and **S 1165** were referred to the Judiciary and Rules Committee for enrolling.

February 27, 2001

Mr. President:

I transmit herewith Enrolled **HJM 1** for the signature of the President, and I return herewith Enrolled **S 1024, S 1025,** and **SCR 103**, which have been signed by the Speaker.

JUKER, Chief Clerk

The Acting President announced that Enrolled **HJM 1** will be held at the desk for the signature of the President Pro Tempore.

Enrolled **S 1024** and **S 1025** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 103** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The Acting President announced that **HJM 6** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Lodge, seconded by Senator Whitworth, **HJM 6** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Acting President announced that **HCR 21** was before the Senate for final consideration.

Moved by President Pro Tempore Geddes, seconded by Senator Danielson, that **HCR 21** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 29.

NAYS--Dunklin, Keough, Schroeder, Stennett, Whitworth. Total - 5.

Absent and excused--Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared **HCR 21** adopted, title was approved, and the resolution ordered returned to the House.

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

Messages from the House

February 28, 2001

Mr. President:

I transmit herewith Enrolled **H 142** for the signature of the President.

JUKER, Chief Clerk

The Acting President announced that Enrolled **H 142** will be held at the desk for the signature of the President Pro Tempore.

The Acting President announced that Enrolled **H 142** and **HJM 1,** having been held at the desk for the signature of the President Pro Tempore, had been signed by President Pro Tempore Geddes and returned to the House.

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

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

S 1184
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2002; LIMITING AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CERTAIN TRANSFERS BEING CONTINUOUSLY APPROPRIATED; AUTHORIZING THE TRANSFER OF HIGHWAY FUNDS TO THE AERONAUTICS FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; AND REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR AIRPORT DEVELOPMENT GRANTS.

S 1185
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME POSITIONS; APPROPRIATING AND TRANSFERRING CERTAIN MONEYS TO THE PARKS AND RECREATION FUND; REAPPROPRIATING CERTAIN FUNDS FOR CAPITAL OUTLAY; AUTHORIZING THE CONTINUOUS APPROPRIATION OF CERTAIN FUNDS TO OPERATE THE DEPARTMENT'S ENTREPRENEURIAL BUDGET SYSTEM; AUTHORIZING THE TRANSFER OF CERTAIN FUNDS INTO THE PARK LAND TRUST FUND; APPROPRIATING MONEYS TO THE LAVA HOT SPRINGS FOUNDATION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME POSITIONS.

S 1186
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1187
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2002; PROVIDING FOR THE RECOVERY OF BANKING SERVICES COSTS TO THE GENERAL FUND; AUTHORIZING AN AMOUNT FOR PAYMENT OF BANK SERVICE FEES; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES TO THE STATE TREASURER; EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO CERTAIN EXPENDITURES; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1184, S 1185, S 1186, and **S 1187** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 313, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 80, H 201, and **H 202,** by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 27 and **HCR 28**, by Education Committee, were introduced, read at length, and referred to the Education Committee.

H 58, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 196 and **H 162**, by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 210 and **H 169**, as amended, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 18, as amended, by Mr. Speaker, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 189, as amended, and **H 191**, as amended, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 190, by State Affairs Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 7, as amended, by Mr. Speaker, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 185, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 28, as amended, **H 29**, as amended, and **H 33**, as amended, by Mr. Speaker, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 101, H 134, H 181, H 182, and **H 183**, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

S 1174, by State Affairs Committee, was read the second time at length and filed for third reading.

H 146, by State Affairs Committee, was read the second time at length and filed for third reading.

H 143, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

On request by Senator Risch, granted by unanimous consent, all Senate bills filed for third reading will be placed ahead of all House bills on the Third Reading Calendar.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Sandy, Chairman of the Committee of the Whole, reported out **S 1101**, without amendment and with the recommendation that it be recommitted to the Transportation Committee.

The committee also has **S 1014, S 1043, H 110, S 1070, S 1140, S 1077, S 1028, S 1156, S 1142, H 176, S 1179, S 1152, S 1164, H 71, S 1104, S 1105, S 1064**, and **S 1141** under consideration, reports progress, and begs leave to sit again.

SANDY, Chairman

On motion by Senator Sandy, seconded by Senator Stennett, the report was adopted by voice vote.

S 1101 was recommitted to the Transportation Committee.

The Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:25 p.m. until the hour of 9:15 a.m., Thursday, March 1, 2001.

HAL BUNDERSON, Acting President

Attest: JEANNINE WOOD, Secretary

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 1, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Andreason, Deide, Dunklin, Goedde, Ingram, Noh, Schroeder, Thorne, Wheeler, and Williams, absent and excused.

Prayer was offered by Acting Chaplain Montie Ralstin.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Andreason, Goedde, Noh, Thorne, and Williams were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 28, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senators Deide, Schroeder, and Wheeler were recorded present at this order of business.

March 1, 2001

The JUDICIARY AND RULES Committee reports that **S 1184, S 1185, S 1186,** and **S 1187** have been correctly printed.

DARRINGTON, Chairman

S 1184, S 1185, S 1186, and **S 1187** were referred to the Finance Committee.

February 28, 2001

The JUDICIARY AND RULES Committee reports that **S 1046** and **S 1165** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1046** and **S 1165** and ordered them transmitted to the House for the signature of the Speaker.

February 28, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 103** was delivered to the Office of the Secretary of State at 2:57 p.m., February 28, 2001.

DARRINGTON, Chairman

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

February 28, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1024** and **S 1025** were delivered to the Office of the Governor at 3:06 p.m., February 28, 2001.

DARRINGTON, Chairman

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

February 28, 2001

The FINANCE Committee reports out **H 313** with the recommendation that it do pass.

CAMERON, Chairman

H 313 was filed for second reading.

February 28, 2001

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

Will Judge to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2003.

NOH, Chairman

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

February 28, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **S 1056** with the recommendation that it do pass.

NOH, Chairman

S 1056 was filed for second reading.

February 28, 2001

The STATE AFFAIRS Committee reports out **H 128, S 1178, H 140, H 141,** and **H 188** with the recommendation that they do pass.

SORENSEN, Chairman

H 128, S 1178, H 140, H 141, and **H 188** were filed for second reading.

February 28, 2001

The JUDICIARY AND RULES Committee reports out **S 1176, H 65,** as amended, and **H 244** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1176, H 65, as amended, and **H 244** were filed for second reading.

February 27, 2001

The FINANCE Committee reports out **S 1184, S 1185, S 1186,** and **S 1187** with the recommendation that they do pass.

CAMERON, Chairman

S 1184, S 1185, S 1186, and **S 1187** were filed for second reading.

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

Messages from the House

Senator Ingram was recorded present at this order of business.

February 28, 2001

Mr. President:

I transmit herewith **H 270, H 179, H 318, H 175, H 206, H 251,** and **HJM 7**, and I return herewith **S 1020, SJM 102, S 1048,** and **S 1058**, which have passed the House.

JUKER, Chief Clerk

H 270, H 179, H 318, H 175, H 206, H 251, and **HJM 7** were filed for first reading.

S 1020, SJM 102, S 1048, and **S 1058** were referred to the Judiciary and Rules Committee for enrolling.

February 28, 2001

Mr. President:

I transmit herewith Enrolled **H 61** for the signature of the President, and I return herewith Enrolled **SCR 101** and **S 1085**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed Enrolled **H 61** and ordered it returned to the House.

Enrolled **SCR 101** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

Enrolled **S 1085** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

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

Senator Dunklin was recorded present at this order of business.

S 1188
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE COST FUND FOR FISCAL YEAR 2002.

S 1189
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

S 1190
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR THE COMMISSION ON AGING FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1191
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO SALARIES OF JUDGES; AMENDING SECTION 1-2222, IDAHO CODE, TO INCREASE THE BASE ANNUAL SALARIES OF NONATTORNEY MAGISTRATES; AND AMENDING SECTION 59-502, IDAHO CODE, TO INCREASE THE ANNUAL SALARIES OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE DISTRICT COURTS AND TO MAKE A TECHNICAL CORRECTION.

S 1192
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE SEXUAL OFFENDER REGISTRY; AMENDING SECTION 18-8323, IDAHO CODE, 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.

S 1193
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO AERONAUTICS ADVISORY BOARD; AMENDING SECTION 21-132, IDAHO CODE, TO PROVIDE THAT EFFORTS OF THE PUBLIC AND PRIVATE SECTORS BE COMBINED TO MATCH THE AVIATION PROGRAM PLANNED BY CONGRESS FOR THE NEW MILLENNIUM; AMENDING SECTION 21-134, IDAHO CODE, TO INCREASE COMPENSATION FOR MEMBERS OF THE AERONAUTICS ADVISORY BOARD; AMENDING SECTION 21-135, IDAHO CODE, TO INCREASE THE MEMBERSHIP OF THE BOARD FROM THREE TO FIVE MEMBERS, TO PROVIDE FOR AREAS OF EXPERTISE REPRESENTED ON THE BOARD, TO PROVIDE THAT NOT MORE THAN THREE MEMBERS AT ANY TIME SHALL BELONG TO THE SAME POLITICAL PARTY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 21-136, IDAHO CODE, TO PROVIDE FOR GEOGRAPHICAL REPRESENTATION ON THE BOARD, TO INCREASE THE TERM OF OFFICE TO FIVE YEARS, TO PROVIDE THAT NO MEMBER SHALL BE APPOINTED TO MORE THAN TWO CONSECUTIVE FIVE YEAR TERMS, TO PROVIDE THAT THE INITIAL TERMS OF THE TWO AT-LARGE MEMBERS MAY BE LESS THAN FIVE YEARS AND TO MAKE TECHNICAL CORRECTIONS.

S 1194
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO LOTTERY COMMISSION; AMENDING SECTION 67-7404, IDAHO CODE, TO PROVIDE DEFINITIONS FOR "VALUE" AND "REDEMPTION VALUE" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7410, IDAHO CODE, TO PROVIDE FOR BACKGROUND INVESTIGATIONS OF BINGO AND RAFFLE OPERATORS AND FOR VENDORS; AND AMENDING SECTION 67-7448, IDAHO CODE, 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 SHALL BE THE FACE VALUE OF THE TICKETS PLUS THE REDEMPTION VALUE AND TO MAKE TECHNICAL CORRECTIONS.

S 1188, S 1189, S 1190, S 1191, S 1192, S 1193, and **S 1194** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 270, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 179, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 318, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 175, H 206, and **H 251**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

HJM 7, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 4, H 5, as amended, **H 9**, as amended, **H 11**, as amended, and **H 13**, as amended, by Mr. Speaker, were read the second time at length and filed for third reading.

S 1147, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1168 and **S 1169**, by State Affairs Committee, were read the second time at length and filed for third reading.

S 1111 and **S 1114**, by Education Committee, were read the second time at length and filed for third reading.

H 302, H 303, and **H 304**, by Appropriations Committee, were read the second time at length and filed for third reading.

H 133, by Business Committee, was read the second time at length and filed for third reading.

S 1139, by Transportation Committee, was read the second time at length and filed for third reading.

S 1173 and **S 1177**, by State Affairs Committee, were read the second time at length and filed for third reading.

S 1180, S 1181, and **S 1182**, by Finance Committee, were read the second time at length and filed for third reading.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Sandy, Chairman of the Committee of the Whole, reported out **S 1014, S 1043, S 1070, S 1140, S 1028, S 1142, H 176, S 1179, S 1152, H 71,** and **S 1064** without recommendation, amended as follows:

SENATE AMENDMENTS TO S 1014

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 34, delete "The" and insert: "Each person listed as an"; also in line 34, following "applicant" insert: "on an initial application"; and in line 35, following "check" insert: "for such person".

AMENDMENTS TO SECTION 2

On page 2, in line 18, delete "The" and insert: "Each person listed as an"; also in line 18, following "applicant" insert: "on an initial application"; and in line 19, following "check" insert: "for such person".

AMENDMENTS TO SECTION 3

On page 4, in line 42, delete "The" and insert: "Each person listed as an"; also in line 42, following "applicant" insert: "on an initial application"; and in line 44, following "check" insert: "for such person".

AMENDMENTS TO SECTION 4

On page 5, in line 41, delete "The" and insert: "Each person listed as an"; also in line 41, following "applicant" insert: "on an initial application"; and in line 43, following "check" insert: "for such person".

AMENDMENTS TO SECTION 5

On page 6, in line 16, delete "The" and insert: "Each person listed as an"; also in line 16, following "applicant" insert: "on an initial application"; and in line 18, following "check" insert: "for such person".

SENATE AMENDMENT TO S 1043

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 21, delete "appropriate"; in lines 21 and 22, delete "as soon as residence information is made available" and insert: "in accordance with the offender's status.

(a) Notice shall be served upon the sheriff of the county in which the offender resides within ten (10) working days of the date that designation has been made, if the offender is not incarcerated.

(b) If the offender is awaiting release from incarceration, notice shall be made upon the sheriff of the county in which the offender intends to reside no less than seven (7) days prior to the offender's release.

(c) In the event the offender has not specified a residence plan prior to his release, notice shall be made upon the sheriff of the county in which the offender is released from incarceration, and upon the sheriff of the county in which the offender initially resides and registers after release".

CORRECTION TO THE TITLE

On page 1, in line 6, delete "APPROPRIATE"; and in lines 6 and 7, delete "AS SOON AS THE OFFENDER'S RESIDENCE INFORMATION IS MADE AVAILABLE" and insert: "IN ACCORDANCE WITH THE OFFENDER'S STATUS".

SENATE AMENDMENT TO S 1070

AMENDMENT TO SECTION 3

On page 3 of the printed bill, in line 5, following "tion." insert: "For the purposes of this section only, each charter school duly organized in this state shall be considered a school district, and shall receive a distribution in the same manner as a school district; provided that a charter school may apply the distribution to any project for which bonds could be issued by a school district as provided in section 33-1102, Idaho Code.".

AMENDMENTS TO SECTION 3

On page 3 of the printed bill, in line 32, delete "fifth" and insert: "tenth"; and in line 36, delete "five (5)" and insert: "ten (10)".

AMENDMENTS TO SECTION 4

On page 3 of the printed bill, in line 52, following "gains," insert: "an amount equal to"; and in line 53, following "transferred" delete "by the public employee retire"; and on page 4, in line 1, delete: "ment system" and insert: "from the existing state appropriation for public schools".

SENATE AMENDMENT TO S 1140

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 17, delete "strike" and insert: "flood"; in line 29, following "kler" insert: "or other water conveyance"; and in line 30, following "tion" insert: ", or other circumstances outside of the control of the person".

SENATE AMENDMENT TO S 1028

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in lines 9 and 10, delete "~~. "School age" is defined as including all persons resident of the state, between the ages of five (5)~~" and insert: ". "School age" is defined as including all persons resident of the state, between the ages of five (5)"; in line 11, delete "who is less than"; and also in line 11 delete "~~this section~~" and insert: "this section"; in line 12, delete "enrollment in kindergarten"; and following line 26, insert: "For a school district which conducts a prekindergarten program, "school age" shall begin at the attainment of the age of three (3) years.".

CORRECTION TO TITLE

On page 1, in line 2, delete "STRIKE" and insert: "PROVIDE"; in line 3, delete "SCHOOLS" and insert: "PREKINDERGARTEN IN SCHOOL DISTRICTS WHICH CONDUCT PREKINDERGARTEN".

SENATE AMENDMENT TO S 1142

AMENDMENTS TO SECTION 3

On page 2 of the printed bill, in line 50, following "livestock" insert: "qualifying as organically grown food products"; and in line 51, following "among" insert: "such".

CORRECTIONS TO TITLE

On page 1, in line 5, following "STANDARDS FOR" insert: "CERTAIN"; and in line 7, following "AMONG" insert: "CERTAIN".

SENATE AMENDMENT TO H 176

AMENDMENTS TO SECTION 2

On page 2 of the printed bill, in line 13, delete "~~furnishes~~ only" and insert: "furnishes,"; and also in line 13, following "leases" insert: ", whether or not for compensation or gain or promise thereof,"; in line 14, delete "~~other equipment~~ necessary tack" and insert: "other equipment"; and also in line 14, delete "~~or a fisherman~~" and insert: "or a fisherman"; in line 15, delete "on an incidental basis. Such" and insert: ". A"; and in line 16, delete "may" and insert: "so furnishing, renting or leasing a pack or saddle horse or other equipment, shall not be considered an "outfitter" or "guide" if, on an incidental basis, they".

CORRECTIONS TO TITLE

On page 1, in line 5, delete "TACK" and insert: "EQUIPMENT"; and in line 6, following "HUNTER" insert: "OR FISHERMAN".

SENATE AMENDMENT TO S 1179

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 18 through 21; and in line 22, delete "($5,000).".

SENATE AMENDMENT TO S 1152

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 10, following "sewer" delete "," and insert: "or"; and in line 11, delete ", telecommunication or cable television".

SENATE AMENDMENTS TO H 71

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 35 and 36.

AMENDMENTS TO SECTION 2

On page 2, delete lines 14 through 16; in line 17, delete "(b)" and insert: "(a)"; in line 19, delete "(c)" and insert: "(b)"; in line 20, delete "hand"; in line 28, delete "(d)" and insert: "(c)"; in line 29, delete "hand"; in line 37, delete "(e)" and insert: "(d)"; in line 38, delete "; or" and insert: "."; and delete lines 39 through 45.

CORRECTION TO TITLE

On page 1, in line 3, delete "AND "MAN-DAY"".

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 13, following "tural" insert: ", aquacultural"; also in line 13, delete ", including crude gum from a living tree and"; delete line 14; and in line 15, delete "of the crude gum from which derived".

SENATE AMENDMENT TO S 1064

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 23, delete "and other greenhouse gases"; also in line 23, following "agricultural" insert: "and timber"; in line 24, following "methods, soil" insert: "and forest"; also in line 24, following "of soil" insert: "and other land"; in line 26, following "tural" insert: "and private forest"; in line 27, following "producers" insert: ", nonindustrial private forest landowners"; in line 28, delete "director of the department of agriculture" and insert: "soil conservation commission"; in line 30, following "agricultural" insert: "and forestry"; also in line 30, following "cropland" insert: ", forest land"; in line 32, following "agricultural" insert: "and forest"; also in line 32, delete "land" and insert: "lands"; in line 33, following "agricultural" insert: "and nonindustrial private forest"; in line 34, delete "or greenhouse emissions" and insert: "sequestration"; in line 38, delete "fourteen (14)" and insert: "sixteen (16)"; also in line 38, following "by" insert: "and serve at the pleasure of"; following line 38, insert:

"(a) The chairman of the soil conservation commission or his designee;";

in line 39, delete "(a)" and insert "(b)"; and in line 40, delete "(b)" and insert: "(c)".

On page 2, in line 1, delete "(c)" and insert: "(d)"; also in line 1, following "lands" insert: "or his designee"; in line 2, delete "(d)" and insert: "(e)"; in line 4, delete "(e)" and insert: "(f)"; in line 6, delete "(f)" and insert: "(g)"; in line 9, delete "(g)" and insert: "(h)"; in line 11, delete "(h)" and insert: "(i)"; also in line 11, delete "greenhouse emissions" and insert: "carbon sequestration"; in line 13, delete "(i)" and insert: "(j)"; in line 15, delete "(j)" and insert: "(k)"; in line 16, delete "(k)" and insert: "(l)"; also in line 16, delete "and"; in line 17, delete "(l)" and insert: "(m)"; in line 18, following "organization" insert: "; and

(n) One (1) member representing nonindustrial private forest landowners";

in line 21, delete "department of agriculture" and insert: "soil conservation commission"; in line 25, delete "director of the department of agriculture" and insert: "chairman of the soil conservation commission"; in line 29, following "cultural" insert: "and nonindustrial private forest"; in line 31, following "producers" insert: "and nonindustrial private forest landowners"; in line 37, following "agricultural" insert: "and forest"; in line 40, following "agricultural" insert: "and forest"; in line 41, delete "director" and insert: "chairman"; in line 42, delete "department of agriculture" and insert: "soil conservation commission"; delete lines 45 and 46; in line 47, delete "(2)" and insert: "(1)"; in line 48, following "agricultural" insert: "and forest"; in line 49, delete "(3)" and insert: "(2)"; also in line 49, following "Agricultural" insert: "and forestry"; in line 50, delete "and minimize carbon dioxide or other greenhouse"; delete line 51, and insert: ";"; in line 52, delete "(4)" and insert: "(3)"; also in line 52, delete "and"; in line 53, delete "greenhouse emissions reductions"; and also in line 53, following "agricultural" insert: "and forestry".

On page 3, in line 1, following "agricultural" insert: "and forest"; also in line 1, delete "land and" and insert: "lands and"; in line 3, delete "and greenhouse emissions"; in line 4, delete "(5)" and insert: "(4)"; in line 5, delete "greenhouse emissions reductions or soil"; in line 6, following "agricultural" insert: "and forestry"; in line 7, delete "(6)" and insert: "(5)"; in line 9, delete "DIRECTOR" and insert: "CHAIRMAN"; in line 10, delete "director" and insert: "chairman"; also in line 10, delete "department of"; in line 11, delete "agriculture" and insert: "soil conservation commission"; also in line 11, following "agricultural" insert: "and private forest"; in line 13, following "agricultural" insert: "and forestry"; in line 14, following "agricultural" insert: "and forest"; in line 15, delete "director" and insert: "chairman"; in line 16, delete "director" and insert: "chairman"; in line 20, following "agricultural" insert: "and forest"; in line 21, following "agricultural" insert: "and forestry"; in line 22, delete "director" and insert: "chairman"; in line 23, delete "department of agriculture" and insert: "soil conservation commission"; in line 26, delete "director" and insert: "soil conservation commission"; in line 32, delete "department of"; and in line 33, delete "agriculture" and insert: "soil conservation commission".

CORRECTIONS TO TITLE

On page 1, in line 6, delete "DEPARTMENT OF AGRICULTURE" and insert: "SOIL CONSERVATION COMMISSION"; in line 8, delete "DIRECTOR OF THE DEPARTMENT OF"; in line 9, delete "AGRICULTURE" and insert: "CHAIRMAN OF THE SOIL CONSERVATION COMMISSION"; and in line 10, delete "DIRECTOR" and insert: "CHAIRMAN OF THE SOIL CONSERVATION COMMISSION".

The committee also has **H 110, S 1077, S 1156, S 1164, S 1104, S 1105,** and **S 1141** under consideration, reports progress, and begs leave to sit again.

SANDY, Chairman

On motion by Senator Sandy, seconded by Senator Stennett, the report was adopted by voice vote.

S 1014, as amended, **S 1043,** as amended, **S 1070**, as amended, **S 1140** as amended, **S 1028,** as amended, **S 1142,** as amended, **S 1179**, as amended, **S 1152**, as amended, and **S 1064,** as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto to the Judiciary and Rules Committee for printing.

H 176, as amended in the Senate, and **H 71,** as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

On request by Senator Deide, granted by unanimous consent, **S 1113** retained its place on the Third Reading Calendar for Monday, March 5, 2001.

S 1148 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bunderson, Danielson, Davis, Dunklin, Frasure, Geddes, Ipsen, Noh, Risch, Sandy, Schroeder, Stegner, Stennett, Wheeler, Whitworth. Total - 16.

NAYS--Bartlett (Branch), Boatright, Brandt, Burtenshaw, Cameron, Darrington, Deide, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Richardson, Sims, Sorensen, Thorne, Williams. Total - 19.

Total - 35.

Whereupon the President declared that **S 1148** had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:25 p.m. until the hour of 3:15 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President Pro Tempore Geddes presiding.

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

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1175 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett, Boatright, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Brandt, Cameron, Dunklin, Lee. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **S 1175** passed, title was approved, and the bill ordered transmitted to the House.

Senators Brandt and Dunklin were recorded present at this order of business.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 3:35 p.m. until the hour of 9:15 a.m., Friday, March 2, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 2, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Cameron, Darrington, Davis, Dunklin, Hawkins, Lee, Noh, Schroeder, Sorensen, Stegner, and Wheeler, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

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

Petitions, Resolutions, and Memorials

Senators Cameron, Hawkins, Schroeder, Stegner, and Wheeler were recorded present at this order of business.

SCR 113
BY FINANCE COMMITTEE
A CONCURRENT RESOLUTION
AUTHORIZING THE STATE DEPARTMENT OF WATER RESOURCES TO ENTER INTO AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY TO FINANCE THE CONSTRUCTION OF A NEW OFFICE BUILDING IN BOISE, IDAHO, FOR THE IDAHO DEPARTMENT OF WATER RESOURCES.

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

WHEREAS, the mission of the Idaho Department of Water Resources is to serve the people of Idaho and protect their welfare by ensuring that water and energy are conserved and available for the sustainability of Idaho's economy, ecosystems and resulting quality of life; and

WHEREAS, the Department of Water Resources is in need of a centrally located, efficiently designed and building code compliant main office facility that would allow it to more effectively carry out its mission; and

WHEREAS, it is in the best interest of the state for the Idaho State Building Authority to provide a new office facility for use by the Department of Water Resources.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature hereby authorizes and provides approval for the Idaho Department of Water Resources 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 for the financing and development of a new office building in Boise, Idaho, for the Idaho Department of Water Resources.

BE IT FURTHER RESOLVED that this resolution constitutes authorization required by the provisions of Section 67-6410, Idaho Code.

SCR 113 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Darrington and Davis were recorded present at this order of business.

March 2, 2001

The JUDICIARY AND RULES Committee reports that **S 1188, S 1189, S 1190, S 1191, S 1192, S 1193,** and **S 1194** have been correctly printed.

DARRINGTON, Chairman

S 1188, S 1189, and **S 1190** were referred to the Finance Committee.

S 1191 and **S 1192** were referred to the Judiciary and Rules Committee.

S 1193 was referred to the Transportation Committee.

S 1194 was referred to the State Affairs Committee.

March 1, 2001

The JUDICIARY AND RULES Committee reports that **S 1020, S 1048, S 1058,** and **SJM 102** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1020, S 1048, S 1058,** and **SJM 102** and ordered them transmitted to the House for the signature of the Speaker.

March 2, 2001

The JUDICIARY AND RULES Committee reports that **S 1014,** as amended, **S 1043,** as amended, **S 1070,** as amended, **S 1140,** as amended, **S 1028,** as amended, **S 1142,** as amended, **S 1179,** as amended, **S 1152,** as amended, and **S 1064**, as amended, have been correctly engrossed.

DARRINGTON, Chairman

S 1014, as amended, **S 1043,** as amended, **S 1070,** as amended, **S 1140,** as amended, **S 1028,** as amended, **S 1142,** as amended, **S 1179,** as amended, **S 1152,** as amended, and **S 1064**, as amended, were filed for first reading.

March 2, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1014, S 1043, S 1070, S 1140, S 1028, S 1142, H 176, S 1179, S 1152, H 71,** and **S 1064** have been correctly printed.

DARRINGTON, Chairman

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

March 1, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 101** was delivered to the Office of the Secretary of State at 3:16 p.m., March 1, 2001.

DARRINGTON, Chairman

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

March 1, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1085** was delivered to the Office of the Governor at 3:25 p.m., March 1, 2001.

DARRINGTON, Chairman

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

March 1, 2001

The FINANCE Committee reports out **H 318** with the recommendation that it do pass.

CAMERON, Chairman

H 318 was filed for second reading.

March 1, 2001

The FINANCE Committee reports out **H 54** and **H 67** with the recommendation that they do pass.

CAMERON, Chairman

H 54 and **H 67** were filed for second reading.

March 1, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1157** and **S 1158** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **S 1157** and **S 1158** were referred to the Fourteenth Order of Business, General Calendar.

March 1, 2001

The TRANSPORTATION Committee reports out **S 1094** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

FRASURE, Chairman

There being no objection, **S 1094** was referred to the Fourteenth Order of Business, General Calendar.

March 1, 2001

The TRANSPORTATION Committee reports out **H 167** and **HJM 2** with the recommendation that they do pass.

FRASURE, Chairman

H 167 was filed for second reading.

HJM 2 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 2, 2001

The JUDICIARY AND RULES Committee reports out **S 1191** with the recommendation that it do pass.

DARRINGTON, Chairman

S 1191 was filed for second reading.

March 2, 2001

The FINANCE Committee reports out **S 1188, S 1189,** and **S 1190** with the recommendation that they do pass.

CAMERON, Chairman

S 1188, S 1189, and **S 1190** were filed for second reading.

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

Messages from the Governor

March 1, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1015

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 1, 2001

Mr. President:

I transmit herewith **H 25, H 209, H 90, H 165, H 198, H 212, H 317, H 253, H 138, H 149, HJM 8, H 280, H 245, H 129, H 130, H 131,** and **H 233** which have passed the House.

JUKER, Chief Clerk

H 25, H 209, H 90, H 165, H 198, H 212, H 317, H 253, H 138, H 149, HJM 8, H 280, H 245, H 129, H 130, H 131, and **H 233** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Noh and Sorensen were recorded present at this order of business.

On request by Senator Frasure, granted by unanimous consent, **HCR 20** was recommitted to the Transportation Committee.

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

On motion by Senator Brandt, seconded by Senator Stennett, the Gubernatorial appointment of Will Judge as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

Senator Dunklin was recorded present at this order of business.

S 1195
BY FINANCE COMMITTEE
AN ACT
RELATING TO PUBLIC SCHOOL PROGRAMS FOR STUDENTS WITH LIMITED-ENGLISH PROFICIENCY; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1003D, IDAHO CODE, TO PROVIDE A PROGRAM OF LIMITED-ENGLISH PROFICIENCY EARLY INTERVENTION TO BE CONDUCTED BY SCHOOL DISTRICTS, TO PROVIDE STANDARDS FOR THE PROGRAM TO BE ADOPTED AND TO PROVIDE FOR EVALUATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1003E, IDAHO CODE, TO PROVIDE A SPECIAL DEMONSTRATION PROGRAM FOR STUDENTS FOUR YEARS OF AGE UNDER GUIDELINES ESTABLISHED BY THE DEPARTMENT OF EDUCATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1003F, IDAHO CODE, TO PROVIDE FUNDING FOR LIMITED-ENGLISH PROFICIENCY EARLY INTERVENTION PROGRAMS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1003G, IDAHO CODE, TO CREATE AN OVERSIGHT COMMITTEE TO RECEIVE RECOMMENDATIONS AND TO MAKE A REPORT; AND PROVIDING A SUNSET DATE TO THE PROVISIONS OF THIS ACT.

S 1195 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 176, as amended in the Senate, by Resources and Conservation Committee, was read the first time at length and filed for second reading.

H 71, as amended in the Senate, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

S 1014, as amended, and **S 1043**, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

S 1070, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1140, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1028, as amended, by Schroeder and Dunklin, was read the first time at length and filed for second reading.

S 1142, as amended, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

S 1179, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1152, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

S 1064, as amended, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

H 25, by Mr. Speaker, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 209, by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 90, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 165, H 198, and **H 212**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 317, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 253, H 138, and **H 149,** by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HJM 8, by Revenue and Taxation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 280, by State Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 245, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 129 and **H 130**, by Business Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 131 and **H 233**, by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 313, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1056, by Resources and Environment Committee, was read the second time at length and filed for third reading.

H 128, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1178, by State Affairs Committee, was read the second time at length and filed for third reading.

H 140, H 141, and **H 188**, by State Affairs Committee, were read the second time at length and filed for third reading.

S 1176, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 65, as amended, and **H 244**, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

S 1184, S 1185, S 1186, and **S 1187**, by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

The President called President Pro Tempore Geddes to the Chair.

S 1038, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 32.

NAYS--None.

Absent and excused--Boatright, Hawkins, Whitworth. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1038**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1051, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 33.

NAYS--None.

Absent and excused--Boatright, Whitworth. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1051**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

The President returned to the Chair.

S 1061, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ipsen, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 25.

NAYS--Andreason, Brandt, Darrington, Ingram, Keough, King-Barrutia, Schroeder, Stennett, Whitworth. Total - 9.

Absent and excused--Dunklin. Total - 1.

Total - 35.

Whereupon the President declared **S 1061**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1159, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Darrington, Frasure, Geddes, Hawkins, Ingram, Keough, Risch, Schroeder, Thorne, Whitworth, Williams. Total - 12.

NAYS--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Goedde, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Sandy, Sims, Sorensen, Stegner, Stennett, Wheeler. Total - 23.

Total - 35.

Whereupon the President declared that **S 1159**, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1144, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate.

On request by Senator Sandy, granted by unanimous consent, **S 1144**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 9:15 a.m., Monday, March 5, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 5, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Bartlett, Bunderson, Davis, Deide, Dunklin, Goedde, Lee, Noh, Sandy, Sims, Stegner, and Stennett, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Sims was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of March 1, 2001, and March 2, 2001, were read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

Senators Bartlett, Dunklin, and Goedde were recorded present at this order of business.

SCR 114
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING AND DIRECTING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF APPROPRIATE AND EFFECTIVE MEANS OF FUNDING PUBLIC SCHOOL FACILITIES.

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

WHEREAS, the Idaho Legislature recognizes the importance of the public school system and the responsibility placed upon the Legislature by the Constitution of the State of Idaho that the children of this state shall be educated in a system which is general, uniform and thorough; and

WHEREAS, a challenge to the current funding of school facilities has been and is being litigated in the courts of the state of Idaho, and while that case is still pending, clearly, the Legislature recognizes that it is incumbent upon the Legislature to seek a timely and meaningful response to the issues presented; and

WHEREAS, the court in its findings has recognized that the Legislature has before it many options to address facility needs and that there are many issues to be considered to assure that the solution is comprehensive, efficient and fair and the court has invited and urged the Legislature to address and resolve the school facilities issue; and

WHEREAS, other states have addressed this problem with programs which distribute state appropriated funds based upon a priority of projects, provide matching grants with a ratio which varies based upon the wealth of the district, provide funds to match bond proceeds, or lower the supermajority vote requirement for bond passage and that these and many other possible solutions are available and must be reviewed, studied and evaluated as to potential for use in the state of Idaho; and

WHEREAS, it is evident and beyond question that the Legislature must find a way to address the need for funding safe school buildings and that the appropriate remedy will best emerge from the legislative process; and

WHEREAS, it is expedient that the Legislature act, through this resolution, to establish a committee to consider the broad range of alternatives and provide recommendations and guidance to the Legislature to reach genuine solutions to the problems identified.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized and directed to appoint

a committee to undertake and complete a study of appropriate and effective means of funding public school facilities. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

SCR 115
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO ENTER INTO AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY TO FINANCE THE REMODEL OF AND CONSTRUCTION OF AN ADDITION TO THE EXISTING ADA COUNTY COURTHOUSE AT 514 W. JEFFERSON, BOISE, IDAHO, AND THE CONSTRUCTION OF A PARKING STRUCTURE IN THE CAPITOL MALL AREA, EXPRESSING LEGISLATIVE INTENT, AND CONSTITUTING AUTHORIZATION REQUIRED BY THE PROVISIONS OF SECTION 67-6410, IDAHO CODE.

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

WHEREAS, the state of Idaho acquired the real property and improvements (the Ada County Courthouse building) located at 514 W. Jefferson, Boise, Idaho;

WHEREAS, the state of Idaho currently leases the building to Ada County, which is scheduled to move out of the building in approximately January 2002;

WHEREAS, a recently completed Capitol Mall Master Plan shows that existing office space is being fully utilized and in order to accommodate current and future space needs, an additional facility would be needed and that the property at 514 W. Jefferson can be utilized to address such space needs;

WHEREAS, much of the infrastructure and other physical aspects of the courthouse, including HVAC, electrical, life safety and lack of ADA accommodations, make it unsuitable for efficient and effective use by the state of Idaho and the building needs to be significantly remodeled to make it ready for use and occupancy by the state of Idaho;

WHEREAS, an addition to the courthouse would provide needed space for use by the Legislature, state agencies and the judiciary, and would also provide hearing rooms for use by the Legislature and accommodate participation by Idaho's citizens;

WHEREAS, parking availability in the capitol mall area is currently insufficient, as documented in the Capitol Mall Master Plan;

WHEREAS, the Department of Administration is charged with the management of multiagency office space constructed through the Idaho State Building Authority and is directed to operate any property acquired for the capitol mall.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature hereby authorizes and provides approval for the Department of Administration 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 for the remodel and the construction of an addition to the Ada County Courthouse at 514 W. Jefferson, and the construction of a parking structure in the capitol mall area.

BE IT FURTHER RESOLVED that in authorizing the use of moneys appropriated to pay for previously issued bonds to be reallocated to pay for the issuance of new bonds for this project, it is legislative intent that the Legislature shall be consulted and involved in the allocation of space on the first three floors of the remodeled facility and that the design and configuration of such interior space in the facility as shall be allocated to the Legislature shall be developed in cooperation with, and subject to the approval of, the President Pro Tempore of the Senate and the Speaker of the House of Representatives or their designee(s).

BE IT FURTHER RESOLVED that this resolution constitutes the authorization required by the provisions of Section 67-6410, Idaho Code.

SCR 114 and **SCR 115** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Davis, Deide, and Stegner were recorded present at this order of business.

March 5, 2001

The JUDICIARY AND RULES Committee reports that **S 1195** and **SCR 113** have been correctly printed.

DARRINGTON, Chairman

S 1195 was referred to the Education Committee.

SCR 113 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 2, 2001

The HEALTH AND WELFARE Committee reports out **H 58** with the recommendation that it do pass.

IPSEN, Chairman

H 58 was filed for second reading.

March 2, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **HJM 4** with the recommendation that it do pass.

NOH, Chairman

HJM 4 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 2, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **H 42** with the recommendation that it do pass, and with the recommendation that it be placed on the Consent Calendar.

NOH, Chairman

H 42 was filed for second reading.

March 2, 2001

The JUDICIARY AND RULES Committee reports out **S 1192, H 18,** as amended, and **H 185,** as amended, with the recommendation that they do pass.

DARRINGTON, Chairman

S 1192, H 18, as amended, and **H 185,** as amended, were filed for second reading.

March 2, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 193** and **H 201** with the recommendation that they do pass.

THORNE, Chairman

H 193 and **H 201** were filed for second reading.

March 2, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 80** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **H 80** was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

March 2, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1021

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 2, 2001

Mr. President:

I transmit herewith **H 298, H 221, H 222,** and **HJM 9** which have passed the House.

JUKER, Chief Clerk

H 298, H 221, H 222, and **HJM 9** were filed for first reading.

March 2, 2001

Mr. President:

I transmit herewith Enrolled **HJM 6** and **HCR 21** for the signature of the President, and I return herewith Enrolled **S 1046** and **S 1165** which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed Enrolled **HJM 6** and **HCR 21** and ordered them returned to the House.

Enrolled **S 1046** and **S 1165** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Noh was recorded present at this order of business.

The President announced that **HJM 2** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Frasure, seconded by Senator Whitworth, **HJM 2** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

Senator Stennett was recorded present at this order of business.

S 1196
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR COMMUNITY COLLEGE SUPPORT FOR FISCAL YEAR 2002; AND EXPRESSING LEGISLATIVE INTENT REGARDING PROPERTY TAX RELIEF IN COMMUNITY COLLEGE DISTRICTS.

S 1197
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE BOARD OF LAND COMMISSIONERS FOR THE ENDOWMENT FUND INVESTMENT BOARD FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING A CONTINUOUS APPROPRIATION FOR CERTAIN COSTS; AND EXPRESSING LEGISLATIVE INTENT REGARDING THE TRANSFER OF MONEYS FROM THE EARNINGS RESERVE FUNDS TO THE INCOME FUNDS.

S 1198
BY JUDICIARY AND RULES 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.

S 1199
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO OFFENSES ON HIGHWAYS; AMENDING SECTION 49-709, IDAHO CODE, 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.

S 1200
BY JUDICIARY AND RULES 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; AND 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 IN EXCESS OF OR LESS THAN THAT CONTAINED IN THE PETITION.

S 1201
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO FRANCHISE FEES; AMENDING SECTION 50-329A, IDAHO CODE, TO PROVIDE THAT FOR CALENDAR YEAR 2001, THE AMOUNT OF FRANCHISE FEES COLLECTED BY CITIES FROM CUSTOMERS SHALL BE NO MORE THAN WAS COLLECTED IN 2000 FOR A LIKE AMOUNT OF SERVICE, WHICH AMOUNT MAY BE INCREASED BY A GROWTH FACTOR OF NOT TO EXCEED FOUR PERCENT, AND TO PROVIDE THAT PUBLIC SERVICE PROVIDERS SHALL CREDIT, REBATE OR REFUND FRANCHISE FEES TO CUSTOMERS ON BEHALF OF THE CITIES IF NECESSARY; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1196, S 1197, S 1198, S 1199, S 1200, and **S 1201** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 298, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 221 and **H 222**, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

HJM 9, by Education Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 318, by Appropriations Committee, was read the second time at length and filed for third reading.

H 54, by Bell, was read the second time at length and filed for third reading.

H 67, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 167, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1191, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1188, S 1189, and **S 1190**, by Finance Committee, were read the second time at length and filed for third reading.

H 176, as amended in the Senate, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 71, as amended in the Senate, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

S 1014, as amended, and **S 1043**, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1070, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1140, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1028, as amended, by Schroeder and Dunklin, was read the second time at length and filed for third reading.

S 1142, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

S 1179, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1152, as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1064, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Deide, granted by unanimous consent, **S 1113** retained its place on the Third Reading Calendar for Wednesday, March 7, 2001.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

On request by Senator Risch, granted by unanimous consent, **H 71**, as amended in the Senate, was placed at the head of the Third Reading Calendar for Tuesday, March 6, 2001.

S 1042, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Hawkins, Keough, Sorensen. Total - 3.

Total - 35.

Whereupon the President declared **S 1042**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1083, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Dunklin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Keough. Total - 1.

Total - 35.

Whereupon the President declared **S 1083**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1127, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Brandt, Bunderson, Danielson, Darrington, Davis, Deide, Frasure, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Sims, Sorensen, Thorne, Wheeler. Total - 24.

NAYS--Boatright, Burtenshaw, Cameron, Dunklin, Geddes, Noh, Schroeder, Stegner, Stennett, Whitworth, Williams. Total - 11.

Total - 35.

Whereupon the President declared **S 1127**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 5 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senators Ipsen, Sorensen, Stegner, Thorne, and Wheeler, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1089, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Dunklin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bunderson, Danielson, Darrington, Davis, Deide, Dunklin, Goedde, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Schroeder, Stennett, Thorne, Wheeler, Whitworth. Total - 19.

NAYS--Bartlett (Branch), Boatright, Brandt, Burtenshaw, Cameron, Frasure, Geddes, Hawkins, Ingram, Ipsen, Lee, Sims, Williams. Total - 13.

Absent and excused--Sandy, Sorensen, Stegner. Total - 3.

Total - 35.

Whereupon the President declared **S 1089**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Danielson, granted by unanimous consent, **S 1150**, as amended, retained its place on the Third Reading Calendar for one legislative day.

S 1166 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1166** passed, title was approved, and the bill ordered transmitted to the House.

S 1117 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Deide, Dunklin, Goedde, Keough, King-Barrutia, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Stegner, Stennett, Whitworth, Williams. Total - 22.

NAYS--Bartlett (Branch), Cameron, Davis, Geddes, Hawkins, Ingram, Ipsen, Lee, Richardson, Sorensen, Thorne, Wheeler. Total - 12.

Absent and excused--Frasure. Total - 1.

Total - 35.

Whereupon the President declared **S 1117** passed, title was approved, and the bill ordered transmitted to the House.

S 1132 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1132** passed, title was approved, and the bill ordered transmitted to the House.

S 1133 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1133** passed, title was approved, and the bill ordered transmitted to the House.

S 1170 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1170** passed, title was approved, and the bill ordered transmitted to the House.

S 1171 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Darrington and Stegner arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1171** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 6 p.m. until the hour of 9:15 a.m., Tuesday, March 6, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 6, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Bunderson and Danielson, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 5, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senators Bunderson and Danielson were recorded present at this order of business.

March 6, 2001

The JUDICIARY AND RULES Committee reports that **S 1196, S 1197, S 1198, S 1199, S 1200, S 1201, SCR 114,** and **SCR 115** have been correctly printed.

DARRINGTON, Chairman

S 1196 and **S 1197** were referred to the Finance Committee.

S 1198, S 1199, and **S 1200** were referred to the Local Government and Taxation Committee.

S 1201 was referred to the State Affairs Committee.

SCR 114 and **SCR 115** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 5, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1046** and **S 1165** were delivered to the Office of the Governor at 2:35 p.m., March 5, 2001.

DARRINGTON, Chairman

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

March 5, 2001

The AGRICULTURAL AFFAIRS Committee reports out **S 1040** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DEIDE, Chairman

There being no objection, **S 1040** was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2001

The STATE AFFAIRS Committee reports out **S 1194, HJM 7, H 206,** and **H 175** with the recommendation that they do pass.

SORENSEN, Chairman

S 1194, H 206, and **H 175** were filed for second reading.

HJM 7 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 5, 2001

The STATE AFFAIRS Committee reports out **H 144** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SORENSEN, Chairman

There being no objection, **H 144** was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2001

The STATE AFFAIRS Committee reports out **H 31** with the recommendation that it do pass, and with the recommendation that it be placed on the Consent Calendar.

SORENSEN, Chairman

H 31 was filed for second reading.

March 5, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1167** with the recommendation that it do pass.

THORNE, Chairman

S 1167 was filed for second reading.

March 6, 2001

The FINANCE Committee reports out **S 1196** and **S 1197** with the recommendation that they do pass.

CAMERON, Chairman

S 1196 and **S 1197** were filed for second reading.

March 6, 2001

The JUDICIARY AND RULES Committee reports out **H 247, H 249,** and **H 290** with the recommendation that they do pass.

DARRINGTON, Chairman

H 247, H 249, and **H 290** were filed for second reading.

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

Messages from the Governor

March 5, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1024 and **S 1085**

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 5, 2001

Mr. President:

I transmit herewith **H 338, H 339, H 252, H 308, H 309, H 47, H 306, H 307, H 322, H 151,** as amended, **H 35,** as amended, **H 186, HCR 26,** as amended, **H 60,** as amended, **H 213,** as amended, and **H 315,** as amended, and I return herewith **S 1091** and **S 1162**, which have passed the House.

JUKER, Chief Clerk

H 338, H 339, H 252, H 308, H 309, H 47, H 306, H 307, H 322, H 151, as amended, **H 35,** as amended, **H 186, HCR 26,** as amended, **H 60,** as amended, **H 213,** as amended, and **H 315,** as amended, were filed for first reading.

S 1091 and **S 1162** were referred to the Judiciary and Rules Committee for enrolling.

March 5, 2001

Mr. President:

I return herewith Enrolled **S 1020, S 1048, S 1058,** and **SJM 102** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1020, S 1048,** and **S 1058** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SJM 102** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SCR 113** was before the Senate for final consideration.

Moved by Senator Ingram, seconded by Senator Richardson, that **SCR 113** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth, Williams. Total - 29.

NAYS--Brandt, Frasure, Hawkins, King-Barrutia, Schroeder, Thorne. Total - 6.

Total - 35.

Whereupon the President declared **SCR 113** adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that **HJM 4** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Stennett, seconded by Senator Risch, **HJM 4** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1202
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1203
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXPRESSING LEGISLATIVE INTENT TO CLARIFY THE SCOPE OF THE APPROPRIATION.

S 1204
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1205
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2002; PROVIDING FOR THE TRANSFER OF CERTAIN FUNDS; EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO CERTAIN EXPENDITURES; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND REAPPROPRIATING FUNDS FOR THE SPECIAL LITIGATION PROGRAM.

S 1206
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2002; APPROPRIATING MONEYS FROM THE GENERAL FUND TO THE GUARDIAN AD LITEM FUND; EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO CERTAIN EXPENDITURES; AND CAPPING THE AMOUNT ALLOCATED FOR ADMINISTRATIVE OVERHEAD IN THE GUARDIAN AT LITEM PROGRAM.

S 1207
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND INCREASING THE LIMIT AUTHORIZED FOR FOREST PEST DEFICIENCY WARRANTS FROM $250,000 TO $4,000,000 FOR FISCAL YEAR 2002.

S 1208
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1209
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR THE MILITARY DIVISION FOR FISCAL YEAR 2002; GRANTING A CONTINUOUS APPROPRIATION FOR THE BUREAU OF HAZARDOUS MATERIALS' MISCELLANEOUS REVENUE FUND FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS FOR THE MILITARY DIVISION FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTION 4 OF THIS ACT.

S 1210
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE HOSPITALIZATION OF MENTALLY ILL PATIENTS; AMENDING SECTION 66-345, IDAHO CODE, TO PROVIDE THAT RESTRAINTS SHALL NOT BE APPLIED TO A PATIENT NOR SHALL A PATIENT BE SECLUDED UNLESS IT IS DETERMINED THAT SUCH RESTRAINT OR SECLUSION IS NECESSARY FOR THE PATIENT'S SAFETY OR FOR THE SAFETY OF OTHERS, TO PROVIDE THAT EVERY INSTANCE OF A RESTRAINT OR SECLUSION OF A PATIENT AND AN EVALUATION OF AND THE REASONS FOR SUCH RESTRAINT OR SECLUSION SHALL BE MADE A PART OF THE CLINICAL RECORD OF THE PATIENT UNDER THE SIGNATURE OF A LICENSED PHYSICIAN OR OTHER PRACTITIONERS LICENSED TO PRACTICE INDEPENDENTLY AS DELEGATED.

S 1211
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO GAMING; AMENDING SECTION 18-3801, IDAHO CODE, TO PROVIDE THAT THE OPERATION OF TRIBAL GAMING DEVICES ON INDIAN LANDS PURSUANT TO A CLASS III GAMING COMPACT AUTHORIZED UNDER SECTION 67-429C, IDAHO CODE, IS NOT GAMBLING AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-3810, IDAHO CODE, TO PROVIDE THAT A TRIBAL GAMING DEVICE OPERATED ON INDIAN LANDS PURSUANT TO A VALID CLASS III GAMING COMPACT AUTHORIZED UNDER SECTION 67-429C, IDAHO CODE, IS NOT A SLOT MACHINE NOR AN ELECTRONIC OR ELECTROMECHANICAL IMITATION OR SIMULATION OF ANY FORM OF CASINO GAMBLING; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-429B, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT REGARDING GAMING AND GAMBLING; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-429C, IDAHO CODE, TO PROVIDE FOR ALTERNATIVE STATE-TRIBAL GAMING COMPACTS, TO DEFINE TERMS, TO PROVIDE THAT THE GOVERNOR MAY ENTER INTO OR AMEND COMPACTS WITH INDIAN TRIBES REGARDING THE OPERATION OF TRIBAL GAMING DEVICES WITHIN CERTAIN PARAMETERS AND TO PROVIDE FOR CERTIFICATION TO THE SECRETARY OF STATE; TO PROVIDE FOR RATIFICATION AND IMPLEMENTATION PROVISIONS FOR THE COEUR D'ALENE TRIBE, THE KOOTENAI TRIBE AND THE NEZ PERCE TRIBE AND THE STATE OF IDAHO COMPACTS FOR CLASS III GAMING; AND DECLARING AN EMERGENCY.

S 1212
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF FAMILY AND COMMUNITY SERVICES FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SUBSTANCE ABUSE PREVENTION; AND TRANSFERRING MONEYS FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT TO THE SOCIAL SERVICES BLOCK GRANT FOR COMMUNITY SUPPORTED EMPLOYMENT SERVICES.

S 1213
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES AND INDEPENDENT COMMISSIONS AND COUNCILS FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1202, **S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1210, S 1211, S 1212,** and **S 1213** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 338, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 339, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 252, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 308, by State Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 309, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 47, by Hornbeck, was introduced, read the first time at length, and referred to the Transportation Committee.

H 306, H 307, and **H 322**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 151, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 35, as amended, by Mr. Speaker, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 186, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HCR 26, as amended, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 60, as amended, and **H 213**, as amended, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 315, as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 58, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 42, by Mr. Speaker, was read the second time at length and filed for third reading, Consent Calendar.

S 1192, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 18, as amended, by Mr. Speaker, was read the second time at length and filed for third reading.

H 185, as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

H 193, by Local Government Committee, was read the second time at length and filed for third reading.

H 201, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **S 1152,** as amended, was recommitted to the Local Government and Taxation Committee.

H 71, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Davis and Stegner arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Goedde, Ingram, Ipsen, Keough, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 28.

NAYS--Burtenshaw, Deide, Geddes, Hawkins, King-Barrutia, Lee, Richardson. Total - 7.

Total - 35.

Whereupon the President declared **H 71**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

S 1150, as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1150**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1172 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators King-Barrutia and Lodge arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1172** passed, title was approved, and the bill ordered transmitted to the House.

The President called President Pro Tempore Geddes to the Chair.

S 1122 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Thorne, Wheeler, Williams. Total - 31.

NAYS--Dunklin, Stennett, Whitworth. Total - 3.

Absent and excused--Stegner. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1122** passed, title was approved, and the bill ordered transmitted to the House.

S 1174 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--Hawkins. Total - 1.

Absent and excused--Stennett. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1174** passed, title was approved, and the bill ordered transmitted to the House.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 2:45 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 2:45 p.m., pursuant to recess, President Pro Tempore Geddes presiding.

Roll call showed all members present except Senators Brandt, Cameron, Frasure, and Stegner, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1147 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Brandt, Cameron, Frasure, Stegner. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **S 1147** passed, title was approved, and the bill ordered transmitted to the House.

S 1168 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Danielson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Brandt, Cameron, Frasure, Stegner. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **S 1168** passed, title was approved, and the bill ordered transmitted to the House.

Senator Frasure was recorded present at this order of business.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 3:25 p.m. until the hour of 9:15 a.m., Wednesday, March 7, 2001.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 7, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Bunderson, Dunklin, Lodge, Stegner, and Wheeler, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Bunderson was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 6, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

March 7, 2001

The JUDICIARY AND RULES Committee reports that **S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1210, S 1211, S 1212,** and **S 1213** have been correctly printed.

DARRINGTON, Chairman

S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212, and **S 1213** were referred to the Finance Committee.

S 1210 was referred to the Health and Welfare Committee.

S 1211 was referred to the State Affairs Committee.

March 6, 2001

The JUDICIARY AND RULES Committee reports that **S 1091** and **S 1162** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1091** and **S 1162** and ordered them transmitted to the House for the signature of the Speaker.

March 6, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SJM 102** was delivered to the Office of the Secretary of State at 3:20 p.m., March 6, 2001.

DARRINGTON, Chairman

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

March 6, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1020, S 1048,** and **S 1058** were delivered to the Office of the Governor at 3:30 p.m., March 6, 2001.

DARRINGTON, Chairman

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

March 6, 2001

The EDUCATION Committee reports out **H 190** with the recommendation that it be referred to the State Affairs Committee.

SCHROEDER, Chairman

There being no objection, **H 190** was re-referred to the State Affairs Committee.

March 6, 2001

The EDUCATION Committee reports out **H 317** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **H 317** was referred to the Fourteenth Order of Business, General Calendar.

March 6, 2001

The EDUCATION COMMITTEE reports out **HCR 1** and **HCR 27** with the recommendation that they do pass.

SCHROEDER, Chairman

HCR 1 and **HCR 27** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 6, 2001

The HEALTH AND WELFARE Committee reports out **H 7,** as amended, and **H 198** with the recommendation that they do pass.

IPSEN, Chairman

H 7, as amended, and **H 198** were filed for second reading.

March 6, 2001

The TRANSPORTATION Committee reports out **S 1193** and **H 214** with the recommendation that they do pass.

FRASURE, Chairman

S 1193 and **H 214** were filed for second reading.

March 6, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 38, H 39,** and **H 41** with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

ANDREASON, Chairman

H 38, H 39, and **H 41** were filed for second reading.

March 6, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 25** and **H 205** with the recommendation that they do pass.

ANDREASON, Chairman

H 25 and **H 205** were filed for second reading.

March 7, 2001

The FINANCE Committee reports out **S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212,** and **S 1213** with the recommendation that they do pass.

CAMERON, Chairman

S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212, and **S 1213** were filed for second reading.

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

Messages from the Governor

March 6, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1025

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 6, 2001

Mr. President:

I transmit herewith **H 278, H 294, H 225, H 226, HJM 5, H 184, H 246, H 345, H 22,** and **H 23**, and I return herewith **S 1078, SJM 104, SJM 103,** and **SJM 105**, which have passed the House.

JUKER, Chief Clerk

H 278, H 294, H 225, H 226, HJM 5, H 184, H 246, H 345, H 22, and **H 23** were filed for first reading.

S 1078, SJM 104, SJM 103, and **SJM 105** were referred to the Judiciary and Rules Committee for enrolling.

Senators Dunklin and Wheeler were recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On request by Senator Richardson, granted by unanimous consent, **HJM 7** retained its place on the calendar for one legislative day.

On request by Senator Risch, granted by unanimous consent, **SCR 114** was referred to the State Affairs Committee.

The President announced that **SCR 115** was before the Senate for final consideration.

Moved by President Pro Tempore Geddes, seconded by Senator Stennett, that **SCR 115** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Danielson, Darrington, Davis, Dunklin, King-Barrutia, Noh, Risch, Sandy, Sims, Sorensen, Stegner, Stennett, Whitworth. Total - 13.

NAYS--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Deide, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, Lee, Lodge, Richardson, Schroeder, Thorne, Wheeler, Williams. Total - 21.

Absent and excused--Ingram. Total - 1.

Paired and voting included in roll call:

AYE - King-Barrutia NAY - Williams

Total - 35.

Whereupon the President declared that the Senate had failed to adopt **SCR 115** and ordered the resolution filed in the office of the Secretary of the Senate.

The Senate advanced to the Eleventh Order of Business.

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

S 1214
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO THE CHILDREN'S HEALTH INSURANCE PROGRAM; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO THE CHILDREN'S HEALTH INSURANCE PROGRAM TASK FORCE RECOMMENDATIONS; EXEMPTING STATE VETERANS HOMES FROM COST LIMITS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING TRANSPORTATION RATES AT FISCAL YEAR 2000 LEVELS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING THE NUMBER OF BEDS IN MEDICAID FUNDED PRIVATE INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING RATES FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED AT FISCAL YEAR 2000 LEVELS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO GENERIC DRUGS AND DIRECTING THE DEPARTMENT TO PREPARE AND REPORT ON THE FEASIBILITY OF IMPLEMENTING A MEDICAID PREFERRED DRUG LIST; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING RATES FOR DURABLE MEDICAL EQUIPMENT AT FISCAL YEAR 2000 LEVELS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO UTILIZATION MANAGEMENT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO COPAYMENTS AND OTHER COST-SHARING METHODS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO DAY TREATMENT SERVICES PROVIDED TO CLIENTS WITH MENTAL ILLNESS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTION 16 OF THIS ACT.

S 1215
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; SUPERSEDING THE PROVISIONS OF SECTION 57-1702, IDAHO CODE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTION 6 OF THIS ACT.

S 1216
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SELF-RELIANCE PROGRAMS FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; REDIRECTING MONEYS FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT; AMENDING THE APPROPRIATION MADE IN SECTION 1, CHAPTER 390, LAWS OF 2000, TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SELF-RELIANCE PROGRAMS FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTION 6 OF THIS ACT.

S 1217
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE PUBLIC HEALTH TRUST FUND FOR THE PUBLIC HEALTH DISTRICTS FOR FISCAL YEAR 2002; AND APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC HEALTH TRUST FUND FOR THE PANHANDLE HEALTH DISTRICT FOR FISCAL YEAR 2002.

S 1218
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1219
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE LEGISLATIVE COUNCIL FOR FISCAL YEAR 2002.

S 1220
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2002; REAPPROPRIATING ANY UNEXPENDED AND UNENCUMBERED BALANCES; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

S 1221
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

S 1222
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR THE SEVERAL DESIGNATED PROGRAMS; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

S 1223
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING ANY UNEXPENDED AND UNENCUMBERED GENERAL FUND BALANCES FOR THE DESIGNATED PROGRAMS; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

S 1224
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2002; 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.

S 1225
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2002 AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1226
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1227
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2002; REAPPROPRIATING ANY UNEXPENDED AND UNENCUMBERED GENERAL FUND BALANCES; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

S 1228
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR THE IDAHO EDUCATIONAL PUBLIC BROADCASTING SYSTEM FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1214, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, **S 1221**, **S 1222**, **S 1223, S 1224, S 1225, S 1226, S 1227,** and **S 1228** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 278 and **H 294**, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 225 and **H 226**, by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HJM 5, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 184, H 246, and **H 345**, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 22 and **H 23,** by Mr. Speaker, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1194, by State Affairs Committee, was read the second time at length and filed for third reading.

H 206 and **H 175**, by State Affairs Committee, were read the second time at length and filed for third reading.

H 31, by Mr. Speaker, was read the second time at length and filed for third reading, Consent Calendar.

S 1167, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1196 and **S 1197**, by Finance Committee, were read the second time at length and filed for third reading.

H 247 and **H 249**, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

H 290, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Deide, granted by unanimous consent**, S 1113** retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Sorensen, granted by unanimous consent**, S 1179,** as amended, was recommitted to the State Affairs Committee.

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

Miscellaneous Business

On motion by Senator Sandy, seconded by Senator Whitworth, by voice vote the Senate adjourned at 12:20 p.m. until the hour of 9:15 a.m., Thursday, March 8, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 8, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Cameron, Davis, Noh, and Sorensen, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 7, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Sorensen was recorded present at this order of business.

March 8, 2001

The JUDICIARY AND RULES Committee reports that **S 1214, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, S 1222, S 1223, S 1224, S 1225, S 1226, S 1227,** and **S 1228** have been correctly printed.

DARRINGTON, Chairman

S 1214, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, S 1222, S 1223, S 1224, S 1225, S 1226, S 1227, and **S 1228** were referred to the Finance Committee.

March 7, 2001

The JUDICIARY AND RULES Committee reports that **S 1078, SJM 103, SJM 104,** and **SJM 105** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1078, SJM 103, SJM 104,** and **SJM 105** and ordered them transmitted to the House for the signature of the Speaker.

March 7, 2001

The HEALTH AND WELFARE Committee reports out **H 60,** as amended, with the recommendation that it do pass.

IPSEN, Chairman

H 60, as amended, was filed for second reading.

March 7, 2001

The HEALTH AND WELFARE Committee reports out **H 212** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

IPSEN, Chairman

There being no objection, **H 212** was referred to the Fourteenth Order of Business, General Calendar.

March 7, 2001

The JUDICIARY AND RULES Committee reports out **H 245** and **H 151**, as amended, with the recommendation that they do pass.

DARRINGTON, Chairman

H 245 and **H 151,** as amended, were filed for second reading.

March 7, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **HCR 24** with the recommendation that it be referred to the Health and Welfare Committee.

NOH, Chairman

There being no objection, **HCR 24** was re-referred to the Health and Welfare Committee.

March 7, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **H 43, H 223,** and **H 224** with the recommendation that they do pass.

NOH, Chairman

H 43, H 223, and **H 224** were filed for second reading.

March 7, 2001

The STATE AFFAIRS Committee reports out **S 1201** with the recommendation that it be referred to the Local Government and Taxation Committee.

SORENSEN, Chairman

There being no objection, **S 1201** was re-referred to the Local Government and Taxation Committee.

March 7, 2001

The STATE AFFAIRS Committee reports out **HJM 9, H 32,** and **H 251** with the recommendation that they do pass.

SORENSEN, Chairman

HJM 9 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

H 32 and **H 251** were filed for second reading.

March 8, 2001

The FINANCE Committee reports out **S 1214, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, S 1222, S 1223, S 1224, S 1225, S 1226, S 1227,** and **S 1228** with the recommendation that they do pass.

CAMERON, Chairman

S 1214, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, S 1222, S 1223, S 1224, S 1225, S 1226, S 1227, and **S 1228** were filed for second reading.

March 8, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 148, H 162,** and **H 174** with the recommendation that they do pass.

THORNE, Chairman

H 148, H 162, and **H 174** were filed for second reading.

March 8, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 275** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **H 275** was referred to the Fourteenth Order of Business, General Calendar.

March 8, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1199** with the recommendation that it be referred to the Judiciary and Rules Committee.

THORNE, Chairman

There being no objection, **S 1199** was re-referred to the Judiciary and Rules Committee.

March 8, 2001

The AGRICULTURAL AFFAIRS Committee reports out **S 1067** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DEIDE, Chairman

There being no objection, **S 1067** was referred to the Fourteenth Order of Business, General Calendar.

March 8, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 72** with the recommendation that it do pass.

DEIDE, Chairman

H 72 was filed for second reading.

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

Messages from the Governor

March 7, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John W. McHugh of Post Falls, Idaho, was reappointed as a member of the Idaho Transportation Board for a term to expire January 31, 2007.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Transportation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 7, 2001

Mr. President:

I transmit herewith **H 161, H 231, H 292, H 316,** and **H 269**, and I return herewith **S 1036**, which have passed the House.

JUKER, Chief Clerk

H 161, H 231, H 292, H 316, and **H 269** were filed for first reading.

S 1036 was referred to the Judiciary and Rules Committee for enrolling.

March 7, 2001

Mr. President:

I transmit herewith Enrolled **HJM 2** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HJM 2** and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **HJM 7**, having been held, was before the Senate for final consideration.

Moved by Senator Richardson, seconded by Senator Ingram, that **HJM 7** be adopted. The question being, "Shall the memorial be adopted?"

Roll call vote was requested by Senators Schroeder, Ingram, and Whitworth.

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Cameron, Davis, Dunklin, Lee, Noh. Total - 5.

Total - 35.

Whereupon the President declared **HJM 7** adopted, title was approved, and the memorial ordered returned to the House.

The President announced that **HCR 1** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

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

The President announced that **HCR 27** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Deide, seconded by Senator Schroeder, **HCR 27** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

Senator Cameron was recorded present at this order of business.

S 1229
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1230
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FROM THE IDAHO MILLENNIUM INCOME FUND TO THE STATE TREASURER FOR THE PURPOSES SPECIFIED FOR FISCAL YEAR 2002; APPROPRIATING MONEYS TO VARIOUS PROGRAMS; PROVIDING LEGISLATIVE INTENT TO THE CATASTROPHIC HEALTH CARE COST PROGRAM BOARD REGARDING CERTAIN EXPENDITURES; AND PROVIDING LEGISLATIVE INTENT REGARDING THE ALLOCATION OF AVAILABLE FUNDS.

S 1231
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO TORT CLAIMS AGAINST GOVERNMENTAL ENTITIES; AMENDING SECTION 6-902, IDAHO CODE, TO BROADEN THE DEFINITION OF "EMPLOYEE" TO INCLUDE CERTAIN RETIRED AND FORMER OFFICERS, EMPLOYEES AND SERVANTS.

S 1232
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO COUNTY BOUNDARIES; AMENDING SECTION 31-109, IDAHO CODE, TO REDEFINE THE BOUNDARY OF BLAINE COUNTY; AMENDING SECTION 31-136, IDAHO CODE, TO REDEFINE THE BOUNDARY OF MINIDOKA COUNTY; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1233
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO GAMBLING; AMENDING SECTION 18-3801, IDAHO CODE, TO FURTHER DEFINE GAMBLING, TO CLARIFY EXCEPTIONS TO THE DEFINITION, TO PROVIDE IMPACT ON TRIBAL GAMING AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

S 1229, S 1230, S 1231, S 1232, and **S 1233** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 161 and **H 231**, by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 292 and **H 316**, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 269, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 7, as amended, by Mr. Speaker, was read the second time at length and filed for third reading.

H 198, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1193, by State Affairs Committee, was read the second time at length and filed for third reading.

H 214, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 38, H 39, and **H 41**, by Mr. Speaker, were read the second time at length and filed for third reading, Consent Calendar.

H 25, by Mr. Speaker, was read the second time at length and filed for third reading.

H 205, by Business Committee, was read the second time at length and filed for third reading.

S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212, and **S 1213**, by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Davis was recorded present at this order of business.

On request by Senator Deide, granted by unanimous consent, **S 1113**, having been held, was recommitted to the Education Committee.

S 1169 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brandt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Geddes, Ipsen, Richardson, Risch, Sandy, Schroeder, Thorne, Williams. Total - 14.

NAYS--Andreason, Bartlett (Branch), Boatright, Danielson, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lodge, Sims, Sorensen, Stegner, Wheeler, Whitworth. Total - 18.

Absent and excused--Lee, Noh, Stennett. Total - 3.

Total - 35.

Whereupon the President declared that **S 1169** had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1111 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 33.

NAYS--Schroeder, Whitworth. Total - 2.

Total - 35.

Whereupon the President declared **S 1111** passed, title was approved, and the bill ordered transmitted to the House.

S 1114 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate.

On request by Senator Deide, **S 1114** was referred to the Fourteenth Order of Business, General Calendar.

S 1139 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Brandt, Cameron, Keough. Total - 3.

Total - 35.

Whereupon the President declared **S 1139** passed, title was approved, and the bill ordered transmitted to the House.

S 1173 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 33.

NAYS--None.

Absent and excused--Cameron, Williams. Total - 2.

Total - 35.

Whereupon the President declared **S 1173** passed, title was approved, and the bill ordered transmitted to the House.

S 1177 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **S 1177** passed, title was approved, and the bill ordered transmitted to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Danielson, Chairman of the Committee of the Whole, reported out **H 212** without recommendation and without amendment; and **S 1077, S 1156, S 1164, S 1104, S 1105, S 1157, S 1158, S 1094, S 1144**, as amended, and **S 1040**, without recommendation, amended as follows:

SENATE AMENDMENTS TO S 1077

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 40, following "with a," insert: "permanent"; in line 41, delete "disabled" and insert: "permanently disabled"; in line 43, following "as a" insert: "permanent".

AMENDMENTS TO SECTION 2

On page 3, in line 13, following "card" insert: "or an applicant for an identification card"; and also in line 13, following "with a" insert: "permanent"; in line 14, delete "disabled" and insert: "permanently disabled"; and in line 17, delete "disability" and insert: "permanent disability".

AMENDMENTS TO THE BILL

On page 1, following line 9, insert:

"SECTION 1. That Section 49-117, Idaho Code, be, and the same is hereby amended to read as follows:

49-117. DEFINITIONS -- P.

(1) "Park" or "parking" means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

(2) "Park trailer." (See "Trailer," section 49-121, Idaho Code)

(3) "Part-time salesman" means any person employed as a vehicle salesman on behalf of a dealer less than thirty (30) hours per week.

(4) "Peace officer." (See section 19-5101(d), Idaho Code)

(5) "Pedestrian" means any person afoot and any person operating a wheelchair or a motorized wheelchair.

(6) "Pedestrian path" means any path, sidewalk or way set-aside and used exclusively by pedestrians.

(7) (a) "Person" means every natural person, firm, fiduciary, copartnership, association, corporation, trustee, receiver or assignee for the benefit of creditors, political subdivision, state or federal governmental department, agency, or instrumentality, and for the purposes of chapter 22 of this title shall include a private, common or contract carrier operating a vehicle on any highway of this state.

(b) "Person with a disability" means:

(i) A person who is unable to walk two hundred (200) feet or more unassisted by another person;

(ii) A person who is unable to walk two hundred (200) feet or more without the aid of a walker, cane, crutches, braces, prosthetic device or a wheelchair; or

(iii) A person who is unable to walk two hundred (200) feet or more without great difficulty or discomfort due to the following impairments: neurological, orthopedic, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb.

(iv) For the purposes of chapters 3 and 4 of this title, a person with a permanent disability is one whose physician certifies that the person qualifies as a person with a disability pursuant to this subsection (7)(b), and further certifies that there is no expectation for a fundamental or marked change in the person's condition at any time in the future.

(8) "Personal information" means information that identifies an individual, including an individual's photograph or computerized image, social security number, driver identification number, name, address, telephone number, and medical or disability information, but does not include information on vehicular accidents, driving or equipment-related violations, the five-digit zip code of the person's address, or status of the driver's license or motor vehicle registration.

(9) "Pneumatic tire." (See "Tires," section 49-121, Idaho Code)

(10) "Pole trailer." (See "Trailer," section 49-121, Idaho Code)

(11) "Possessory lien" means a lien dependent upon possession for compensation to which a person is legally entitled for making repairs or performing labor upon, and furnishing supplies or materials for, and for the towing, storage, repair, or safekeeping of, any vehicle of a type subject to registration.

(12) "Possessory lienholder" means any person claiming a lien, that lien claimed to have accrued on a basis of services rendered to the vehicle which is the subject of the lien.

(13) "Preceding year" means, for the purposes of section 49-435, Idaho Code, a period of twelve (12) consecutive months fixed by the department, prior to July 1 of the year immediately preceding the commencement of the registration or license year for which proportional registration is sought. The department in fixing the period shall make it conform to the terms, conditions and requirements of any applicable agreement or arrangement for the proportional registration of vehicles.

(14) "Pressure regulator valve" means a device or system which governs the load distribution and controls the weight borne by a variable load suspension axle in accordance with a predetermined valve setting.

(15) "Principal place of business" means an enclosed commercial structure located within the state, easily accessible and open to the public at all reasonable times, with an improved display area large enough to display five (5) or more vehicles of the type the dealer is licensed to sell, immediately adjoining the building, and at which the business of a dealer, including the display and repair of vehicles, may be lawfully carried on in accordance with the terms of all applicable building codes, zoning and other land-use regulatory ordinances, and in which building the public shall be able to contact the dealer or his salesmen in person or by telephone at all reasonable times, and at which place of business shall be kept and maintained the books, records and files necessary to conduct the business. The principal place of business shall display an exterior sign permanently affixed to the land or building, with letters clearly visible to the major avenue of traffic. In no event shall a room or rooms in a hotel, rooming house, or apartment house building or a part of any single or multiple unit dwelling house be considered a "principal place of business" within the terms and provisions of this title unless the entire ground floor of that hotel, apartment house, or rooming house building or dwelling house be devoted principally to and occupied for commercial purposes, and the office or offices of the dealer be located on the ground floor.

(16) "Private property open to the public" means real property not owned by the federal government or the state of Idaho or any of its political subdivisions, but is available for vehicular traffic or parking by the general public with the permission of the owner or agent of the real property.

(17) "Private road" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(18) "Proof of financial responsibility" means proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of the proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of twenty-five thousand dollars ($25,000) because of bodily injury to or death of one (1) person in any one (1) accident, and, subject to the limit for one (1) person, in the amount of fifty thousand dollars ($50,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the amount of fifteen thousand dollars ($15,000) because of injury to or destruction of property of others in any one (1) accident.

(19) "Proper authority" means a public highway agency.

(20) "Public highway agency" means the state transportation department, any city, county, highway district or any other state agency which has jurisdiction over public highway systems and public rights-of-way.

(21) "Public right-of-way" means a right-of-way open to the public and under the jurisdiction of a public highway agency, where the public highway agency has no obligation to construct or maintain said right-of-way for vehicular traffic.

(22) "Public road jurisdiction" means a public highway agency.

(23) "Purchase." (See "Sell," "sold," and "buy," section 49-120, Idaho Code)";

and in line 10, delete "SECTION 1" and insert: "SECTION 2".

On page 2, following line 1, insert:

"SECTION 3. That Section 49-318, Idaho Code, be, and the same is hereby amended to read as follows:

49-318. DUPLICATE DRIVER LICENSES AND SUBSTITUTE PERMITS. (1) The holder of any instruction permit, class A, B, C, or D or seasonal driver's license which is lost or destroyed, or a licensee whose name is legally changed, may apply for a duplicate driver's license or substitute permit. A duplicate driver's license or substitute permit will be issued upon:

(a) Payment of the fee as provided in section 49-306, Idaho Code;

(b) Furnishing satisfactory proof that the permit, class A, B, C, or D or seasonal driver's license has been lost or destroyed, or that the licensee's name has been legally changed; and

(c) Furnishing proof of the applicant's identity acceptable to the examiner or the department and date of birth as set forth in a certified copy of his birth certificate when obtainable, or another document which provides evidence of a person's date of birth acceptable to the examiner or department. In the case of a name change, the applicant shall provide legal documentation acceptable to the department to verify the change.

(2) A duplicate driver's license or substitute permit shall not be issued, as provided in subsection (1) of this section, if the license or permit is suspended, revoked, canceled or disqualified in this state or any other jurisdiction or if the applicant has applied for, or has been issued, a license or permit in another jurisdiction.

(3) The holder of any instruction permit, class A, B, C or D or seasonal driver's license who requests a duplicate driver's license or substitute permit as provided in subsection (1) of this section, may request that the notation "permanently disabled" be imprinted on the permit or license and the department shall imprint "permanently disabled" on the permit or license if:

(a) The person has a permanent disability; and

(b) The person presents written certification from a licensed physician verifying that the person's stated impairment qualifies as a permanent disability as provided in section 49-117, Idaho Code; and

(c) The department determines that the person meets the requirements for issuance of a permit or license as specified in section 49-313, Idaho Code.

SECTION 4. That Section 49-319, Idaho Code, be, and the same is hereby amended to read as follows:

49-319. EXPIRATION AND RENEWAL OF DRIVER'S LICENSE. (1) Every noncommercial Idaho driver's license issued to a driver shall expire and be renewable as follows:

(a) Twenty-one (21) years of age or older shall expire on the licensee's birthday in the fourth year following the issuance of the driver's license.

(b) At the option of the applicant, for drivers twenty-one (21) years of age through sixty-two (62) years of age, the driver's license shall expire either on the licensee's birthday in the fourth year or the eighth year following the issuance of the driver's license.

(c) Every driver's license issued to a driver under eighteen (18) years of age shall expire five (5) days after the licensee's eighteenth birthday.

(d) Every driver's license issued to a driver eighteen (18) years of age but under twenty-one (21) years of age shall expire five (5) days after the licensee's twenty-first birthday.

(e) Except licenses issued to drivers under twenty-one (21) years of age, every driver's license that is not, as provided by law, suspended, revoked or disqualified in this state or any other jurisdiction shall be renewable on or before its expiration, but not more than twelve (12) months before, upon application, payment of the required fee, and satisfactory completion of the required eyesight examination.

(2) Every commercial driver's license issued to a person twenty-one (21) years of age or older shall expire on the licensee's birthday in the fourth year following issuance of the license, and any Class A, B or C license issued to a person eighteen (18), nineteen (19) or twenty (20) years of age shall expire five (5) days after the licensee's twenty-first birthday. There shall be no option for an eight-year Class A, B or C license.

(3) An applicant who is issued a driver's license in another jurisdiction after an Idaho driver's license has been issued is not eligible for renewal or a duplicate of the Idaho driver's license. The applicant may apply for a new Idaho driver's license as provided in section 49-306, Idaho Code.

(4) No knowledge test shall be required for renewal of a driver's license, except for renewal of a hazardous material endorsement. Appropriate knowledge and skill tests shall be required for an upgrade in a driver's license class or an endorsement addition. In the case of a name change, the applicant shall provide legal documentation to verify the change in accordance with department rules.

(5) Except for drivers under twenty-one (21) years of age, when a driver's license has been expired for fewer than twelve (12) months, the renewal of the driver's license shall start from the original date of expiration regardless of the year in which the application for renewal is made. If the driver's license is expired for twelve (12) months or more, the applicant shall be required to take the knowledge, skills for the class of license or endorsement being applied for, and vision tests and the application shall expire on the licensee's birthday in the fourth year following issuance of the driver's license for drivers twenty-one (21) years of age or older. At the option of the applicant, for drivers twenty-one (21) years of age through sixty-two (62) years of age, the renewed license shall expire either on the licensee's birthday in the fourth year or the eighth year following issuance.

(6) (a) If a driver's license has expired or will expire and the licensee is temporarily out-of-state except on active military duty, and the driver's license has not, as provided by law, been suspended, revoked, ~~cancelled~~ canceled, denied, refused or disqualified, the licensee may request in writing on a form prescribed by the department an extension of the driver's license. The request shall be accompanied by the fee fixed in section 49-306, Idaho Code, and the extension shall be less than a twelve (12) month period. If the department determines that an extension of the driver's license is necessary, it may issue a certificate of extension showing the date to which the expired driver's license is extended, and this certificate shall be attached to the expired driver's license. Certificates of extension are limited to two (2) per licensee.

(b) Upon returning to the state of Idaho, the licensee shall within ten (10) days, apply for a renewal of the expired driver's license and surrender the certificate of extension and the expired driver's license.

(c) A hazardous material endorsement cannot be extended.

(7) An Idaho driver's license issued to any person prior to serving on active duty in the armed forces of the United States, or a member of the immediate family accompanying such a person, if valid and in full force and effect upon entering active duty, shall remain in full force and effect and shall, upon application, be extended for a period of four (4) years so long as active duty continues, if the driver's license is not suspended, denied, disqualified, ~~cancelled~~ canceled or revoked, as provided by law, during the active duty, and the driver's license shall remain in full force and effect sixty (60) days following the date the holder is released from active duty.

(8) The department may use a mail renewal process for four-year class D licenses based on criteria established by rule.

(9) A seasonal driver's license is only valid for a one hundred eighty (180) day period from the date of issuance. Only one (1) seasonal driver's license may be obtained in any twelve (12) month period, and may only be obtained twice in a driver's lifetime.

(10) A person who applies for renewal of a license may request that the notation "permanently disabled" be imprinted on the license and the department shall imprint "permanently disabled" on the license if:

(a) The person has a permanent disability; and

(b) The person presents written certification from a licensed physician verifying that the person's stated impairment qualifies as a permanent disability as provided in section 49-117, Idaho Code; and

(c) The department determines that the person meets the requirements for issuance of a license as specified in section 49-313, Idaho Code.";

on page 2, in line 2, delete "SECTION 2" and insert: "SECTION 5"; and on page 3, following line 40, insert:

"SECTION 6. This act shall be in full force and effect on and after January 1, 2002.".

CORRECTIONS TO TITLE

On page 1, in line 2, following "AMENDING" insert: "SECTION 49-117, IDAHO CODE, TO EXPAND THE DEFINITION OF "PERSON WITH A DISABILITY" TO PROVIDE FOR A PERMANENT DISABILITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING"; in line 3, following "WITH A" insert: "PERMANENT"; in line 5, delete "PERSON HAS A DISABILITY; AND" and insert: "PERSON HAS A PERMANENT DISABILITY; AMENDING SECTION 49-318, IDAHO CODE, TO PROVIDE THAT PERSONS WITH A PERMANENT DISABILITY MAY HAVE A NOTATION IMPRINTED ON THE PERSON'S DUPLICATE DRIVER'S LICENSE OR SUBSTITUTE PERMIT

INDICATING THE PERSON HAS A PERMANENT DISABILITY IF CERTAIN REQUIREMENTS ARE MET AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-319, IDAHO CODE, TO PROVIDE THAT PERSONS WITH A PERMANENT DISABILITY WHO ARE APPLYING FOR RENEWAL OF A DRIVER'S LICENSE MAY HAVE A NOTATION IMPRINTED ON THE PERSON'S DRIVER'S LICENSE INDICATING THE PERSON HAS A PERMANENT DISABILITY IF CERTAIN REQUIREMENTS ARE MET;"; in line 6, following "WITH A" insert: "PERMANENT"; in line 7, following "HAS A" insert: "PERMANENT"; and in line 8, following "CORRECTIONS" insert: "; AND PROVIDING AN EFFECTIVE DATE".

SENATE AMENDMENTS TO S 1156

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 33, following "party" insert: "to such instrument"; delete line 35, and insert: "aries or ownership.

(3) For purposes of establishing adverse possession pursuant to this section, a person claiming adverse possession must present clear and convincing evidence that the requirements of subsections (1) or (2) of this section have been met.".

AMENDMENTS TO SECTION 2

On page 2, in line 13, following "party" insert: "to such instrument"; in line 14, following "boundaries" insert: "or ownership. Provided further, that for purposes of establishing adverse possession pursuant to this section, a person claiming adverse possession must present clear and convincing evidence that the requirements of subsection (1) or (2) of this section have been met".

AMENDMENT TO THE BILL

On page 2, following line 14, insert:

"SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval, and retroactively to January 1, 2001.".

CORRECTIONS TO TITLE

On page 1, in line 7, following "PARTY" insert: "TO SUCH INSTRUMENT"; in line 8, following "BOUNDARIES" insert: "OR OWNERSHIP, TO PROVIDE THAT A PERSON CLAIMING ADVERSE POSSESSION MUST PRESENT CLEAR AND CONVINCING EVIDENCE THAT CERTAIN REQUIREMENTS HAVE BEEN MET"; and in line 9, following "RECTIONS" insert: "; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION".

SENATE AMENDMENTS TO S 1164

AMENDMENTS TO SECTION 1

On page 3 of the printed bill, in line 12, delete "including" and insert: "~~including~~"; and in line 13, delete "magistrate judge,".

AMENDMENT TO THE BILL

On page 1, following line 6, insert:

"SECTION 1. That Chapter 22, Title 1, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 1-2220A, Idaho Code, and to read as follows:

1-2220A. REPORTING OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES -- MAGISTRATE RETENTION ELECTIONS. The provisions of sections 67-6601 through 67-6616, Idaho Code, and sections 67-6623 through 67-6629, Idaho Code, insofar as they relate to the reporting of campaign contributions and expenditures, are hereby made applicable to all magistrate retention elections except that, with the exception of section 67-6623(f), the clerk of the district court shall stand in place of the secretary of state as it relates to the provisions cited in this section.";

and in line 7, delete "1" and insert: "2".

CORRECTIONS TO TITLE

On page 1, in line 2, following "EXPENDITURES;" insert: "AMENDING CHAPTER 22, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-2220A, IDAHO CODE, TO PROVIDE THAT CERTAIN LAWS RELATING TO THE REPORTING OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES SHALL APPLY TO MAGISTRATE RETENTION ELECTIONS AND THAT THE CLERK OF THE DISTRICT COURT SHALL STAND IN PLACE OF THE SECRETARY OF STATE;"; in line 3, delete "THAT, FOR PURPOSES OF THE CHAPTER,"; and in line 4, delete "INCLUDES MAGISTRATE JUDGES".

SENATE AMENDMENT TO S 1104

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "powers" insert: "of highway districts organized under this chapter".

SENATE AMENDMENT TO S 1105

AMENDMENT TO SECTION 1

On page 3 of the printed bill, delete lines 16 through 20, and insert:

"(10) A highway district or single countywide highway district shall follow the provisions of this section when selling real or personal property which has a value in excess of five thousand dollars ($5,000) belonging to it, but not necessary for its use. The proceeds from such sale shall be paid to the highway district or single countywide highway district for its use.".

CORRECTION TO TITLE

On page 1, delete lines 3 and 4, and insert: "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 FIVE THOUSAND DOLLARS.".

SENATE AMENDMENT TO S 1157

AMENDMENTS TO SECTION 2

On page 2 of the printed bill, in line 11, following "Code," insert: "after notice as hereinafter provided,"; and following line 12, insert:

"If bonds are sold at private sale, notice of the intention to sell such bonds at private sale shall be published once in the name of the issuer in a newspaper of general circulation within the issuer's boundaries at least three (3) days prior to the time scheduled by the issuer for approving the private sale of such bonds. Failure to comply with this requirement shall not invalidate the sale of the bonds, so long as the issuer has made a good faith effort to comply.".

SENATE AMENDMENTS TO S 1158

AMENDMENTS TO SECTION 2

On page 2 of the printed bill, in line 21, following "sold" insert: ", after notice given as provided in section 57-215, Idaho Code,"; and in line 22, following "Code," insert: "or".

AMENDMENTS TO SECTION 3

On page 2, in line 30, following "PUBLICATION." insert: "(1)"; and on page 3, following line 2, insert:

"(2) If bonds are sold at private sale, notice of the intention to sell such bonds at private sale shall be published once in the name of the issuer in a newspaper of general circulation within the issuer's boundaries at least three (3) days prior to the time scheduled by the issuer for approving the private sale of such bonds. Failure to comply with this requirement shall not invalidate the sale of the bonds, so long as the issuer has made a good faith effort to comply.".

AMENDMENTS TO SECTION 6

On page 4, in line 1, delete "56" and insert: "57"; in line 3, delete "56" and insert: "57"; and in line 4, delete "56" and insert: "57".

SENATE AMENDMENT TO S 1094

AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 9, following "restraint" insert: "or the failure of the motor vehicle operator to ensure that each occupant has a safety restraint in use pursuant to subsection (1) of this section"; and in line 11, following "shall" insert: "any".

CORRECTIONS TO TITLE

On page 1, in line 8, delete "AND" and insert: ","; and in line 9, following "LAW" insert: "AND TO PROVIDE THAT FAILURE OF THE MOTOR VEHICLE OPERATOR TO ENSURE PROPER USE OF RESTRAINTS SHALL NOT BE CONSIDERED EVIDENCE OF CONTRIBUTORY OR COMPARATIVE NEGLIGENCE".

SENATE AMENDMENT TO S 1144, As Amended

AMENDMENTS TO SECTION 1

On page 2 of the engrossed bill, in line 11, delete "All" and insert: "There is hereby granted to the board of county commissioners of each of the several counties of this state the right and authority, at the county's option, to require"; and also in line 11, delete "shall" and insert: "to"; in line 16, delete "A" and insert: "If the county has exercised the authority granted in this section, a"; and in line 19, delete "The" and insert: "If the county has exercised the authority granted in this section, the".

CORRECTION TO TITLE

On page 1, in line 6, delete "REQUIRE" and insert: "PROVIDE FOR".

SENATE AMENDMENT TO S 1040

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 36, following "department." insert: "The nutrient management plan shall cover the dairy farm site and other land owned and operated by the dairy farm owner or operator. Nutrient management plans submitted to the department by the dairy farm shall include the names and addresses of each recipient of that dairy farm's livestock waste, the number of acres to which the livestock waste is applied and the amount of such livestock waste received by each recipient. The information provided in this subsection shall be available to the county in which the dairy farm, or the land upon which the livestock waste is applied, is located. If livestock waste is converted to compost before it leaves the dairy farm, only the first recipient of the compost must be listed in the nutrient management plan as a recipient of livestock waste from the dairy farm.".

CORRECTION TO TITLE

On page 1, in line 3, following "CODE," insert: "TO PROVIDE THAT NUTRIENT MANAGEMENT PLANS SHALL COVER DAIRY FARM SITES AND OTHER LANDS OWNED AND OPERATED BY DAIRY FARM OWNERS OR OPERATORS, TO PROVIDE THAT NUTRIENT MANAGEMENT PLANS SUBMITTED TO THE DEPARTMENT BY THE DAIRY FARM SHALL INCLUDE CERTAIN INFORMATION, TO PROVIDE THAT INFORMATION IN THE NUTRIENT MANAGEMENT PLAN SHALL BE AVAILABLE TO THE APPLICABLE COUNTY, TO PROVIDE THAT ONLY THE FIRST RECIPIENT OF COMPOST MUST BE LISTED IN A NUTRIENT MANAGEMENT PLAN IF LIVESTOCK WASTE IS CONVERTED TO COMPOST BEFORE IT LEAVES THE DAIRY FARM,".

The committee also has **H 110, S 1141, H 80, H 144, H 317, H 275, S 1067,** and **S 1114** under consideration, reports progress, and begs leave to sit again.

DANIELSON, Chairman

On motion by Senator Danielson, seconded by Senator Dunklin, the report was adopted by voice vote.

S 1077, as amended, **S 1156,** as amended, **S 1164,** as amended, **S 1104,** as amended, **S 1105,** as amended, **S 1157,** as amended, **S 1158,** as amended, **S 1094,** as amended, **S 1144**, as amended, as amended, and **S 1040,** as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 212 was filed for second reading.

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

Third Reading of Bills

S 1180 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth. Total - 30.

NAYS--Hawkins, Richardson, Thorne. Total - 3.

Absent and excused--Davis, Williams. Total - 2.

Total - 35.

Whereupon the President declared **S 1180** passed, title was approved, and the bill ordered transmitted to the House.

S 1181 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth. Total - 32.

NAYS--None.

Absent and excused--Davis, Stennett, Williams. Total - 3.

Total - 35.

Whereupon the President declared **S 1181** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Hawkins, granted by unanimous consent, **S 1182** retained its place at the head of the Third Reading Calendar for one legislative day.

S 1056 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 33.

NAYS--None.

Absent and excused--Boatright, Williams. Total - 2.

Total - 35.

Whereupon the President declared **S 1056** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Sorensen, granted by unanimous consent, **H 206** was referred to the Fourteenth Order of Business, General Calendar.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 2 p.m of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senators Andreason, Brandt, Bunderson, Cameron, Davis, Dunklin, Goedde, Hawkins, Ipsen, Lodge, Sorensen, and Stegner, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1178 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Sims. Total - 1.

Absent and excused--Bartlett (Branch), Cameron, Hawkins. Total - 3.

Total - 35.

Whereupon the President declared **S 1178** passed, title was approved, and the bill ordered transmitted to the House.

S 1176 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Wheeler, Williams. Total - 30.

NAYS--Stegner, Whitworth. Total - 2.

Absent and excused--Cameron, Hawkins, King-Barrutia. Total - 3.

Total - 35.

Whereupon the President declared **S 1176** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Frasure, granted by unanimous consent, **S 1184** retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Sorensen, granted by unanimous consent, **S 1185** retained its place on the Third Reading Calendar.

S 1186 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President declared **S 1186** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Frasure, granted by unanimous consent, **S 1193** was referred to the Fourteenth Order of Business, General Calendar.

S 1187 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President declared **S 1187** passed, title was approved, and the bill ordered transmitted to the House.

S 1191 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President declared **S 1191** passed, title was approved, and the bill ordered transmitted to the House.

S 1188 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Deide, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President declared **S 1188** passed, title was approved, and the bill ordered transmitted to the House.

S 1189 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Deide, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President declared **S 1189** passed, title was approved, and the bill ordered transmitted to the House.

S 1190 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Deide, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President declared **S 1190** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Sandy, granted by unanimous consent, **S 1185,** having been held, was placed before the Senate for consideration at this time.

S 1185 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Deide, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President declared **S 1185** passed, title was approved, and the bill ordered transmitted to the House.

S 1014, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Thorne, Whitworth, Williams. Total - 27.

NAYS--Ingram, Keough, Sims. Total - 3.

Absent and excused--Deide, King-Barrutia, Noh, Stennett, Wheeler. Total - 5.

Total - 35.

Whereupon the President declared **S 1014**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1043, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Deide, King-Barrutia. Total - 2.

Total - 35.

Whereupon the President declared **S 1043**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Danielson, granted by unanimous consent, **S 1070**, as amended, retained its place on the Third Reading Calendar.

S 1140, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Cameron, Danielson, Darrington, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 29.

NAYS--Burtenshaw, Davis, Hawkins, Williams. Total - 4.

Absent and excused--Deide, Noh. Total - 2.

Total - 35.

Whereupon the President declared **S 1140**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1028, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bunderson, Danielson, Dunklin, Goedde, Keough, King-Barrutia, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Wheeler, Whitworth. Total - 15.

NAYS--Bartlett (Branch), Boatright, Brandt, Burtenshaw, Cameron, Darrington, Davis, Frasure, Geddes, Hawkins, Ingram, Ipsen, Lee, Lodge, Richardson, Sims, Thorne, Williams. Total - 18.

Absent and excused--Deide, Noh. Total - 2.

Total - 35.

Whereupon the President declared that **S 1028**, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1142, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--None.

Absent and excused--Boatright, Deide, Noh, Sandy. Total - 4.

Total - 35.

Whereupon the President declared **S 1142**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1064, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Ingram, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 29.

NAYS--Hawkins. Total - 1.

Absent and excused--Cameron, Deide, Ipsen, Noh, Sandy. Total - 5.

Total - 35.

Whereupon the President declared **S 1064**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1192 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Cameron, Deide, Ipsen, Noh, Stennett. Total - 5.

Total - 35.

Whereupon the President declared **S 1192** passed, title was approved, and the bill ordered transmitted to the House.

H 62 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 29.

NAYS--None.

Absent and excused--Cameron, Deide, Hawkins, Noh, Sandy, Stennett. Total - 6.

Total - 35.

Whereupon the President declared **H 62** passed, title was approved, and the bill ordered returned to the House.

H 63 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Dunklin, Frasure, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Whitworth, Williams. Total - 29.

NAYS--None.

Absent and excused--Cameron, Deide, Geddes, Noh, Stennett, Wheeler. Total - 6.

Total - 35.

Whereupon the President declared **H 63** passed, title was approved, and the bill ordered returned to the House.

H 64 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Dunklin, Frasure, Goedde, Hawkins, Ipsen, Keough, Lee, Lodge, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 27.

NAYS--Ingram, Schroeder. Total - 2.

Absent and excused--Cameron, Deide, Geddes, King-Barrutia, Noh, Stennett. Total - 6.

Total - 35.

Whereupon the President declared **H 64** passed, title was approved, and the bill ordered returned to the House.

H 100 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Thorne, Danielson, and Risch.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except President Pro Tempore Geddes and Senators Deide, King-Barrutia, and Noh.

The President directed the Sergeant at Arms to find and present President Pro Tempore Geddes and Senators Deide, King-Barrutia, and Noh to the Senate.

President Pro Tempore Geddes and Senators Deide, King-Barrutia, and Noh were recorded present.

On request by Senator Thorne, granted by unanimous consent, the Call was lifted.

The question being, "Shall **H 100** pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 100** passed, title was approved, and the bill ordered returned to the House.

H 109 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 109** passed, title was approved, and the bill ordered returned to the House.

H 111 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Williams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 111** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 112** retained its place on the Third Reading Calendar.

H 178 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 178** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 112**, having been held, was placed before the Senate for consideration at this time.

H 112 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 112** passed, title was approved, and the bill ordered returned to the House.

H 160 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bartlett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 160** passed, title was approved, and the bill ordered returned to the House.

H 122 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 122** passed, title was approved, and the bill ordered returned to the House.

H 120 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 120** passed, title was approved, and the bill ordered returned to the House.

H 119 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 119** passed, title was approved, and the bill ordered returned to the House.

H 217 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 217** passed, title was approved, and the bill ordered returned to the House.

H 218 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 218** passed, title was approved, and the bill ordered returned to the House.

H 2 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

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

On request by Senator Danielson, granted by unanimous consent, **S 1070**, as amended, having been held, was placed before the Senate for consideration at this time.

S 1070, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Wheeler, Williams. Total - 27.

NAYS--Bartlett (Branch), Boatright, Cameron, Hawkins, Richardson, Stennett, Thorne, Whitworth. Total - 8.

Total - 35.

Whereupon the President declared **S 1070**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 6 p.m. until the hour of 9:15 a.m., Friday, March 9, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 9, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Andreason, Cameron, Danielson, Lee, Schroeder, and Wheeler, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Wheeler was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 8, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Lee was recorded present at this order of business.

March 9, 2001

The JUDICIARY AND RULES Committee reports that **S 1229, S 1230, S 1231, S 1232,** and **S 1233** have been correctly printed.

DARRINGTON, Chairman

S 1229 and **S 1230** were referred to the Finance Committee.

S 1231 was referred to the Judiciary and Rules Committee.

S 1232 and **S 1233** were referred to the State Affairs Committee.

March 8, 2001

The JUDICIARY AND RULES Committee reports that **S 1036** has been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1036** and ordered it transmitted to the House for the signature of the Speaker.

March 9, 2001

The JUDICIARY AND RULES Committee reports that **S 1077,** as amended, **S 1156,** as amended, **S 1164,** as amended, **S 1104,** as amended, **S 1105,** as amended, **S 1157,** as amended, **S 1158,** as amended, **S 1094,** as amended, **S 1144,** as amended, as amended, and **S 1040,** as amended, have been correctly engrossed.

DARRINGTON, Chairman

S 1077, as amended, **S 1156,** as amended, **S 1164,** as amended, **S 1104,** as amended, **S 1105,** as amended, **S 1157,** as amended, **S 1158,** as amended, **S 1094,** as amended, **S 1144,** as amended, as amended, and **S 1040,** as amended, were filed for first reading.

March 9, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1077, S 1156, S 1164, S 1104, S 1105, S 1157, S 1158, S 1094, S 1144,** as amended, and **S 1040** have been correctly printed.

DARRINGTON, Chairman

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

March 8, 2001

The TRANSPORTATION Committee reports out **H 270** and **H 124** with the recommendation that they do pass.

FRASURE, Chairman

H 270 and **H 124** were filed for second reading.

March 8, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 73** and **H 74** with the recommendation that they do pass.

DEIDE, Chairman

H 73 and **H 74** were filed for second reading.

March 9, 2001

The FINANCE Committee reports out **S 1229** and **S 1230** with the recommendation that they do pass.

CAMERON, Chairman

S 1229 and **S 1230** were filed for second reading.

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

Messages from the Governor

March 8, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1020, S 1046, S 1048, S 1058, S 1165

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 8, 2001

Mr. President:

I transmit herewith **H 348, HCR 31, H 346, H 340, H 232,** as amended, **H 207,** as amended, **H 180,** as amended, and **HJM 10**, and I return herewith **S 1137**, which have passed the House.

JUKER, Chief Clerk

H 348, HCR 31, H 346, H 340, H 232, as amended, **H 207,** as amended, **H 180,** as amended, and **HJM 10** were filed for first reading.

S 1137 was referred to the Judiciary and Rules Committee for enrolling.

March 8, 2001

Mr. President:

I transmit herewith Enrolled **HJM 4** for the signature of the President, and I return herewith Enrolled **S 1091** and **S 1162**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed Enrolled **HJM 4** and ordered it returned to the House.

Enrolled **S 1091** and **S 1162** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

The President announced that **HJM 9** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Richardson, seconded by Senator Ingram, **HJM 9** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1234
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1235
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES WITHIN THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1236
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1237
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO CERTAIN EXPENDITURE OF FUNDS; DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS TO THE FISH AND GAME FUND; AND DECLARING AN EMERGENCY FOR SECTION 4 OF THIS ACT.

S 1238
BY FINANCE COMMITTEE
AN ACT
EXPRESSING LEGISLATIVE INTENT; PROVIDING FOR THE REDUCTION OF APPROPRIATIONS FOR VARIOUS DEPARTMENTS, AGENCIES AND INSTITUTIONS FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

S 1239
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND PROVIDING FOR THE TRANSFER OF MONEYS FOR AN AQUIFER RECHARGE STRUCTURE FOR FISCAL YEAR 2002; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2001; APPROPRIATING AND PROVIDING FOR THE TRANSFER OF MONEYS TO THE REVOLVING DEVELOPMENT FUND AND THE WATER MANAGEMENT FUND; AND DECLARING AN EMERGENCY FOR SECTIONS 4 AND 5 OF THIS ACT.

S 1240
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1234, S 1235, S 1236, S 1237, S 1238, S 1239, and **S 1240** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1077, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

S 1156, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

S 1164, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1104, as amended, and **S 1105,** as amended, by Transportation Committee, were read the first time at length and filed for second reading.

S 1157, as amended, and **S 1158**, as amended, by Local Government and Taxation Committee, were read the first time at length and filed for second reading.

S 1094, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

S 1144, as amended, as amended, and **S 1040**, as amended, by Agricultural Affairs Committee, were read the first time at length and filed for second reading.

H 348, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 31, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 346, H 340, and **H 207**, as amended, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 232, as amended, by Business Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 180, as amended, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

HJM 10, by Revenue and Taxation Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Danielson was recorded present at this order of business.

H 60, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 245 and **H 151**, as amended, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

H 43, by Mr. Speaker, was read the second time at length and filed for third reading.

H 223 and **H 224**, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

H 32, by Mr. Speaker, was read the second time at length and filed for third reading.

H 251, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1214, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, S 1222, S 1223, S 1224, S 1225, S 1226, S 1227, and **S 1228**, by Finance Committee, were read the second time at length and filed for third reading.

H 148, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 162, by Local Government Committee, was read the second time at length and filed for third reading.

H 174, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 72, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 212, by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1182, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Bartlett (Branch), Lee, Schroeder. Total - 3.

Absent and excused--Davis. Total - 1.

Total - 35.

Whereupon the President declared **S 1182** passed, title was approved, and the bill ordered transmitted to the House.

The President announced that Senator Sorensen had requested and received an excused absence for the remainder of this legislative day.

S 1184, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Senator Schroeder requested unanimous consent that **S 1184** be held on the Third Reading Calendar for one legislative day. Senator Ingram objected.

Moved by Senator Schroeder, seconded by Senator Stegner, that **S 1184** be held on the Third Reading Calendar for March 12, 2001. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Frasure, Schroeder, Sims, Stegner, Whitworth, Williams. Total - 9.

NAYS--Andreason, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Stennett, Thorne, Wheeler. Total - 25.

Absent and excused--Sorensen. Total - 1.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that the motion to hold **S 1184** on the Third Reading Calendar for March 12, 2001, did not prevail.

The question being, "Shall **S 1184** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Stennett, Thorne, Wheeler. Total - 25.

NAYS--Bartlett (Branch), Brandt, Frasure, Hawkins, Ipsen, Schroeder, Stegner, Whitworth, Williams. Total - 9.

Absent and excused--Sorensen. Total - 1.

Total - 35.

Whereupon the President declared **S 1184** passed, title was approved, and the bill ordered transmitted to the House.

S 1194 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Bunderson, Cameron, Danielson, Darrington, Dunklin, Geddes, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Thorne, Wheeler. Total - 21.

NAYS--Bartlett (Branch), Brandt, Burtenshaw, Davis, Deide, Frasure, Goedde, Ipsen, Schroeder, Stegner, Stennett, Whitworth, Williams. Total - 13.

Absent and excused--Sorensen. Total - 1.

Total - 35.

Whereupon the President declared **S 1194** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Thorne, granted by unanimous consent, **S 1167** retained its place on the Third Reading Calendar for Monday, March 12, 2001.

S 1196 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Hawkins. Total - 1.

Absent and excused--Darrington, King-Barrutia, Sorensen. Total - 3.

Total - 35.

Whereupon the President declared **S 1196** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 9:15 a.m., Monday, March 12, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 12, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Dunklin, King-Barrutia, Noh, Sandy, Schroeder, Stennett, and Williams, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Dunklin, Stennett, and Williams were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 9, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Schroeder was recorded present at this order of business.

March 12, 2001

The JUDICIARY AND RULES Committee reports that **S 1234, S 1235, S 1236, S 1237, S 1238, S 1239,** and **S 1240** have been correctly printed.

DARRINGTON, Chairman

S 1234, S 1235, S 1236, S 1237, S 1238, S 1239, and **S 1240** were referred to the Finance Committee.

March 9, 2001

The JUDICIARY AND RULES Committee reports that **S 1137** has been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1137** and ordered it transmitted to the House for the signature of the Speaker.

March 9, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1091** and **S 1162** were delivered to the Office of the Governor at 3 p.m., March 9, 2001.

DARRINGTON, Chairman

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

March 9, 2001

The EDUCATION Committee reports out **S 1195** with the recommendation that it do pass.

SCHROEDER, Chairman

S 1195 was filed for second reading.

March 9, 2001

The EDUCATION Committee reports out **S 1116** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **S 1116** was referred to the Fourteenth Order of Business, General Calendar.

March 9, 2001

The HEALTH AND WELFARE Committee reports out **HCR 26,** as amended, and **H 165** with the recommendation that they do pass.

IPSEN, Chairman

HCR 26, as amended, was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

H 165 was filed for second reading.

March 9, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 28,** as amended, **H 27,** and **H 30** with the recommendation that they do pass, and with the recommendation that **H 28,** as amended, and **H 27** be placed on the Consent Calendar.

ANDREASON, Chairman

H 28, as amended, **H 27,** and **H 30** were filed for second reading.

March 9, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **H 221** with the recommendation that it do pass.

NOH, Chairman

H 221 was filed for second reading.

March 9, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 35,** as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, **H 35,** as amended, was referred to the Fourteenth Order of Business, General Calendar.

March 9, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 186** with the recommendation that it do pass.

ANDREASON, Chairman

H 186 was filed for second reading.

March 9, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 237** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, **H 237** was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2001

The FINANCE Committee reports out **S 1234, S 1235, S 1236, S 1237, S 1238, S 1239,** and **S 1240** with the recommendation that they do pass.

CAMERON, Chairman

S 1234, S 1235, S 1236, S 1237, S 1238, S 1239, and **S 1240** were filed for second reading.

March 12, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1198** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **S 1198** was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 149** and **H 308** with the recommendation that they do pass.

THORNE, Chairman

H 149 and **H 308** were filed for second reading.

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

Messages from the House

Senators King-Barrutia and Sandy were recorded present at this order of business.

March 9, 2001

Mr. President:

I transmit herewith **H 299** and **H 300,** as amended, which have passed the House.

JUKER, Chief Clerk

H 299 and **H 300,** as amended, were filed for first reading.

March 9, 2001

Mr. President:

I return herewith Enrolled **S 1078, SJM 103, SJM 104,** and **SJM 105** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1078** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SJM 103, SJM 104,** and **SJM 105** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

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

S 1241
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1242
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO OFFICER ALLOCATION; AND EXPRESSING LEGISLATIVE INTENT WITH REGARD TO THE IDAHO STATE POLICE ENFORCING THE PROVISIONS OF THE PREVENTION OF MINORS' ACCESS TO TOBACCO DURING FISCAL YEAR 2002.

S 1243
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1244
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTION 3 OF THIS ACT.

S 1245
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; PROVIDING THAT THE STATE CONTROLLER SHALL

MAKE TRANSFERS TO THE ENVIRONMENTAL REMEDIATION FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION FUND AND REQUIRING AN ANNUAL REPORT; EXEMPTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY FROM THE TEN PERCENT TRANSFER BETWEEN PROGRAMS LIMITATION; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO STATE MATCH; APPROPRIATING AND AUTHORIZING THE TRANSFER OF GENERAL FUND MONEYS TO THE AIR QUALITY PERMITTING FUND; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2001; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO HIRING CONTRACTORS; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTIONS 8, 9, 10 AND 11 OF THIS ACT.

S 1241, S 1242, S 1243, S 1244, and **S 1245** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 299 and **H 300**, as amended, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Stennett, granted by unanimous consent, **S 1040**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

Senator Noh was recorded present at this order of business.

H 270 and **H 124**, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 73 and **H 74**, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

S 1229 and **S 1230**, by Finance Committee, were read the second time at length and filed for third reading.

S 1077, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

S 1156, as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1164, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1104, as amended, and **S 1105**, as amended, by Transportation Committee, were read the second time at length 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 at length and filed for third reading.

S 1094, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

S 1144, as amended, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1167, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Thorne and Wheeler arose as co-sponsors of the bill and opened the debate.

Moved by Senator Frasure, seconded by Senator Whitworth, that **S 1167** be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senators Frasure, Whitworth, and Hawkins.

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Burtenshaw, Davis, Frasure, Geddes, Goedde, Hawkins, Keough, King-Barrutia, Lodge, Richardson, Risch, Schroeder, Sims, Whitworth, Williams. Total - 18.

NAYS--Andreason, Bunderson, Cameron, Danielson, Darrington, Deide, Dunklin, Ingram, Ipsen, Lee, Noh, Sandy, Sorensen, Stegner, Stennett, Thorne, Wheeler. Total - 17.

Total - 35.

Whereupon the President declared that the motion had prevailed, and **S 1167** was referred to the Fourteenth Order of Business, General Calendar.

S 1197 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate.

The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1197** passed, title was approved, and the bill ordered transmitted to the House.

S 1202 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1202** passed, title was approved, and the bill ordered transmitted to the House.

S 1203 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1203** passed, title was approved, and the bill ordered transmitted to the House.

S 1204 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1204** passed, title was approved, and the bill ordered transmitted to the House.

S 1205 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1205** passed, title was approved, and the bill ordered transmitted to the House.

S 1206 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1206** passed, title was approved, and the bill ordered transmitted to the House.

S 1207 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1207** passed, title was approved, and the bill ordered transmitted to the House.

S 1208 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1208** passed, title was approved, and the bill ordered transmitted to the House.

S 1209 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1209** passed, title was approved, and the bill ordered transmitted to the House.

S 1212 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Hawkins, Thorne. Total - 2.

Absent and excused--Dunklin, Geddes. Total - 2.

Total - 35.

Whereupon the President declared **S 1212** passed, title was approved, and the bill ordered transmitted to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Danielson, Chairman of the Committee of the Whole, reported out **H 144, S 1067, S 1114, S 1193, H 237, S 1040,** as amended, **S 1116,** and **H 206** without recommendation, amended as follows:

SENATE AMENDMENT TO H 144

AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 6, delete "of"; in line 7, delete "that person." and insert: ". A "previously obtained account number telemarketing call" does not include a call to or from a current customer of the telemarketer to renew or extend, inquire about or add goods or services if the customer has previously provided account information for billing purposes to the telemarketer and the telemarketer clearly and conspicuously discloses that such renewal or extension, or additional goods or services, will be debited to the same account."; in line 18, following "authorization," insert: "either (i)"; also in line 18, delete "telemarketer," and insert: "telemarketer"; in line 20, following "recorded" insert: "or (ii) the account holder must disclose the last four (4) digits of the account holder's account number if the telemarketer has reasonable procedures in effect to verify that such digits as provided by the account holder match the last four digits of the account to be charged"; and following line 22, insert:

"(4) (a) In the case where a telemarketer utilizes a voice response unit, whether inbound or outbound, an account holder may give authorization by providing the last four (4) digits of the account holder's account number, an account number previously assigned to the account holder by the telemarketer, or an alternate unique identifier which enables the telemarketer to verify or confirm the account holder's authorization; provided however, that the information set forth in subsection (1)(c) of this section must first be clearly and conspicuously disclosed to the account holder.

(b) For purposes of this subsection, "voice response unit" means a device which allows a user to provide or obtain information from a computer system using touch-tone input or speech input.".

SENATE AMENDMENT TO S 1067

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 22, following "REQUIRED --" insert: "CERTAIN"; also in line 22, delete "OF ADEQUATE"; in line 23, delete "WATER".

On page 2, in line 11, delete "(a)"; also in line 11, delete "or renew"; following line 13, insert:

"(a) A certified letter, supplied by the board of county commissioners, certifying the new or expanding dairy farm's compliance with applicable county livestock ordinances; and";

in line 14, delete "(i)" and insert: "(b)"; in line 15, following "farm;" insert: "or"; in line 16, delete "(ii)" and insert: "(c)"; in line 19, delete "(iii)" and insert: "(d)"; delete lines 23 through 45; in line 46, delete "(6)" and insert: "(5)"; in line 48, following "existing" insert: ", legally permitted"; also in line 48, following "increases" insert: ", or applies to increase,"; and in line 49, delete "after the effective date of this act" and insert: "beyond the number for which it is permitted under applicable county livestock ordinances or increases, or applies to increase, the waste containment system".

CORRECTIONS TO TITLE

On page 1, in line 3, following "PRESENT" insert: "A CERTIFIED LETTER THAT THE DAIRY FARM COMPLIES WITH APPLICABLE COUNTY LIVESTOCK ORDINANCES AND CERTAIN"; in line 5, delete "OR RENEWAL"; in line 6, delete ", TO REQUIRE THE PRESENTATION OF EVIDENCE OF"; delete lines 7 through 15; and in line 16, delete "THE REQUIREMENTS OF A SITING PERMIT".

SENATE AMENDMENT TO S 1114

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 20, delete "22,000" and insert: "23,210"; on page 2, in line 3, delete "32,000" and insert: "33,760"; and in line 8, delete "17,500" and insert: "18,463".

SENATE AMENDMENTS TO S 1193

AMENDMENT TO SECTION 3

On page 2 of the printed bill, delete lines 17 through 19, and insert: "years~~, and during his tenure of office no member shall hold or occupy any elective or other appointive office, federal, state, county or municipal, or any office in any political party~~.".

AMENDMENT TO SECTION 4

On page 2, in lines 31 and 32, delete ", and no member shall be appointed to more than two (2) consecutive five (5) year terms".

CORRECTIONS TO TITLE

On page 1, in line 10, following "PARTY" insert: ", TO DELETE THE PROHIBITION REGARDING CERTAIN OTHER OFFICES"; and delete lines 12 and 13, and insert: "BOARD, TO INCREASE THE TERM OF OFFICE TO FIVE YEARS, TO".

SENATE AMENDMENT TO H 237

AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 37, following "(13)" insert: "(A)"; in line 38, following "described in" insert: "(i)"; and also in line 38, delete "or (2), as amended from time to"; and in line 39, delete "time" and insert: "~~, as amended from time to time~~ and (ii) on and after the effective date of this chapter, in 26 U.S.C. section 104(a)(2), as those sections may be amended from time to time. Notwithstanding the foregoing, this chapter (other than sections 28-9-406(d) and 28-9-408(a) and (c), Idaho Code, in the case of transfers made on and after the effective date of this chapter) shall apply to such compensation as described in 26 U.S.C. section 104(a)(2) if the sale, pledge, assignment or other transfer of rights to receive such compensation under a structured settlement is approved by the final order of a court pursuant to, and otherwise complies with, the requirements of paragraph (B) of this subsection.

(B) (i) Definitions. For purposes of this subsection:

1. "annuity issuer" means an insurer that has issued a contract to fund periodic payments under a structured settlement;

2. "dependents" include a payee's spouse and minor children and all other persons for whom the payee is legally obligated to provide support, including alimony;

3. "discounted present value" means the present value of future payments determined by discounting such payments to the present using the most recently published applicable federal rate for determining the present value of an annuity, as issued by the United States internal revenue service;

4. "gross advance amount" means the sum payable to the payee or for the payee's account as consideration for a transfer of structured settlement payment rights before any reductions for transfer expenses or other deductions to be made from such consideration;

5. "independent professional advice" means advice of an attorney, certified public accountant, actuary or other licensed professional adviser;

6. "interested parties" means, with respect to any structured settlement, the payee, any beneficiary irrevocably designated under the annuity contract to receive payments following the payee's death, the annuity issuer, the structured settlement obligor, and any other party that has continuing rights or obligations under such structured settlement;

7. "net advance amount" means the gross advance amount less the aggregate amount of the actual and estimated transfer expenses required to be disclosed under paragraph (B)(ii)5. of this subsection;

8. "payee" means an individual who is receiving tax free payments under a structured settlement and proposes to make a transfer of payment rights thereunder;

9. "periodic payments" includes both recurring payments and scheduled future lump sum payments;

10. "qualified assignment agreement" means an agreement providing for a qualified assignment within the meaning of 26 U.S.C. section 130, as amended from time to time;

11. "settled claim" means the original tort claim resolved by a structured settlement;

12. "structured settlement" means an arrangement for periodic payment of damages for personal injuries or sickness established by settlement or judgment in resolution of a tort claim;

13. "structured settlement agreement" means the agreement, judgment, stipulation, or release embodying the terms of a structured settlement;

14. "structured settlement obligor" means, with respect to any structured settlement, the party that has the continuing obligation to make periodic payments to the payee under a structured settlement agreement or a qualified assignment agreement;

15. "structured settlement payment rights" means rights to receive periodic payments under a structured settlement, whether from the structured settlement obligor or the annuity issuer, where:

A. the payee is domiciled in, or the domicile or principal place of business of the structured settlement obligor or the annuity issuer is located in, this state; or

B. the structured settlement agreement was approved by a court in this state; or

C. the structured settlement agreement is expressly governed by the laws of this state;

16. "terms of the structured settlement" include, with respect to any structured settlement, the terms of the structured settlement agreement, the annuity contract, any qualified assignment agreement and any order or other approval of any court or other government authority that authorized or approved such structured settlement;

17. "transfer" means any sale, assignment, pledge, hypothecation or other alienation or encumbrance of structured settlement payment rights made by a payee for consideration; provided that the term "transfer" does not include the creation or perfection of a security interest in structured settlement payment rights under a blanket security agreement entered into with an insured depository institution, in the absence of any action to redirect the structured settlement payments to such insured depository institution, or an agent or successor in interest thereof, or otherwise to enforce such blanket security interest against the structured settlement payment rights;

18. "transfer agreement" means the agreement providing for a transfer of structured settlement payment rights;

19. "transfer expenses" means all expenses of a transfer that are required under the transfer agreement to be paid by the payee or deducted from the gross advance amount, including, without limitation, court filing fees, attorney's fees, escrow fees, lien recordation fees, judgment and lien search fees, finder's fees, commissions, and other payments to a broker or other intermediary; "transfer expenses" do not include preexisting obligations of the payee payable for the payee's account from the proceeds of a transfer;

20. "transferee" means a party acquiring or proposing to acquire structured settlement payment rights through a transfer.

(ii) Required disclosures to payee. Not less than three (3) days prior to the date on which a payee signs a transfer agreement, the transferee shall provide to the payee a separate disclosure statement, in bold type no smaller than fourteen (14) points, setting forth:

1. the amounts and due dates of the structured settlement payments to be transferred;

2. the aggregate amount of such payments;

3. the discounted present value of the payments to be transferred, which shall be identified as the "calculation of current value of the transferred structured settlement payments under federal standards for valuing annuities," and the amount of the applicable federal rate used in calculating such discounted present value;

4. the gross advance amount;

5. an itemized listing of all applicable transfer expenses, other than attorney's fees and related disbursements payable in connection with the transferee's application for approval of the transfer, and the transferee's best estimate of the amount of any such fees and disbursements;

6. the net advance amount;

7. the amount of any penalties or liquidated damages payable by the payee in the event of any breach of the transfer agreement by the payee; and

8. a statement that the payee has the right to cancel the transfer agreement, without penalty or further obligation, not later than the third business day after the date the agreement is signed by the payee.

(iii) Approval of transfers of structured settlement payment rights.

1. No direct or indirect transfer of structured settlement payment rights shall be effective and no structured settlement obligor or annuity issuer shall be required to make any payment directly or indirectly to any transferee of structured settlement payment rights unless the transfer has been approved in advance in a final court order based on express findings by such court that:

A. the transfer is in the best interest of the payee, taking into account the welfare and support of the payee's dependents;

B. the payee has been advised in writing by the transferee to seek independent professional advice regarding the transfer and has either received such advice or knowingly waived such advice in writing; and

C. the transfer does not contravene any applicable statute or the order of any court or other government authority.

(iv) Effects of transfer of structured settlement payment rights. Following a transfer of structured settlement payment rights under this subsection:

1. The structured settlement obligor and the annuity issuer shall, as to all parties except the transferee, be discharged and released from any and all liability for the transferred payments;

2. The transferee shall be liable to the structured settlement obligor and the annuity issuer:

A. if the transfer contravenes the terms of the structured settlement, for any taxes incurred by such parties as a consequence of the transfer; and

B. for any other liabilities or costs, including reasonable costs and attorney's fees, arising from compliance by such parties with the order of the court or arising as a consequence of the transferee's failure to comply with this subsection;

3. Neither the annuity issuer nor the structured settlement obligor may be required to divide any periodic payment between the payee and any transferee or assignee or between two (2) or more transferees or assignees; and

4. Any further transfer of structured settlement payment rights by the payee may be made only after compliance with all of the requirements of this subsection.

(v) Procedure for approval of transfers.

1. An application under this subsection for approval of a transfer of structured settlement payment rights shall be made by the transferee and may be brought in the county in which the payee resides, in the county in which the structured settlement obligor or the annuity issuer maintains its principal place of business, or in any court which approved the structured settlement agreement.

2. Not less than twenty (20) days prior to the scheduled hearing on any application for approval of a transfer of structured settlement payment rights under paragraph (B)(iii) of this subsection, the transferee shall file with the court and serve on all interested parties a notice of the proposed transfer and the application for its authorization, including with such notice:

A. a copy of the transferee's application;

B. a copy of the transfer agreement;

C. a copy of the disclosure statement required under paragraph (B)(ii) of this subsection;

D. a listing of each of the payee's dependents, together with each dependent's age;

E. notification that any interested party is entitled to support, oppose or otherwise respond to the transferee's application, either in person or by counsel, by submitting written comments to the court or by participating in the hearing; and

F. notification of the time and place of the hearing and notification of the manner in which and the time by which written responses to the application must be filed (which shall be not less than fifteen (15) days after service of the transferee's notice) in order to be considered by the court.

(vi) General provisions -- construction.

1. The provisions of this subsection may not be waived by any payee.

2. Any transfer agreement entered into on or after the effective date of this subsection by a payee who resides in this state shall provide that disputes under such transfer agreement, including any claim that the payee has breached the agreement, shall be determined in and under the laws of this state. No such transfer agreement shall authorize the transferee or any other party to confess judgment or consent to entry of judgment against the payee.

3. No transfer of structured settlement payment rights shall extend to any payments that are life-contingent unless, prior to the date on which the payee signs the transfer agreement, the transferee has established and has agreed to maintain procedures reasonably satisfactory to the annuity issuer and the structured settlement obligor for (i) periodically confirming the payee's survival, and (ii) giving the annuity issuer and the structured settlement obligor prompt written notice in the event of the payee's death.

4. No payee who proposes to make a transfer of structured settlement payment rights shall incur any penalty, forfeit any application fee or other payment, or otherwise incur any liability to the proposed transferee or any assignee based on any failure of such transfer to satisfy the conditions of this subsection.

5. Nothing contained in this subsection shall be construed to authorize any transfer of structured settlement payment rights in contravention of any law or to imply that any transfer under a transfer agreement entered into prior to the effective date of this subsection is valid or invalid.

6. Compliance with the requirements set forth in paragraph (B)(ii) of this subsection and fulfillment of the conditions set forth in paragraph (B)(iii) of this subsection shall be solely the responsibility of the transferee in any transfer of structured settlement payment rights, and neither the structured settlement obligor nor the annuity issuer shall bear any responsibility for, or any liability arising from, noncompliance with such requirements or failure to fulfill such conditions.

(vii) Effective date. This subsection shall apply to any transfer of structured settlement payment rights under a transfer agreement entered into on or after the thirtieth day after the date of enactment of this subsection; provided however, that nothing contained herein shall imply that any transfer under a transfer agreement reached prior to such date is either effective or ineffective".

CORRECTION TO TITLE

On page 1, in line 5, delete "WORKER'S".

SENATE AMENDMENT TO S 1040, As Amended

AMENDMENT TO SECTION 1

On page 2 of the engrossed bill, delete lines 17 through 25.

CORRECTIONS TO TITLE

On page 1, in line 8, delete "COUNTY," and insert: "COUNTY AND"; in line 10, delete ", TO PROVIDE THAT NUTRI-"; and delete lines 11 through 13 and insert: ".".

SENATE AMENDMENT TO S 1116

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 26, following "grade." insert: "Notwithstanding the statewide reading achievement goals provided herein, an individual school building will also be deemed to have met the achievement goal if the percentage reading at or above grade level is five percent (5%) or more greater than the percentage for the immediately preceding year."; in line 31, delete "state standard" and insert: "achievement goal"; in line 35, delete "issued a warning" and insert: "notified"; and in line 37, delete "will" and insert: "may".

SENATE AMENDMENT TO H 206

AMENDMENTS TO THE BILL

On page 1 of the printed bill, delete lines 16 through 34 and in line 35, delete "SECTION 2" and insert: "SECTION 1".

On page 2, delete lines 9 through 28; and in line 29, delete "SECTION 5" and insert: "SECTION 2".

On page 3, in line 4, delete "SECTION 6" and insert: "SECTION 3"; and in line 40, delete "SECTION 7" and insert: "SECTION 4".

On page 4, in line 25, delete "SECTION 8" and insert: "SECTION 5".

CORRECTION TO TITLE

On page 1, delete lines 2 through 9, and insert: "RELATING TO ADMINISTRATION OF ELECTIONS; AMENDING SECTION 34-702A, IDAHO CODE, TO GOVERN THE METHOD OF WRITE-IN VOTES ON OPTICAL SCAN BALLOTS; AMENDING SECTION 34-904, IDAHO".

The committee also has **H 110, S 1141, H 80, H 317, H 275, S 1198, S 1167,** and **H 35,** as amended, under consideration, reports progress, and begs leave to sit again.

DANIELSON, Chairman

On motion by Senator Danielson, seconded by Senator Stennett, the report was adopted by voice vote.

S 1067, as amended, **S 1114,** as amended, **S 1193,** as amended, **S 1040,** as amended, as amended, and **S 1116,** as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto to the Judiciary and Rules Committee for printing.

H 144, as amended in the Senate**, H 237**, as amended in the Senate**,** and **H 206**, as amended in the Senate**,** were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

S 1213 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Hawkins. Total - 1.

Total - 35.

Whereupon the President declared **S 1213** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Cameron, granted by unanimous consent, **S 1214** retained its place on the Third Reading Calendar for Friday, March 16, 2001.

S 1215 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Dunklin. Total - 1.

Total - 35.

Whereupon the President declared **S 1215** passed, title was approved, and the bill ordered transmitted to the House.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 5 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except President Pro Tempore Geddes and Senators Sandy and Thorne, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1216 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sims, Sorensen, Stegner, Wheeler, Williams. Total - 28.

NAYS--Dunklin, Schroeder, Stennett, Whitworth. Total - 4.

Absent and excused--Geddes, Sandy, Thorne. Total - 3.

Total - 35.

Whereupon the President declared **S 1216** passed, title was approved, and the bill ordered transmitted to the House.

S 1217 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Geddes, Sandy, Thorne. Total - 3.

Total - 35.

Whereupon the President declared **S 1217** passed, title was approved, and the bill ordered transmitted to the House.

S 1218 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1218** passed, title was approved, and the bill ordered transmitted to the House.

S 1219 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1219** passed, title was approved, and the bill ordered transmitted to the House.

S 1220 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1220** passed, title was approved, and the bill ordered transmitted to the House.

S 1221 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1221** passed, title was approved, and the bill ordered transmitted to the House.

S 1222 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1222** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Whitworth, by voice vote the Senate adjourned at 6 p.m. until the hour of 9:15 a.m., Tuesday, March 13, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 13, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senator Sims, absent and formally excused by the Chair; and Senators Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Hawkins, Noh, Sorensen, and Stennett, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Davis was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 12, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

Senators Dunklin and Stennett were recorded present at this order of business.

SJM 106
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL
TO THE PRESIDENT OF THE UNITED STATES, SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Softwood Lumber Agreement entered into by the United States and Canada in 1996 will expire in March 2001; and

WHEREAS, this agreement was crafted because the provinces of Canada, which own most Canadian timber, sell at prices that can be set below market value; and

WHEREAS, these practices have fueled shipments to the United States to the point that subsidized Canadian imports are at record levels and now control over one-third of the U.S. softwood lumber market; and

WHEREAS, subsidized Canadian lumber imports have gained sales volume from United States lumber companies, depressed timber values in the United States, jeopardized thousands of jobs in this country, driven down the taxable value of forest land and further undermined the stability of already endangered timber communities.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request 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 through open and competitive sales of timber and logs in Canada for fair market value, or if Canada will not agree to end the subsidies immediately, the subsidies must be offset pending reform; and if Canada will not reach an agreement, to enforce vigorously, promptly and fully the trade laws against subsidized and dumped imports and explore all options to stop unfairly traded imports, to limit injury to the United States timber industry pending further action.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to President George W. Bush, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 106 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Danielson, Darrington, and Frasure were recorded present at this order of business.

March 13, 2001

The JUDICIARY AND RULES Committee reports that **S 1241, S 1242, S 1243, S 1244,** and **S 1245** have been correctly printed.

DARRINGTON, Chairman

S 1241, S 1242, S 1243, S 1244, and **S 1245** were referred to the Finance Committee.

March 13, 2001

The JUDICIARY AND RULES Committee reports that **S 1067,** as amended, **S 1114,** as amended, **S 1193,** as amended, **S 1040,** as amended, as amended, and **S 1116,** as amended, have been correctly engrossed.

DARRINGTON, Chairman

S 1067, as amended, **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 13, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 144, S 1067, S 1114, S 1193, H 237, S 1040,** as amended, **S 1116,** and **H 206** have been correctly printed.

DARRINGTON, Chairman

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

March 12, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1078** was delivered to the Office of the Governor at 1:53 p.m., March 12, 2001.

DARRINGTON, Chairman

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

March 12, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SJM 103, SJM 104,** and **SJM 105** were delivered to the Office of the Secretary of State at 2:09 p.m., March 12, 2001.

DARRINGTON, Chairman

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

March 12, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 14,** as amended, **H 29,** as amended, and **H 33,** as amended, with the recommendation that they do pass, and with the recommendation that **H 14,** as amended, and **H 29,** as amended, be placed on the Consent Calendar.

ANDREASON, Chairman

H 14, as amended, **H 29,** as amended, and **H 33,** as amended, were filed for second reading.

March 12, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 76, H 90,** and **HCR 25** with the recommendation that they do pass.

DEIDE, Chairman

H 76 and **H 90** were filed for second reading.

HCR 25 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 12, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 70** and **H 170** with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

DEIDE, Chairman

H 70 and **H 170** were filed for second reading.

March 12, 2001

The JUDICIARY AND RULES Committee reports out **H 184** and **H 345** with the recommendation that they do pass.

DARRINGTON, Chairman

H 184 and **H 345** were filed for second reading.

March 12, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **HJM 8** and **H 177** with the recommendation that they do pass.

NOH, Chairman

HJM 8 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

H 177 was filed for second reading.

March 12, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **H 222** with the recommendation that it do pass, and with the recommendation that it be placed on the Consent Calendar.

NOH, Chairman

H 222 was filed for second reading.

March 12, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 75** with the recommendation that it do pass.

DEIDE, Chairman

H 75 was filed for second reading.

March 13, 2001

The FINANCE Committee reports out **S 1241, S 1242, S 1243, S 1244,** and **S 1245** with the recommendation that they do pass.

CAMERON, Chairman

S 1241, S 1242, S 1243, S 1244, and **S 1245** were filed for second reading.

March 12, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1200** and **H 280** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **S 1200** and **H 280** were referred to the Fourteenth Order of Business, General Calendar.

March 12, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 195, H 196,** and **H 257** with the recommendation that they do pass.

THORNE, Chairman

H 195, H 196, and **H 257** were filed for second reading.

March 13, 2001

The STATE AFFAIRS Committee reports out **S 1211, H 338, H 129, H 130,** and **H 322** with the recommendation that they do pass.

SORENSEN, Chairman

S 1211, H 338, H 129, H 130, and **H 322** were filed for second reading.

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

Messages from the House

March 12, 2001

Mr. President:

I transmit herewith **H 327, H 331, H 277, H 353,** and **HCR 23**, and I return herewith **S 1039, S 1145, S 1146, SCR 110, S 1060, S 1052,** and **S 1090**, which have passed the House.

JUKER, Chief Clerk

H 327, H 331, H 277, H 353, and **HCR 23** were filed for first reading.

S 1039, S 1145, S 1146, SCR 110, S 1060, S 1052, and **S 1090** were referred to the Judiciary and Rules Committee for enrolling.

March 12, 2001

Mr. President:

I transmit 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** for the signature of the President, and I return herewith Enrolled **S 1036**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed 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 ordered them returned to the House.

Enrolled **S 1036** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senators Cameron, Deide, and Sorensen were recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **HCR 26**, as amended, was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator King-Barrutia, seconded by Senator Stennett, **HCR 26**, as amended, was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1246
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR THE STATE LIBRARY BOARD FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

S 1247
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

S 1248
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS FOR THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING ANY UNEXPENDED AND UNENCUMBERED GENERAL FUND BALANCES; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

S 1249
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO ELECTRICITY AUTHORITY; AMENDING SECTION 50-2502, IDAHO CODE, TO INCLUDE THE IDAHO ELECTRICITY AUTHORITY AND THE STATE OF IDAHO IN THE DEFINITION OF PUBLIC UTILITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 61, IDAHO CODE, TO PROVIDE THE IDAHO ELECTRICITY AUTHORITY ACT, TO PROVIDE A DECLARATION OF POLICY, TO DEFINE TERMS, TO PROVIDE THE POWERS OF THE DIRECTOR OF THE AUTHORITY, TO CREATE AND GIVE THE DUTIES OF THE AUTHORITY, TO PROVIDE REGULATIONS FOR SALE OF POWER BY THE AUTHORITY, TO STATE CONDITIONS REQUIRED FOR THE AUTHORITY TO CONTRACT FOR POWER FROM THE UNITED STATES, TO PROVIDE CONDITIONS WHERE THE DIRECTOR CAN CONTRACT WITH SOMEONE OTHER THAN THE UNITED STATES FOR POWER, TO PROVIDE CONDITIONS FOR PURCHASE OF FACILITIES BY THE AUTHORITY, TO PROVIDE FOR APPROVAL OF RATES, TO GIVE REQUIREMENTS FOR ADMINISTRATION OF CONTRACTS, TO STATE CRITERIA

FOR RETURN ON INVESTMENT TO THE AUTHORITY, TO STATE GUIDELINES WHEN THE AUTHORITY CONTRACTS WITH A PUBLIC UTILITY, TO PROVIDE RULES FOR EXTENSION OF CONTRACTS BETWEEN A PUBLIC UTILITY AND THE AUTHORITY, TO STATE RULES REGARDING PROCUREMENT OF POWER FROM THE PUBLIC UTILITIES, TO ESTABLISH THE IDAHO ELECTRICITY AUTHORITY FUND IN THE STATE OPERATING FUND, TO ESTABLISH THAT THE AUTHORITY WILL BE REGULATED BY THE PUBLIC UTILITIES COMMISSION, TO PROVIDE THAT STATE AGENCIES SHALL PROVIDE ASSISTANCE TO THE AUTHORITY UPON REQUEST, TO DETERMINE HOW PUBLIC UTILITIES MAY EXPAND THEIR SERVICE AREAS UNDER THE ACT, TO DETERMINE THE AUTHORITY'S ELIGIBILITY FOR TAXATION, TO PROVIDE FOR COMMENCEMENT OF ACTIVITIES, TO PROVIDE FOR CESSATION OF ACTIVITIES, TO PROVIDE FOR BONDING AND TO PROVIDE FOR SEVERABILITY.

S 1246, S 1247, S 1248, and **S 1249** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 144, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

H 237, as amended in the Senate, by Business Committee, was read the first time at length and filed for second reading.

H 206, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1067, as amended, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

S 1114, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1193, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1040, as amended, as amended, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

S 1116, as amended, by Education Committee, was read the first time at length and filed for second reading.

H 327, by Education Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 331, by State Affairs Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 277, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 353, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 23, by Judiciary, Rules, and Administration Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1195, by Finance Committee, was read the second time at length and filed for third reading.

H 165, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 28, as amended, and **H 27**, by Mr. Speaker, were read the second time at length and filed for third reading, Consent Calendar.

H 30, by Mr. Speaker, was read the second time at length and filed for third reading.

H 221, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 186, by Business Committee, was read the second time at length 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 at length and filed for third reading.

H 149, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 308, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1223 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Davis, Noh, Sims. Total - 3.

Total - 35.

Whereupon the President declared **S 1223** passed, title was approved, and the bill ordered transmitted to the House.

S 1224 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Davis, Noh, Sims. Total - 3.

Total - 35.

Whereupon the President declared **S 1224** passed, title was approved, and the bill ordered transmitted to the House.

S 1225 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1225** passed, title was approved, and the bill ordered transmitted to the House.

S 1226 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Stegner, Wheeler, Williams. Total - 23.

NAYS--Andreason, Bartlett (Branch), Dunklin, Frasure, Hawkins, Schroeder, Sorensen, Stennett, Thorne, Whitworth. Total - 10.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1226** passed, title was approved, and the bill ordered transmitted to the House.

S 1227 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1227** passed, title was approved, and the bill ordered transmitted to the House.

S 1228 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Cameron, Darrington, Deide, Dunklin, Geddes, Goedde, Ingram, Keough, King-Barrutia, Lodge, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Wheeler, Whitworth. Total - 23.

NAYS--Burtenshaw, Davis, Frasure, Hawkins, Lee, Richardson, Thorne, Williams. Total - 8.

Absent and excused--Danielson, Ipsen, Noh, Sims. Total - 4.

Total - 35.

Whereupon the President declared **S 1228** passed, title was approved, and the bill ordered transmitted to the House.

S 1229 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1229** passed, title was approved, and the bill ordered transmitted to the House.

S 1230 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--Hawkins. Total - 1.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1230** passed, title was approved, and the bill ordered transmitted to the House.

S 1077, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1077**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1156, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1156**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1164, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1164**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1104, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Noh, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1104**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1105, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Schroeder. Total - 1.

Absent and excused--Bartlett (Branch), Brandt, Lee, Sims. Total - 4.

Total - 35.

Whereupon the President declared **S 1105**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1157, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 29.

NAYS--Bartlett (Branch). Total - 1.

Absent and excused--Brandt, Hawkins, Lee, Sims, Williams. Total - 5.

Total - 35.

Whereupon the President declared **S 1157**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1158, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 32.

NAYS--Williams. Total - 1.

Absent and excused--Brandt, Sims. Total - 2.

Total - 35.

Whereupon the President declared **S 1158**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1094, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Bunderson, Deide, Dunklin, Goedde, Ingram, Keough, Noh, Stegner, Stennett, Thorne. Total - 11.

NAYS--Andreason, Boatright, Brandt, Burtenshaw, Cameron, Danielson, Darrington, Davis, Frasure, Geddes, Hawkins, Ipsen, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sorensen, Wheeler, Whitworth, Williams. Total - 23.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared that **S 1094**, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1144, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bunderson, Cameron, Danielson, Dunklin, Hawkins, Noh, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Whitworth. Total - 14.

NAYS--Bartlett (Branch), Boatright, Brandt, Burtenshaw, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Ingram, Keough, King-Barrutia, Lee, Lodge, Richardson, Thorne, Wheeler, Williams. Total - 19.

Absent and excused--Ipsen, Sims. Total - 2.

Paired and voting included in roll call:

AYE - Bunderson NAY - Davis

Total - 35.

Whereupon the President declared that **S 1144**, as amended, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senator Sims, absent and formally excused by the Chair; and Senators Bartlett, Boatright, Deide, Frasure, Geddes, Ingram, Keough, Sandy, Thorne, and Whitworth, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

Senators Bartlett, Boatright, Deide, Frasure, Geddes, Ingram, Sandy, Thorne, and Whitworth were recorded present at this order of business.

H 10 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Keough, Sims. Total - 2.

Total - 35.

Whereupon the President declared **H 10** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 3:50 p.m. until the hour of 9:15 a.m., Wednesday, March 14, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 14, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senator Sims, absent and formally excused by the Chair; and Senators Danielson, Deide, Ingram, Keough, and Sandy, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 13, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senators Danielson and Ingram were recorded present at this order of business.

March 14, 2001

The JUDICIARY AND RULES Committee reports that **S 1246, S 1247, S 1248, S 1249,** and **SJM 106** have been correctly printed.

DARRINGTON, Chairman

S 1246, S 1247, and **S 1248** were referred to the Finance Committee.

S 1249 was referred to the State Affairs Committee.

SJM 106 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 13, 2001

The JUDICIARY AND RULES Committee reports that **S 1039, S 1052, S 1060, S 1090, S 1145, S 1146,** and **SCR 110** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1039, S 1052, S 1060, S 1090, S 1145, S 1146,** and **SCR 110** and ordered them transmitted to the House for the signature of the Speaker.

March 13, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1036** was delivered to the Office of the Governor at 2:50 p.m., March 13, 2001.

DARRINGTON, Chairman

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

March 13, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 154, H 131, H 26, H 22,** and **H 226** with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

ANDREASON, Chairman

H 154, H 131, H 26, H 22, and **H 226** were filed for second reading.

March 13, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 233, H 34, H 23,** and **H 132** with the recommendation that they do pass.

ANDREASON, Chairman

H 233, H 34, H 23, and **H 132** were filed for second reading.

March 13, 2001

The HEALTH AND WELFARE Committee reports out **S 1210** with the recommendation that it do pass.

IPSEN, Chairman

S 1210 was filed for second reading.

March 13, 2001

The EDUCATION Committee reports out **H 278** with the recommendation that it do pass, and with the recommendation that it be placed on the Consent Calendar.

SCHROEDER, Chairman

H 278 was filed for second reading.

March 13, 2001

The EDUCATION Committee reports out **H 294** with the recommendation that it do pass.

SCHROEDER, Chairman

H 294 was filed for second reading.

March 13, 2001

The TRANSPORTATION Committee reports out **HCR 17, H 268,** and **H 215** with the recommendation that they do pass.

FRASURE, Chairman

HCR 17 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

H 268 and **H 215** were filed for second reading.

March 13, 2001

The TRANSPORTATION Committee reports out **H 47** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

FRASURE, Chairman

There being no objection, **H 47** was referred to the Fourteenth Order of Business, General Calendar.

March 14, 2001

The FINANCE Committee reports out **S 1246, S 1247,** and **S 1248** with the recommendation that they do pass.

CAMERON, Chairman

S 1246, S 1247, and **S 1248** were filed for second reading.

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

Messages from the House

March 13, 2001

Mr. President:

I transmit herewith **H 156,** as amended, **H 282,** as amended, **H 291,** as amended, **H 312,** as amended, **H 326,** as amended, **HCR 32,** and **H 320** which have passed the House.

JUKER, Chief Clerk

H 156, as amended, **H 282,** as amended, **H 291,** as amended, **H 312,** as amended, **H 326,** as amended, **HCR 32,** and **H 320** were filed for first reading.

March 13, 2001

Mr. President:

I transmit herewith Enrolled **HJM 9** and **H 71,** as amended in the Senate, for the signature of the President, and I return herewith Enrolled **S 1137**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed Enrolled **HJM 9** and **H 71,** as amended in the Senate, and ordered them returned to the House.

Enrolled **S 1137** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Deide, Keough, and Sandy were recorded present at this order of business.

The President announced that **HCR 25** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Goedde, seconded by Senator Stennett, **HCR 25** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **HJM 8** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brandt, seconded by Senator Stennett, **HJM 8** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1250
BY FINANCE COMMITTEE
AN ACT
EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO THE ACQUISITION OF CERTAIN PROPERTIES IN THE HAGERMAN VALLEY TO BENEFIT THE RESIDENTS OF THE STATE OF IDAHO; STATING FINDINGS OF THE LEGISLATURE; APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION; TO PROVIDE THAT THIS ACT SHALL CONSTITUTE PRIOR APPROVAL FOR THE STATE BUILDING AUTHORITY AND TO GIVE AUTHORIZATION TO THE DEPARTMENT OF PARKS AND RECREATION AND THE STATE BUILDING AUTHORITY TO ENTER INTO CERTAIN AGREEMENTS; AND EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO CERTAIN EXPENDITURES.

S 1251
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1252
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1250, S 1251, and **S 1252** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 156, as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 282, as amended, by Revenue and Tax Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 291, as amended, by Education Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 312, as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 326, as amended, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

HCR 32, by Judiciary, Rules, and Administration Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

H 320, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 14, as amended, and **H 29**, as amended, by Mr. Speaker, were read the second time at length and filed for third reading, Consent Calendar.

H 33, as amended, by Mr. Speaker, was read the second time at length and filed for third reading.

H 76 and **H 90,** by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

H 70 and **H 170,** by Agricultural Affairs Committee, were read the second time at length and filed for third reading, Consent Calendar.

H 184 and **H 345**, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

H 177, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 222, by Resources and Conservation Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 75, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

S 1241, S 1242, S 1243, S 1244, and **S 1245**, by Finance Committee, were read the second time at length and filed for third reading.

H 195 and **H 196**, by Local Government Committee, were read the second time at length and filed for third reading.

H 257, by Environmental Affairs Committee, was read the second time at length and filed for third reading.

S 1211, by State Affairs Committee, was read the second time at length and filed for third reading.

H 338, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 129 and **H 130**, by Business Committee, were read the second time at length and filed for third reading.

H 322 and **H 144**, as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

H 237, as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

H 206, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1067, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

S 1114, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1193, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1040, as amended, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

S 1116, as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1195 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Ingram, Keough, King-Barrutia, Noh, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Wheeler, Whitworth, Williams. Total - 25.

NAYS--Bartlett (Branch), Geddes, Goedde, Hawkins, Ipsen, Lee, Lodge, Richardson, Thorne. Total - 9.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **S 1195** passed, title was approved, and the bill ordered transmitted to the House.

S 1234 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **S 1234** passed, title was approved, and the bill ordered transmitted to the House.

S 1235 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Geddes, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sorensen, Stegner, Stennett, Williams. Total - 20.

NAYS--Andreason, Bartlett (Branch), Boatright, Brandt, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Schroeder, Thorne, Wheeler, Whitworth. Total - 14.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **S 1235** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were moved to the head of the Third Reading Calendar, followed by all House bills amended in the Senate.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 5 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senator Sims, absent and formally excused by the Chair; and Senators Bunderson, Cameron, Frasure, Keough, Schroeder, Stegner, Thorne, Wheeler, and Williams, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

S 1236 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Risch, Danielson, and Stennett.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

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

The President directed the Sergeant at Arms to find and present Senator Wheeler to the Senate.

Senator Wheeler was recorded present.

On request by Senator Risch, granted by unanimous consent, the Call was lifted.

The question being, "Shall **S 1236** pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 32.

NAYS--Hawkins, Whitworth. Total - 2.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **S 1236** passed, title was approved, and the bill ordered transmitted to the House.

S 1237 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Williams. Total - 28.

NAYS--Bartlett (Branch), Frasure, Hawkins, Keough, Wheeler, Whitworth. Total - 6.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **S 1237** passed, title was approved, and the bill ordered transmitted to the House.

S 1238 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **S 1238** passed, title was approved, and the bill ordered transmitted to the House.

S 1239 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **S 1239** passed, title was approved, and the bill ordered transmitted to the House.

S 1240 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **S 1240** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Risch, granted by unanimous consent, **H 133** was placed before the Senate for consideration at this time.

H 133 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **H 133** passed, title was approved, and the bill ordered returned to the House.

H 150 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Sims. Total - 1.

Total - 35.

Whereupon the President declared **H 150** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 205** was moved to immediately precede **H 237**, as amended in the Senate, on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Danielson, seconded by Senator Stennett, by voice vote the Senate adjourned at 6 p.m. until the hour of 9:15 a.m., Thursday, March 15, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 15, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Brandt, Danielson, Hawkins, Ingram, Sandy, Sorensen, Stegner, and Stennett, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Danielson was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 14, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senators Stegner and Stennett were recorded present at this order of business.

March 15, 2001

The JUDICIARY AND RULES Committee reports that **S 1250, S 1251,** and **S 1252** have been correctly printed.

DARRINGTON, Chairman

S 1250, S 1251, and **S 1252** were referred to the Finance Committee.

March 14, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1137** was delivered to the Office of the Governor at 2 p.m., March 14, 2001.

DARRINGTON, Chairman

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

March 14, 2001

The EDUCATION Committee reports out **H 292** and **H 316** with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

SCHROEDER, Chairman

H 292 and **H 316** were filed for second reading.

March 14, 2001

The HEALTH AND WELFARE Committee reports out **HCR 24** with the recommendation that it do pass.

IPSEN, Chairman

HCR 24 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 14, 2001

The JUDICIARY AND RULES Committee reports out **S 1199, H 180,** as amended, and **H 246** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1199, H 180, as amended, and **H 246** were filed for second reading.

March 15, 2001

The FINANCE Committee reports out **S 1251** and **S 1252** with the recommendation that they do pass.

CAMERON, Chairman

S 1251 and **S 1252** were filed for second reading.

March 14, 2001

The STATE AFFAIRS Committee reports out **H 52** with the recommendation that it do pass, and with the recommendation that it be placed on the Consent Calendar.

SORENSEN, Chairman

H 52 was filed for second reading.

March 14, 2001

The STATE AFFAIRS Committee reports out **H 49, H 50, H 53, H 147, H 191,** as amended, and **H 24,** as amended, with the recommendation that they do pass.

SORENSEN, Chairman

H 49, H 50, H 53, H 147, H 191, as amended, and **H 24,** as amended, were filed for second reading.

March 14, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 253** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **H 253** was referred to the Fourteenth Order of Business, General Calendar.

March 14, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 252** and **H 232,** as amended, with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

THORNE, Chairman

H 252 and **H 232,** as amended, were filed for second reading.

March 14, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 202, H 209,** and **HJM 10** with the recommendation that they do pass.

THORNE, Chairman

H 202 and **H 209** were filed for second reading.

HJM 10 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

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

Messages from the House

March 14, 2001

Mr. President:

I transmit herewith **H 192,** as amended, **H 351, H 352, H 211,** as amended, **H 238,** as amended, **H 305,** as amended, **H 256,** as amended, and **H 311,** as amended, and I return herewith **SCR 109** and **S 1132**, which have passed the House.

JUKER, Chief Clerk

H 192, as amended, **H 351, H 352, H 211,** as amended, **H 238,** as amended, **H 305,** as amended, **H 256,** as amended, and **H 311,** as amended, were filed for first reading.

SCR 109 and **S 1132** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SJM 106** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Danielson, seconded by Senator Stennett, **SJM 106** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that **HCR 17** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Whitworth, seconded by Senator Danielson, **HCR 17** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1253
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO EXEMPT PROPERTY AND ALLOWANCES UNDER THE UNIFORM PROBATE CODE; AMENDING SECTION 15-1-201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING PART 2, CHAPTER 4, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-2-401, IDAHO CODE, TO PROVIDE APPLICATION OF LAW TO THE ESTATE OF A DECEDENT WHO DIES DOMICILED IN IDAHO; AMENDING SECTION 15-2-401, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE THE HOMESTEAD ALLOWANCE; AMENDING SECTION 15-2-402, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO INCREASE THE AMOUNT OF EXEMPT PROPERTY AND TO PROVIDE THAT IT SHALL BE IN ADDITION TO ANY HOMESTEAD OR HOMESTEAD ALLOWANCE; AMENDING SECTION 15-2-403, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE THE FAMILY ALLOWANCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 15-2-404, IDAHO CODE, TO REDESIGNATE THE SECTION, TO INCREASE THE LIVING ALLOWANCE TO EIGHTEEN THOUSAND DOLLARS IN A LUMP SUM OR ONE THOUSAND FIVE HUNDRED DOLLARS PER MONTH FOR ONE YEAR, TO REVISE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTIONS 15-2-602 AND 15-3-906, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1254
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ROADS; AMENDING SECTION 40-202, IDAHO CODE, AS AMENDED BY HOUSE BILL NO. 268, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE, TO PROVIDE THAT

CERTAIN PUBLIC RECORDS SHALL NOT BE DEEMED TO IMPART CONSTRUCTIVE NOTICE OF MATTERS AFFECTING TITLE TO REAL PROPERTY; AMENDING SECTION 9 OF HOUSE BILL NO. 268, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE, TO PROVIDE FOR APPLICATION OF THE PROVISIONS OF THE ACT; AND DECLARING AN EMERGENCY.

S 1255
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ENERGY COST RECOVERY BONDS; AMENDING TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 61, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE FOR ENERGY COST RECOVERY BONDS, TO PROVIDE PROCEDURES FOR ISSUANCE OF ENERGY COST RECOVERY BONDS, TO PROVIDE FOR SECURITY INTEREST, TO PROVIDE FOR TRANSFERS IN INTEREST, TO PROVIDE FOR SUCCESSORS AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1256
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EXEMPTIONS FROM TAXATION; AMENDING SECTION 63-604, IDAHO CODE, 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 AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1253, S 1254, S 1255, and **S 1256** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 192, as amended, and **H 256**, as amended, by Environmental Affairs Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 351 and **H 352**, by State Affairs Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 211, as amended, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 238, as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 305, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 311, as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senators Brandt and Hawkins were recorded present at this order of business.

H 154 and **H 131**, by Business Committee, were read the second time at length and filed for third reading, Consent Calendar.

H 26 and **H 22**, by Mr. Speaker, were read the second time at length and filed for third reading, Consent Calendar.

H 226, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 233, by Business Committee, was read the second time at length and filed for third reading.

H 34 and **H 23**, by Mr. Speaker, were read the second time at length and filed for third reading.

H 132, by Business Committee, was read the second time at length and filed for third reading.

S 1210, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 278, by Education Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 294, by Education Committee, was read the second time at length and filed for third reading.

H 268 and **H 215**, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

S 1246, S 1247, and **S 1248**, by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1241 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Davis, Ingram, King-Barrutia. Total - 3.

Total - 35.

Whereupon the President declared **S 1241** passed, title was approved, and the bill ordered transmitted to the House.

S 1242 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Bartlett (Branch), Brandt, Lee. Total - 3.

Absent and excused--Davis, Ingram. Total - 2.

Total - 35.

Whereupon the President declared **S 1242** passed, title was approved, and the bill ordered transmitted to the House.

S 1243 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thome, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Davis, Ingram, King-Barrutia. Total - 3.

Total - 35.

Whereupon the President declared **S 1243** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Danielson, granted by unanimous consent, **S 1244** retained its place on the Third Reading Calendar.

S 1245 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Davis, Ingram, King-Barrutia. Total - 3.

Total - 35.

Whereupon the President declared **S 1245** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Sorensen, granted by unanimous consent, **S 1211** retained its place on the Third Reading Calendar for one legislative day.

S 1067, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Davis, Ingram, Stegner. Total - 3.

Total - 35.

Whereupon the President declared **S 1067**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

The President called President Pro Tempore Geddes to the Chair.

Senator Williams requested and received an excused absence for the remainder of this legislative day.

On request by Senator Risch, granted by unanimous consent, **S 1244,** having been held, was placed before the Senate for consideration at this time.

S 1244 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 30.

NAYS--Schroeder. Total - 1.

Absent and excused--Dunklin, Hawkins, Sorensen, Williams. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **S 1244** passed, title was approved, and the bill ordered transmitted to the House.

S 1114, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stennett, Thorne, Wheeler, Whitworth. Total - 29.

NAYS--None.

Absent and excused--Davis, Goedde, Hawkins, Sorensen, Stegner, Williams. Total - 6.

Total - 35.

Whereupon the President Pro Tempore declared **S 1114**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1193, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Dunklin, Frasure, Geddes, Ingram, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stennett, Thorne, Wheeler, Whitworth. Total - 24.

NAYS--King-Barrutia. Total - 1.

Absent and excused--Darrington, Davis, Deide, Goedde, Hawkins, Ipsen, Keough, Sorensen, Stegner, Williams. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared **S 1193**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1040, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Deide, Dunklin, Frasure, Geddes, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stennett, Thorne, Wheeler, Whitworth. Total - 27.

NAYS--Ingram. Total - 1.

Absent and excused--Darrington, Davis, Goedde, Hawkins, Sorensen, Stegner, Williams. Total - 7.

Total - 35.

Whereupon the President Pro Tempore declared **S 1040**, as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1116, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Brandt, Bunderson, Burtenshaw, Deide, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, Lee, Richardson, Risch, Sims, Thorne. Total - 16.

NAYS--Andreason, Boatright, Cameron, Danielson, Davis, Dunklin, Ingram, King-Barrutia, Noh, Sandy, Schroeder, Sorensen, Stennett, Wheeler, Whitworth. Total - 15.

Absent and excused--Darrington, Lodge, Stegner, Williams. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **S 1116**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 176, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Hawkins and Schroeder arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Whitworth. Total - 30.

NAYS--None.

Absent and excused--Bunderson, Darrington, Lodge, Wheeler, Williams. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared **H 176**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 144, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 31.

NAYS--None.

Absent and excused--Danielson, Darrington, Lodge, Williams. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **H 144**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

H 205 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Davis, granted by unanimous consent, the following clerical correction was made to **H 205**, pursuant to Senate Rule 9(F):

On page 37, line 55, add "or" after ;

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 32.

NAYS--Hawkins. Total - 1.

Absent and excused--Lodge, Williams. Total - 2.

Total - 35.

Whereupon the President declared **H 205** passed, title was approved, and the bill ordered returned to the House.

H 237, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Davis and Andreason arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Whitworth. Total - 31.

NAYS--None.

Absent and excused--Cameron, Lodge, Wheeler, Williams. Total - 4.

Total - 35.

Whereupon the President declared **H 237**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Sandy, Chairman of the Committee of the Whole, reported out **S 1141** without amendment and with the recommendation that it be recommitted to the Agricultural Affairs Committee, and **S 1167, H 317, H 35,** as amended, **S 1200, H 47,** and **H 253** without recommendation, amended as follows:

SENATE AMENDMENT TO S 1167

AMENDMENTS TO SECTION 2

On page 2 of the printed bill, in line 5, following "Annexation of" insert: "contiguous or adjacent"; delete lines 6 and 7, and insert: "contiguous or adjacent to any city may be annexed by the city if the annexation is"; in line 8, delete "and by the city"; delete lines 18 and 19, and insert: "land becomes contiguous or adjacent to the city.".

CORRECTION TO TITLE

On page 1, in line 5, following "LAND" insert: "WHICH IS CONTIGUOUS OR ADJACENT".

SENATE AMENDMENT TO H 317

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 18 and 19, and insert:

"(4) Utilize virtual distance learning and on-line learning;".

CORRECTION TO TITLE

On page 1, delete lines 4 and 5, and insert: "TANCE LEARNING AND ON-LINE LEARNING.".

SENATE AMENDMENT TO H 35, As Amended

AMENDMENTS TO SECTION 3

On page 4 of the engrossed bill, in line 5, delete "AND CONSULTANT"; delete lines 25 through 28; in line 29, delete "(3)" and insert: "(2)"; in line 33, delete "(4)" and insert: "(3)"; in line 37, delete "(5)" and insert: "(4)"; in line 47, delete "(6)" and insert: "(5)"; in line 49, delete "(7)" and insert: "(6)"; on page 5, in line 3, delete "(8)" and insert: "(7)"; in line 4, delete "(9)" and insert: "(8)"; in line 6, delete "(10)" and insert: "(9)"; in line 8, delete "(11)" and insert: "(10)"; in line 10, delete "(12)" and insert: "(11)"; in line 13, delete "(13)" and insert: "(12)"; in line 16, delete "(14)" and insert: "(13)"; and in line 19, delete "(15)" and insert: "(14)".

On page 6, in line 38, delete "or an insurance consultant license".

On page 9, in line 18, delete "AND CONSULTANTS"; in line 19, delete "or nonresident consultant"; in line 22, delete "or consultant"; in line 24, delete "or consultant"; in line 36, delete "or consultant"; and in line 37, delete "or consultant".

On page 10, in line 20, delete "consultant,"; in line 43, delete "consultant,"; in line 48, delete "and resi-"; in line 49, delete "dent consultants".

On page 11, in line 3, delete "or any consultant who is licensed pursuant to"; in line 4, delete "section 41-1027, Idaho Code,"; in line 7, delete "and 41-1027 (qualifications for resident consultant license)".

On page 15, in line 21, delete ", shall be confidential"; in line 22, delete "and privileged,"; in line 23, delete "However, the director is authorized to use the docu-"; and delete lines 24 through 26.

On page 17, delete lines 15 through 52; on page 18, delete lines 1 through 53; on page 19, delete lines 1 through 42; in line 43, delete "41-1032" and insert: "41-1025"; in line 46, delete "41-1033" and insert: "41-1026".

On page 20, in line 13, delete "41-1034" and insert: "41-1027"; in line 14, delete "consultant,"; in line 24, delete "41-1035" and insert: "41-1028"; also in line 24, delete "or consultant"; in line 38, delete "or consultant"; in line 41, delete "or consultant"; in line 43, delete "or consultant"; in line 47, delete "or consultant"; and in line 51, delete "41-1036" and insert: "41-1029".

AMENDMENT TO SECTION 5

On page 21, in line 36, delete "pro-"; in line 37, delete "ducers and consultants" and insert: "~~and consultants~~ producers".

CORRECTIONS TO TITLE

On page 1, in line 2, delete "AND INSURANCE CONSULTANT"; in line 14, delete "AND CONSULTANTS"; delete lines 25 through 28; and in line 29, delete "BY CONSULTANTS, TO PROVIDE FOR ERRORS AND OMISSIONS INSURANCE,".

SENATE AMENDMENT TO S 1200

AMENDMENTS TO SECTION 2

On page 3 of the printed bill, in line 20, delete "amount" and insert: "rate"; delete lines 23 and 24, and insert: "property within the district, or one percent (1%) of market value for assessment purposes of all of the"; in line 26, delete ", whichever amount is less"; and also in line 26, following "tax" insert: "rate"; in line 27, delete "or less than"; in line 32, delete "or decreasing"; in line 33, following "tax rate" insert: "maximum"; and in line 34, following "tion" insert: "and for each succeeding tax year".

CORRECTION TO TITLE

On page 1, delete line 10 and insert: "TAX RATE IN EXCESS OF THAT CONTAINED IN THE PETITION.".

SENATE AMENDMENTS TO H 47

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 27, delete "$4~~1~~9.00" and insert: "$415.00"; and on page 4, delete line 12 and insert: "class D driver's license, and ~~fourteen~~ ten dollars and forty cents ($14~~0~~.40) of".

AMENDMENT TO THE BILL

On page 5, delete lines 9, 10 and 11.

CORRECTION TO TITLE

On page 1, delete lines 2 through 5, and insert:

"RELATING TO FEES FOR DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE, TO INCREASE FEES, TO DISTRIBUTE THE INCREASE TO THE EMERGENCY MEDICAL SERVICES III ACCOUNT, TO DECREASE THE ALLOCATION TO THE HIGHWAY DISTRIBUTION ACCOUNT FROM FEES COLLECTED FOR THE EIGHT-YEAR CLASS D LICENSE AND TO MAKE TECHNICAL CORRECTIONS.".

SENATE AMENDMENT TO H 253

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 17, delete "deductible" and insert: "deducted".

CORRECTION TO TITLE

On page 1, in line 7, delete "DEDUCTIBLE" and insert: "DEDUCTED".

The committee also has **H 110, H 80, H 275, S 1198,** and **H 280** under consideration, reports progress, and begs leave to sit again.

SANDY, Chairman

On motion by Senator Sandy, seconded by Senator Dunklin, the report was adopted by voice vote.

S 1141 was recommitted to the Agricultural Affairs Committee.

S 1167, as amended, and **S 1200,** as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto to the Judiciary and Rules Committee for printing.

H 317, as amended in the Senate**, H 35**, as amended, as amended in the Senate, **H 47**, as amended in the Senate, and **H 253,** as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Dunklin, by voice vote the Senate adjourned at 5:40 p.m. until the hour of 9:15 a.m., Friday, March 16, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 16, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senator Williams, absent and formally excused by the Chair; and Senators Cameron, Danielson, Davis, Sandy, Schroeder, Sorensen, Stegner, and Stennett, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 15, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senators Schroeder and Stennett were recorded present at this order of business.

March 15, 2001

The JUDICIARY AND RULES Committee reports that **S 1253, S 1254, S 1255,** and **S 1256** have been correctly printed.

DARRINGTON, Chairman

S 1253 was referred to the Judiciary and Rules Committee.

S 1254 was referred to the Transportation Committee.

S 1255 was referred to the State Affairs Committee.

S 1256 was referred to the Local Government and Taxation Committee.

March 15, 2001

The JUDICIARY AND RULES Committee reports that **S 1132** and **SCR 109** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1132** and **SCR 109** and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2001

The JUDICIARY AND RULES Committee reports that **S 1167,** as amended, and **S 1200,** as amended, have been correctly engrossed.

DARRINGTON, Chairman

S 1167, as amended, and **S 1200,** as amended, were filed for first reading.

March 16, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1167, H 317, H 35,** as amended, **S 1200, H 47,** and **H 253** have been correctly printed.

DARRINGTON, Chairman

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

March 15, 2001

The HEALTH AND WELFARE Committee reports out **H 331** with the recommendation that it do pass.

IPSEN, Chairman

H 331 was filed for second reading.

March 15, 2001

The TRANSPORTATION Committee reports out **S 1106** with the recommendation that it do pass.

FRASURE, Chairman

S 1106 was filed for second reading.

March 15, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 155** with the recommendation that it do pass, and with the recommendation that it be placed on the Consent Calendar.

ANDREASON, Chairman

H 155 was filed for second reading.

March 15, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 156,** as amended, and **H 225** with the recommendation that they do pass.

ANDREASON, Chairman

H 156, as amended, and **H 225** were filed for second reading.

March 15, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 161** without recommendation.

ANDREASON, Chairman

H 161 was filed for second reading.

March 16, 2001

The JUDICIARY AND RULES Committee reports out **S 1253** with the recommendation that it do pass.

DARRINGTON, Chairman

S 1253 was filed for second reading.

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

Messages from the Governor

Senators Danielson and Sorensen were recorded present at this order of business.

March 15, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1091 and **S 1162**

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 15, 2001

Mr. President:

I transmit herewith **H 356, H 321,** as amended, **H 347,** as amended, **H 281,** as amended, as amended, and **H 365**, and I return herewith **S 1086, SCR 108, S 1069, S 1153, S 1142,** as amended, **S 1016, S 1017,** and **S 1133**, which have passed the House.

JUKER, Chief Clerk

H 356, H 321, as amended, **H 347,** as amended, **H 281,** as amended, as amended, and **H 365** were filed for first reading.

S 1086, SCR 108, S 1069, S 1153, S 1142, as amended, **S 1016, S 1017,** and **S 1133** were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2001

Mr. President:

I transmit herewith Enrolled **HCR 26,** as amended, and **H 10** for the signature of the President, and I return herewith Enrolled **S 1039, S 1052, S 1060, S 1090, S 1145, S 1146**, and **SCR 110** which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed Enrolled **HCR 26,** as amended, and **H 10** and ordered them returned to the House.

Enrolled **S 1039, S 1052, S 1060, S 1090, S 1145,** and **S 1146** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 110** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 16, 2001

Mr. President:

I transmit herewith Enrolled **HCR 25, HJM 8, H 133,** and **H 150** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HCR 25, HJM 8, H 133,** and **H 150** and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Davis and Sandy were recorded present at this order of business.

The President announced that **HCR 24** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Brandt, seconded by Senator Whitworth, **HCR 24** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **HJM 10** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Thorne, seconded by Senator Darrington, **HJM 10** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1257
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE SUBSTANCE ABUSE INITIATIVE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES FOR FISCAL YEAR 2001; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES FOR FISCAL YEAR 2002; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SUBSTANCE ABUSE TREATMENT SERVICES THAT SUPPORT THE EXPANSION OF THE DRUG COURT PROGRAM FOR FISCAL YEAR 2002; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR EXPANDING RESIDENTIAL AND GROUP SUBSTANCE ABUSE TREATMENT PROGRAMS IN STATE PRISONS FOR FISCAL YEAR 2002; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR EVALUATING THE EFFECTIVENESS OF SUBSTANCE ABUSE TREATMENT PROGRAMS OFFERED BY THE DEPARTMENT AND FOR PROVIDING CRIMINOGENIC ASSESSMENTS TO SUPPORT DRUG COURTS FOR FISCAL YEAR 2002; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR PROVIDING SUBSTANCE ABUSE TREATMENT PROGRAMS TO OFFENDERS ON PAROLE AND PROBATION FOR FISCAL YEAR 2002; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO AN INTERBRANCH AGREEMENT BETWEEN THE IDAHO SUPREME COURT AND THE DEPARTMENT OF HEALTH AND WELFARE; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SUBSTANCE ABUSE SERVICE CONTRACT SPECIFICATIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO OFFENDER TREATMENT AND DIRECTING THE DEPARTMENT OF CORRECTION TO FILE A REPORT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO APPROPRIATE TREATMENT SERVICES PROVIDED BY THE DEPARTMENT OF HEALTH AND WELFARE; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-465, IDAHO CODE, TO CREATE A SPECIAL OVERSIGHT COMMITTEE ON STATE FUNDED SUBSTANCE ABUSE TREATMENT; PROVIDING FORTY-SEVEN AND FIVE-TENTHS ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; PROVIDING AN EMERGENCY FOR SECTION 1 OF THIS ACT; AND PROVIDING A SUNSET DATE FOR SECTION 12 OF THIS ACT.

S 1258
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VETERANS SERVICES WITHIN THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

S 1257 and **S 1258** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 317, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

H 35, as amended, as amended in the Senate, by Mr. Speaker, was read the first time at length and filed for second reading.

H 47, as amended in the Senate, by Hornbeck, was read the first time at length and filed for second reading.

H 253, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

S 1167, as amended, and **S 1200**, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

H 356 and **H 347**, as amended, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 321, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 281, as amended, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 365, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 292 and **H 316**, by Education Committee, were read the second time at length and filed for third reading, Consent Calendar.

S 1199, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 180, as amended, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 246, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1251 and **S 1252**, by Finance Committee, were read the second time at length and filed for third reading.

H 52, by Mr. Speaker, was read the second time at length and filed for third reading, Consent Calendar.

H 49, H 50, and **H 53**, by Mr. Speaker, were read the second time at length and filed for third reading.

H 147, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 191, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 24, as amended, by Mr. Speaker, was read the second time at length and filed for third reading.

H 252, by Revenue and Taxation Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 232, as amended, by Business Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 202, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 209, by Local Government Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

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

On request by Senator Risch, granted by unanimous consent, **S 1214** retained its place on the Third Reading Calendar for Monday, March 19, 2001.

Senator Noh requested unanimous consent that **S 1211,** having been held for this day, be laid upon the table.

Senator Danielson objected.

Senator Danielson requested unanimous consent that **S 1211** be held on the Third Reading Calendar for Tuesday, March 20, 2001.

Senator Risch objected.

On request by Senator Danielson, granted by unanimous consent, **S 1211** retained its place on the Third Reading Calendar for Tuesday, March 20, 2001.

On request by Senator Danielson, granted by unanimous consent, **H 206**, as amended in the Senate, retained its place on the Third Reading Calendar for Monday, March 19, 2001.

S 1210 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 33.

NAYS--Keough. Total - 1.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **S 1210** passed, title was approved, and the bill ordered transmitted to the House.

S 1246 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth. Total - 33.

NAYS--None.

Absent and excused--Thorne, Williams. Total - 2.

Total - 35.

Whereupon the President declared **S 1246** passed, title was approved, and the bill ordered transmitted to the House.

S 1247 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth. Total - 33.

NAYS--None.

Absent and excused--Thorne, Williams. Total - 2.

Total - 35.

Whereupon the President declared **S 1247** passed, title was approved, and the bill ordered transmitted to the House.

S 1248 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth. Total - 33.

NAYS--None.

Absent and excused--Thorne, Williams. Total - 2.

Total - 35.

Whereupon the President declared **S 1248** passed, title was approved, and the bill ordered transmitted to the House.

H 8 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 8** passed, title was approved, and the bill ordered returned to the House.

H 164 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 164** passed, title was approved, and the bill ordered returned to the House.

H 101 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 101** passed, title was approved, and the bill ordered returned to the House.

H 134 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Dunklin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 134** passed, title was approved, and the bill ordered returned to the House.

H 181 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 181** passed, title was approved, and the bill ordered returned to the House.

H 182 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 182** passed, title was approved, and the bill ordered returned to the House.

H 183 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 183** passed, title was approved, and the bill ordered returned to the House.

H 146 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 146** passed, title was approved, and the bill ordered returned to the House.

H 143 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 32.

NAYS--Danielson. Total - 1.

Absent and excused--Ingram, Williams. Total - 2.

Total - 35.

Whereupon the President declared **H 143** passed, title was approved, and the bill ordered returned to the House.

H 4 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

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

H 5, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 5**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 9, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 9**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 11, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 11**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 13, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 13**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 302 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 302** passed, title was approved, and the bill ordered returned to the House.

H 303 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 303** passed, title was approved, and the bill ordered returned to the House.

H 304 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 304** passed, title was approved, and the bill ordered returned to the House.

H 313 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 33.

NAYS--None.

Absent and excused--Darrington, Williams. Total - 2.

Total - 35.

Whereupon the President declared **H 313** passed, title was approved, and the bill ordered returned to the House.

H 128 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 128** passed, title was approved, and the bill ordered returned to the House.

H 140 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 140** passed, title was approved, and the bill ordered returned to the House.

H 141 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 141** passed, title was approved, and the bill ordered returned to the House.

H 188 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 188** passed, title was approved, and the bill ordered returned to the House.

H 65, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 65**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 244 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 244** passed, title was approved, and the bill ordered returned to the House.

H 318 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Thorne, Wheeler. Total - 23.

NAYS--Andreason, Schroeder, Stennett, Whitworth. Total - 4.

Absent and excused--Brandt, Bunderson, Darrington, Frasure, Geddes, Hawkins, Stegner, Williams. Total - 8.

Total - 35.

Whereupon the President declared **H 318** passed, title was approved, and the bill ordered returned to the House.

H 54 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 54** passed, title was approved, and the bill ordered returned to the House.

H 67 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 67** passed, title was approved, and the bill ordered returned to the House.

H 167 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Wheeler, Whitworth. Total - 30.

NAYS--None.

Absent and excused--Burtenshaw, Darrington, Ipsen, Stegner, Williams. Total - 5.

Total - 35.

Whereupon the President declared **H 167** passed, title was approved, and the bill ordered returned to the House.

H 58 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 58** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 18**, as amended, retained its place on the Third Reading Calendar.

On request by Senator King-Barrutia, granted by unanimous consent, **H 185**, as amended, retained its place on the Third Reading Calendar for Monday, March 19, 2001.

H 193 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 193** passed, title was approved, and the bill ordered returned to the House.

H 201 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 201** passed, title was approved, and the bill ordered returned to the House.

H 175 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett and President Pro Tempore Geddes arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 175** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stennett, granted by unanimous consent, **H 247** retained its place on the Third Reading Calendar.

H 249 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 249** passed, title was approved, and the bill ordered returned to the House.

H 290 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 290** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, **H 7**, as amended, retained its place on the Third Reading Calendar.

H 198 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 198** passed, title was approved, and the bill ordered returned to the House.

H 214 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 214** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, **H 42, H 41, H 28,** as amended, **H 27, H 29**, as amended, **H 70, H 222,** and **H 226** were removed from the Consent Calendar.

H 31 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 31** passed, title was approved, and the bill ordered returned to the House.

H 38 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Bunderson and Lodge arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 38** passed, title was approved, and the bill ordered returned to the House.

H 39 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Bunderson and Stegner arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 39** passed, title was approved, and the bill ordered returned to the House.

H 14, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Andreason arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 14,** as amended, passed, title was approved, and the bill ordered returned to the House.

H 170 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 170** passed, title was approved, and the bill ordered returned to the House.

H 154 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brandt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 154** passed, title was approved, and the bill ordered returned to the House.

H 131 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 131** passed, title was approved, and the bill ordered returned to the House.

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

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

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

H 22 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 22** passed, title was approved, and the bill ordered returned to the House.

H 278 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 278** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:40 p.m. until the hour of 9:15 a.m., Monday, March 19, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 19, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Branch, Cameron, Danielson, Deide, Goedde, Hawkins, Noh, Richardson, Sandy, Sims, and Stennett, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Deide, Goedde, Sims, and Stennett were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 16, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

Senator Richardson was recorded present at this order of business.

SCR 116
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
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 BILLINGSLEY CREEK NEAR HAGERMAN, IDAHO.

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

WHEREAS, the Idaho Department of Parks and Recreation has recently been introduced to properties in the Hagerman Valley which have good potential for becoming a significant recreational state park; and

WHEREAS, preserving and protecting these properties along Billingsley Creek represents an unprecedented opportunity to preserve and protect a major scenic, recreational and scientific corridor in the state which is in danger of becoming lost to public access through private development; and

WHEREAS, protection of this area will contribute immediately to the quality of water in Billingsley Creek and the Middle Snake River as a whole; and

WHEREAS, acquisition of these properties will ensure access to unique recreational opportunities in this area including access to two miles of a blue ribbon trophy trout fishing opportunity for Idaho anglers; and

WHEREAS, acquisition of these properties will also provide ownership of an existing fish hatchery and present the opportunity to partner with the existing fish hatchery and with the University of Idaho in developing a key aquaculture and research facility for endangered species;

WHEREAS, acquisition of these facilities will facilitate unique opportunities for conjunctive use research in cooperation with the Idaho Water Resources Institute; and

WHEREAS, acquisition of these properties will also ensure the protection of the historic Vardis Fisher property with ownership of Fisher Lake, 60 cfs of spring water and adjacent properties where the internationally renowned Idaho author lived and worked.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature hereby authorizes and provides approval for the Department of Parks and Recreation 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 for the acquisition of such property and to make such property available for use by the Department of Parks and Recreation; or the Department of Parks and Recreation is authorized to acquire such property within the limits of moneys appropriated to it for such purpose.

BE IT FURTHER RESOLVED that this Resolution constitutes authorization required by the provisions of Section 67-6410, Idaho Code.

SCR 116 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2001

The JUDICIARY AND RULES Committee reports that **S 1257** and **S 1258** have been correctly printed.

DARRINGTON, Chairman

S 1257 and **S 1258** were referred to the Finance Committee.

March 16, 2001

The JUDICIARY AND RULES Committee reports that **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142,** as amended, **S 1153,** and **SCR 108** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142,** as amended, **S 1153,** and **SCR 108** and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1039, S 1052, S 1060, S 1090, S 1145,** and **S 1146** were delivered to the Office of the Governor at 2:05 p.m., March 16, 2001.

DARRINGTON, Chairman

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

March 16, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 110** was delivered to the Office of the Secretary of State at 2:10 p.m., March 16, 2001.

DARRINGTON, Chairman

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

March 16, 2001

The HEALTH AND WELFARE Committee reports out **H 256,** as amended, with the recommendation that it do pass.

IPSEN, Chairman

H 256, as amended, was filed for second reading.

March 16, 2001

The STATE AFFAIRS Committee reports out **S 1255, H 207,** as amended, **H 306, H 307, H 348,** and **H 340** with the recommendation that they do pass.

SORENSEN, Chairman

S 1255, H 207, as amended, **H 306, H 307, H 348,** and **H 340** were filed for second reading.

March 16, 2001

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

Vernon Baker to the Idaho Human Rights Commission, term to expire July 1, 2003.

SORENSEN, Chairman

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

March 19, 2001

The FINANCE Committee reports out **S 1257** and **S 1258** with the recommendation that they do pass.

CAMERON, Chairman

S 1257 and **S 1258** were filed for second reading.

March 19, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 353** with the recommendation that it do pass.

THORNE, Chairman

H 353 was filed for second reading.

March 19, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 299** and **H 312,** as amended, with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **H 299** and **H 312,** as amended, were referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

Senators Branch, Cameron, and Noh were recorded present at this order of business.

March 16, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Bill Whittom of Sagle, Idaho, was appointed as a member of the Idaho State Soil Conservation Commission to serve a term commencing July 1, 2000, and expiring July 1, 2005.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Agricultural Affairs Committee.

March 16, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1078

Sincerely,
/s/ Dirk Kempthorne
Governor

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

March 19, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that DuWayne D. Hammond, Jr. was reappointed as a member of the Idaho State Tax Commission to serve a term expiring March 8, 2007.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

Senators Danielson, Hawkins, and Sandy were recorded present at this order of business.

March 16, 2001

Mr. President:

I transmit herewith **H 350, H 358, HCR 33, H 284,** and **H 357**, and I return herewith **S 1050, S 1051,** as amended, **S 1047, S 1063, S 1170, S 1192, S 1143, S 1056, S 1055, S 1121,** and **S 1122**, which have passed the House.

JUKER, Chief Clerk

H 350, H 358, HCR 33, H 284, and **H 357** were filed for first reading.

S 1050, S 1051, as amended, **S 1047, S 1063, S 1170, S 1192, S 1143, S 1056, S 1055, S 1121,** and **S 1122** were referred to the Judiciary and Rules Committee for enrolling.

March 16, 2001

Mr. President:

I return herewith **S 1064,** as amended, which has failed to pass the House.

JUKER, Chief Clerk

S 1064, as amended, was ordered filed in the office of the Secretary of the Senate.

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

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

H 350, by Education Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 358, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

HCR 33, by Revenue and Taxation Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 284 and **H 357**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Cameron, granted by unanimous consent, **H 348** was re-referred to the Finance Committee.

H 331, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1106, by Transportation Committee, was read the second time at length and filed for third reading.

H 155, by Business Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 156, as amended, by Business Committee, was read the second time at length and filed for third reading.

H 225, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 161, by Business Committee, was read the second time at length and filed for third reading.

S 1253, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 317, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

H 35, as amended, as amended in the Senate, by Mr. Speaker, was read the second time at length and filed for third reading.

H 47, as amended in the Senate, by Hornbeck, was read the second time at length and filed for third reading.

H 253, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1167, as amended, and **S 1200**, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Danielson, granted by unanimous consent, **S 1214,** having been held, retained its place on the Third Reading Calendar for one legislative day.

S 1199 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Cameron, Davis, Richardson. Total - 3.

Total - 35.

Whereupon the President declared **S 1199** passed, title was approved, and the bill ordered transmitted to the House.

S 1251 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Thorne, Risch, and Danielson.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present.

On request by Senator Thorne, granted by unanimous consent, the Call was lifted.

The question being, "Shall **S 1251** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1251** passed, title was approved, and the bill ordered transmitted to the House.

S 1252 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1252** passed, title was approved, and the bill ordered transmitted to the House.

H 206, as amended in the Senate, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Danielson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 206**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 18, as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Keough, King-Barrutia, Lodge, Noh, Risch, Sandy, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler. Total - 26.

NAYS--Frasure, Hawkins, Ingram, Ipsen, Lee, Richardson, Schroeder, Whitworth, Williams. Total - 9.

Total - 35.

Whereupon the President declared **H 18**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 185, as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 185**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 247, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Dunklin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 247** passed, title was approved, and the bill ordered returned to the House.

H 7, as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 7**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 25 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Thorne, Darrington, and Risch.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present.

On request by Senator Thorne, granted by unanimous consent, the Call was lifted.

The question being, "Shall **H 25** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 25** passed, title was approved, and the bill ordered returned to the House.

H 60, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Lodge and Darrington arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 60**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 245 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Thorne, Williams. Total - 30.

NAYS--Keough, Whitworth. Total - 2.

Absent and excused--Sandy, Stennett, Wheeler. Total - 3.

Total - 35.

Whereupon the President declared **H 245** passed, title was approved, and the bill ordered returned to the House.

H 151, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 151,** as amended, passed, title was approved, and the bill ordered returned to the House.

H 43 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 43** passed, title was approved, and the bill ordered returned to the House.

H 223 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 31.

NAYS--Boatright, Dunklin, Whitworth. Total - 3.

Absent and excused--Sandy. Total - 1.

Total - 35.

Whereupon the President declared **H 223** passed, title was approved, and the bill ordered returned to the House.

H 224 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Williams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 32.

NAYS--Whitworth. Total - 1.

Absent and excused--Sandy, Stennett. Total - 2.

Total - 35.

Whereupon the President declared **H 224** passed, title was approved, and the bill ordered returned to the House.

H 32 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Danielson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 32** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 251** retained its place on the Third Reading Calendar.

H 148 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 148** passed, title was approved, and the bill ordered returned to the House.

H 162 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 162** passed, title was approved, and the bill ordered returned to the House.

H 174 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Sims, Stegner, Thorne, Wheeler, Williams. Total - 28.

NAYS--Dunklin, Noh, Schroeder, Stennett. Total - 4.

Absent and excused--Brandt, Sorensen, Whitworth. Total - 3.

Total - 35.

Whereupon the President declared **H 174** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills amended in the Senate, followed by all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 6:05 p.m. until the hour of 9:15 a.m., Tuesday, March 20, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 20, 2001

Senate Chamber

President Riggs called the Senate to order at 9:15 a.m.

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

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 19, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

SJM 107
BY JUDICIARY AND RULES COMMITTEE
A JOINT MEMORIAL
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the outbreak of Bovine Spongiform Encephalopathy in Europe introduces a frightening and lethal condition that could eventually spread to many parts of the world if proper measures are not taken to contain it; and

WHEREAS, Bovine Spongiform Encephalopathy is a fatal neurological disease of cattle, and the dramatic increase in the incidence of the disease in Europe has prompted the World Health Organization to declare its "exposure worldwide," thus critically threatening the safety of our food supply and the livestock industry of the United States; and

WHEREAS, since 1989, the United States has banned the importation of suspected animals and products thereof, from countries known to have Bovine Spongiform Encephalopathy, and has instituted surveillance for the disease in the United States, and has banned the feeding of products that could potentially carry the agent; and

WHEREAS, the Bovine Spongiform Encephalopathy agent is present in nervous system tissue such as the brain and spinal cord and does not exist in milk nor milk products nor muscle tissue such as steak, roasts and hamburger.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we support 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 for the protection of the United States cattle industry.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 108
BY JUDICIARY AND RULES COMMITTEE
A JOINT MEMORIAL
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the American rancher and farmer face the most stringent environmental regulations in the world, and apply federal Food and Drug Administration-approved pesticides, antibiotics and pharmaceuticals to further ensure the safety of American-produced and raised live animals, meat, dairy and related products; and

WHEREAS, in recent years the world's food supply has faced new threats in the form of food-borne illnesses and illness-causing organisms such as Salmonella, E. coli bacteria, and Listeria monocytogenes, and including the emergence of antibiotic-resistant organisms associated with the contamination of the food supply; and

WHEREAS, the American livestock producer follows strict withdrawal periods and techniques for administering federal Food and Drug Administration-approved pesticides, antibiotics and pharmaceuticals before allowing livestock to be marketed and processed for human consumption; and

WHEREAS, because imported live animals, meat, dairy and related products do not follow the same stringent environmental requirements, and foreign producers have the availability of pesticides, antibiotics and pharmaceuticals which are illegal for use in the United States, and foreign producers are not restricted on withdrawal periods nor administration techniques for pesticides, antibiotics and pharmaceuticals, it is reasoned that the importation of animals and animal products can be a threat to the safety and reliability of America's food supply; and

WHEREAS, a country of origin labeling system that enhances the traceability and accountability will help ensure the safe consumption of meat products in America; and

WHEREAS, the taxpaying public of the United States has made an enormous investment in food safety and has the right to know where food is produced.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the Congress to enact legislation that mandates country of origin labeling for meat, and to require that products labeled "U.S. Produced" be born, raised and processed completely in the United States.

BE IT FURTHER RESOLVED that any meat products imported into the United States meet all the same standards as those required on American-produced meat products.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 109
BY JUDICIARY AND RULES COMMITTEE
A JOINT MEMORIAL
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the dramatic increase in the incidence of Foot and Mouth Disease in Europe, and now present on four continents, has prompted the Animal and Plant Health Inspection Service of the United States Department of Agriculture to issue warnings to all American citizens, especially those traveling abroad, and to American livestock owners to protect their vital industry; and

WHEREAS, the Foot and Mouth Disease virus can be spread by equipment, vehicles, shoes, clothing, food items or even by surviving for twenty-eight hours in the human respiratory system; and

WHEREAS, should Foot and Mouth Disease enter the United States, the result would be massive outbreaks of the disease in America, with total disruption of the American food supply; and

WHEREAS, the United States is currently free from Foot and Mouth Disease which is decimating Europe and spreading worldwide.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we support 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 on inanimate objects; and we support a moratorium on all imports of cloven-hoofed animals and products thereof, for a period of three years or until importers can prove that cloven-hoofed animals and products thereof are free of Foot and Mouth Disease for the protection of the American livestock owners.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 107, SJM 108, and **SJM 109** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 20, 2001

The JUDICIARY AND RULES Committee reports that **SCR 116** has been correctly printed.

DARRINGTON, Chairman

On request by Senator Noh, granted by unanimous consent, **SCR 116** was referred to the Resources and Environment Committee.

March 19, 2001

The JUDICIARY AND RULES Committee reports that **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** have been correctly enrolled.

DARRINGTON, Chairman

The President signed 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** and ordered them transmitted to the House for the signature of the Speaker.

March 19, 2001

The JUDICIARY AND RULES Committee reports out **HCR 32** and **H 321,** as amended, with the recommendation that they do pass.

DARRINGTON, Chairman

HCR 32 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

H 321, as amended, was filed for second reading.

March 19, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **H 358** with the recommendation that it do pass.

NOH, Chairman

H 358 was filed for second reading.

March 19, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 211,** as amended, and **H 339** with the recommendation that they do pass.

DEIDE, Chairman

H 211, as amended, and **H 339** were filed for second reading.

March 19, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 169,** as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DEIDE, Chairman

There being no objection, **H 169,** as amended, was referred to the Fourteenth Order of Business, General Calendar.

March 19, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 210** with the recommendation that it do pass, and with the recommendation that it be referred to the Consent Calendar.

DEIDE, Chairman

H 210 was filed for second reading.

March 19, 2001

The STATE AFFAIRS Committee reports out **H 309** with the recommendation that it do pass.

SORENSEN, Chairman

H 309 was filed for second reading.

March 19, 2001

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

David E. Kinghorn to the Idaho State Board of Tax Appeals, term to expire June 30, 2001.

THORNE, Chairman

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

March 19, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 351, H 352, H 300,** as amended, **H 365,** and **S 1256** with the recommendation that they do pass.

THORNE, Chairman

H 351, H 352, H 300, as amended, **H 365,** and **S 1256** were filed for second reading.

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

Messages from the Governor

March 19, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1036 and **S 1137**

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 19, 2001

Mr. President:

I transmit herewith **H 359, H 262,** as amended, **H 242,** as amended, and **H 366**, and I return herewith **S 1166, S 1111, S 1168, S 1100, S 1038,** as amended, **S 1194, S 1174, S 1011, S 1012, S 1127,** as amended, and **S 1119**, which have passed the House.

JUKER, Chief Clerk

H 359, H 262, as amended, **H 242,** as amended, and **H 366** were filed for first reading.

S 1166, S 1111, S 1168, S 1100, S 1038, as amended, **S 1194, S 1174, S 1011, S 1012, S 1127,** as amended, and **S 1119** were referred to the Judiciary and Rules Committee for enrolling.

March 19, 2001

Mr. President:

I return herewith Enrolled **S 1132** and **SCR 109** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1132** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 109** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Cameron was recorded present at this order of business.

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

On motion by Senator Richardson, seconded by Senator Stennett, the Gubernatorial appointment of Vernon Baker as a member of the Idaho Human Rights Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

H 359, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 262, as amended, and **H 366**, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 242, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Schroeder was recorded present at this order of business.

H 256, as amended, by Environmental Affairs Committee, was read the second time at length and filed for third reading.

S 1255, by State Affairs Committee, was read the second time at length and filed for third reading.

H 207, as amended, **H 306, H 307**, and **H 340**, by State Affairs Committee, were read the second time at length and filed for third reading.

S 1257 and **S 1258**, by Finance Committee, were read the second time at length and filed for third reading.

H 353, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Sorensen, granted by unanimous consent, **S 1211**, having been held, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Cameron, granted by unanimous consent, **S 1214**, having been held, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Deide, granted by unanimous consent, **S 1106** retained its place on the Third Reading Calendar.

S 1253 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Thorne, Davis, and Danielson.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present.

On request by Senator Thorne, granted by unanimous consent, the Call was lifted.

The question being, "Shall **S 1253** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1253** passed, title was approved, and the bill ordered transmitted to the House.

S 1167, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Thorne and Wheeler arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bunderson, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Goedde, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 23.

NAYS--Boatright, Branch, Brandt, Burtenshaw, Frasure, Geddes, Hawkins, Keough, Risch, Sims, Whitworth. Total - 11.

Absent and excused--Sandy. Total - 1.

Total - 35.

Whereupon the President declared **S 1167,** as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1200, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1200**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 317, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 317**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 35, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 35**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 47, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 47**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Thorne, granted by unanimous consent, **H 253**, as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

H 251, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 251** passed, title was approved, and the bill ordered returned to the House.

H 72 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 72** passed, title was approved, and the bill ordered returned to the House.

H 212 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 212** passed, title was approved, and the bill ordered returned to the House.

H 270 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 270** passed, title was approved, and the bill ordered returned to the House.

H 124 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 124** passed, title was approved, and the bill ordered returned to the House.

H 73 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 73** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Noh, granted by unanimous consent, **H 74** retained its place on the Third Reading Calendar for one legislative day.

H 165 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 165** passed, title was approved, and the bill ordered returned to the House.

H 30 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brandt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 30** passed, title was approved, and the bill ordered returned to the House.

H 221 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Williams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 221** passed, title was approved, and the bill ordered returned to the House.

H 186 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 186** passed, title was approved, and the bill ordered returned to the House.

H 149 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Danielson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 149** passed, title was approved, and the bill ordered returned to the House.

H 308 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Branch arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 308** passed, title was approved, and the bill ordered returned to the House.

H 33, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Andreason arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 33**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 76 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 76** passed, title was approved, and the bill ordered returned to the House.

H 90 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 90** passed, title was approved, and the bill ordered returned to the House.

H 184 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 184** passed, title was approved, and the bill ordered returned to the House.

H 345 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 345** passed, title was approved, and the bill ordered returned to the House.

H 177 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 177** passed, title was approved, and the bill ordered returned to the House.

H 75 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Branch arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 75** passed, title was approved, and the bill ordered returned to the House.

H 195 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 195** passed, title was approved, and the bill ordered returned to the House.

H 196 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 196** passed, title was approved, and the bill ordered returned to the House.

H 257 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 257** passed, title was approved, and the bill ordered returned to the House.

H 338 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 32.

NAYS--Keough. Total - 1.

Absent and excused--Brandt, Whitworth. Total - 2.

Total - 35.

Whereupon the President declared **H 338** passed, title was approved, and the bill ordered returned to the House.

H 129 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 129** passed, title was approved, and the bill ordered returned to the House.

H 130 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 130** passed, title was approved, and the bill ordered returned to the House.

H 322 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 322** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 233**, **H 34, H 23**, and **H 132** retained their place on the Third Reading Calendar.

H 294 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Dunklin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 294** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Frasure, granted by unanimous consent, **H 268** retained its place on the Third Reading Calendar for Friday, March 23, 2001.

H 215 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Dunklin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 215** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 34**, having been held, was placed before the Senate for consideration at this time.

H 34 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 34** passed, title was approved, and the bill ordered returned to the House.

H 180, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 180**, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 246** retained its place on the Third Reading Calendar.

H 49 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Danielson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 49** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Ipsen, granted by unanimous consent, **H 233**, having been held, was placed before the Senate for final consideration at this time.

H 233 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Stegner. Total - 1.

Absent and excused--Dunklin, Keough, King-Barrutia, Stennett. Total - 4.

Total - 35.

Whereupon the President declared **H 233** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Ipsen, granted by unanimous consent, **H 23**, having been held, was placed before the Senate for consideration at this time.

H 23 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 23** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 132**, having been held, was placed before the Senate for consideration at this time.

H 132 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ipsen, Keough, Lodge, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 25.

NAYS--Boatright, Branch, Darrington, Hawkins, Lee, Noh, Schroeder. Total - 7.

Absent and excused--Ingram, King-Barrutia, Stennett. Total - 3.

Total - 35.

Whereupon the President declared **H 132** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 50** and **H 53** retained their place on the Third Reading Calendar.

H 147 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 147** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 191**, as amended, and **H 24**, as amended, retained their place on the Third Reading Calendar.

H 202 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 202** passed, title was approved, and the bill ordered returned to the House.

The President called Senator Risch to the Chair.

H 209 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Williams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 209** passed, title was approved, and the bill ordered returned to the House.

H 42 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 42** passed, title was approved, and the bill ordered returned to the House.

H 41 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 41** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Dunklin, granted by unanimous consent, **H 28**, as amended, retained its place on the Third Reading Calendar.

H 27 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 27** passed, title was approved, and the bill ordered returned to the House.

H 29, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 29**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 70 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate.

On request by Senator Hawkins, granted by unanimous consent, **H 70** retained its place on the Third Reading Calendar for one legislative day.

H 222 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 222** passed, title was approved, and the bill ordered returned to the House.

H 226 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 226** passed, title was approved, and the bill ordered returned to the House.

H 331 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wheeler arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 331** passed, title was approved, and the bill ordered returned to the House.

H 156, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 156**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 225 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Dunklin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 225** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent **H 28**, as amended, having been held, was placed before the Senate for consideration at this time.

H 28, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Dunklin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 28**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 161 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Andreason arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the Acting President declared **H 161** passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

On request by Senator Danielson, granted by unanimous consent, **S 1106**, having been held, was placed before the Senate for consideration at this time.

S 1106 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Burtenshaw, Cameron, Danielson, Darrington, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Wheeler, Whitworth, Williams. Total - 29.

NAYS--Davis, Stennett. Total - 2.

Absent and excused--Bunderson, Dunklin, King-Barrutia, Thorne. Total - 4.

Total - 35.

Whereupon the President declared **S 1106** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Danielson, granted by unanimous consent, **H 50**, having been held, was placed before the Senate for consideration at this time.

H 50 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 50** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Danielson, granted by unanimous consent, **H 191**, as amended, having been held, was placed before the Senate for consideration at this time.

H 191, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Danielson, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, Lodge, Richardson, Risch, Schroeder, Sims, Sorensen, Wheeler, Whitworth. Total - 18.

NAYS--Branch, Brandt, Burtenshaw, Cameron, Darrington, Davis, Ipsen, Lee, Noh, Sandy, Stegner, Stennett, Williams. Total - 13.

Absent and excused--Bunderson, Dunklin, King-Barrutia, Thorne. Total - 4.

Total - 35.

Whereupon the President declared **H 191**, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills amended in the Senate, followed by all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 5:15 p.m. until the hour of 9 a.m., Wednesday, March 21, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 21, 2001

Senate Chamber

President Riggs called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Cameron, Deide, Hawkins, Richardson, Sandy, and Sorensen, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Richardson was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 20, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

March 21, 2001

The JUDICIARY AND RULES Committee reports that **SJM 107, SJM 108,** and **SJM 109** have been correctly printed.

DARRINGTON, Chairman

SJM 107, SJM 108, and **SJM 109** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 20, 2001

The JUDICIARY AND RULES Committee reports that **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** have been correctly enrolled.

DARRINGTON, Chairman

The President signed 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 ordered them transmitted to the House for the signature of the Speaker.

March 20, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 109** was delivered to the Office of the Secretary of State at 10:58 a.m., March 20, 2001.

DARRINGTON, Chairman

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

March 20, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1132** was delivered to the Office of the Governor at 2:10 p.m., March 20, 2001.

DARRINGTON, Chairman

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

March 20, 2001

The HEALTH AND WELFARE Committee reports out **H 192,** as amended, with the recommendation that it do pass.

IPSEN, Chairman

H 192, as amended, was filed for second reading.

March 20, 2001

The EDUCATION Committee reports out **H 326,** as amended, with the recommendation that it do pass.

SCHROEDER, Chairman

H 326, as amended, was filed for second reading.

March 20, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **SCR 116** with the recommendation that it do pass.

NOH, Chairman

SCR 116 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 20, 2001

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

DuWayne E. Hammond, Jr., to the Idaho State Tax Commission, term to expire March 8, 2007.

THORNE, Chairman

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

March 20, 2001

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

John McHugh to the Idaho Transportation Board, term to expire January 31, 2007.

FRASURE, Chairman

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

March 20, 2001

The TRANSPORTATION Committee reports out **S 1107** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

FRASURE, Chairman

There being no objection, **S 1107** was referred to the Fourteenth Order of Business, General Calendar.

March 20, 2001

The TRANSPORTATION Committee reports out **S 1254** and **H 269** with the recommendation that they do pass.

FRASURE, Chairman

S 1254 and **H 269** were filed for second reading.

March 20, 2001

The STATE AFFAIRS Committee reports out **SCR 114** with the recommendation that it do pass.

SORENSEN, Chairman

SCR 114 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 20, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 327** with the recommendation that it do pass.

ANDREASON, Chairman

H 327 was filed for second reading.

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

Messages from the House

Senator Sandy was recorded present at this order of business .

March 20, 2001

Mr. President:

I transmit herewith **H 330, H 341, H 342, H 343, H 344, H 301, H 334, HCR 35,** and **H 364** which have passed the House.

JUKER, Chief Clerk

H 330, H 341, H 342, H 343, H 344, H 301, H 334, HCR 35, and **H 364** were filed for first reading.

March 20, 2001

Mr. President:

I transmit 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** for the signature of the President, and I return herewith Enrolled **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142,** as amended**, S 1153,** and **SCR 108** which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed 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 ordered them returned to the House.

Enrolled **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142,** as amended, and **S 1153** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 108** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **HCR 32** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stegner, seconded by Senator Stennett, **HCR 32** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

On motion by Senator Williams, seconded by Senator Stennett, the Gubernatorial appointment of David E. Kinghorn as a member of the Idaho State Board of Tax Appeals was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

H 330, H 341, H 342, H 343, H 344, H 301, and **H 334**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

HCR 35, by State Affairs Committee, was introduced, read at length, and referred to the Transportation Committee.

H 364, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 321, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 358, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 211, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 339, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 210, by Agricultural Affairs Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 309, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 351 and **H 352**, by State Affairs Committee, were read the second time at length and filed for third reading.

H 300, as amended, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 365, by Ways and Means Committee, was read the second time at length and filed for third reading.

S 1256, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Risch, granted by unanimous consent, **S 1214**, having been held, retained its place on the Third Reading Calendar for one legislative day.

Senators Hawkins and Sorensen were recorded present at this order of business.

S 1255 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Lee and Noh arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 30.

NAYS--Burtenshaw, Cameron, Hawkins, Keough, Whitworth. Total - 5.

Total - 35.

Whereupon the President declared **S 1255** passed, title was approved, and the bill ordered transmitted to the House.

S 1257 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Davis, Stegner. Total - 2.

Total - 35.

Whereupon the President declared **S 1257** passed, title was approved, and the bill ordered transmitted to the House.

S 1258 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Cameron, Davis, Lee, Stegner, Wheeler. Total - 5.

Total - 35.

Whereupon the President declared **S 1258** passed, title was approved, and the bill ordered transmitted to the House.

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

Reports of Standing Committees

March 21, 2001

The STATE AFFAIRS Committee reports out **H 356** with the recommendation that it do pass.

SORENSEN, Chairman

H 356 was filed for second reading.

March 21, 2001

The EDUCATION Committee reports out **H 315,** as amended, with the recommendation that it do pass.

SCHROEDER, Chairman

H 315, as amended, was filed for second reading.

March 21, 2001

The FINANCE Committee reports out **H 330, H 341, H 342, H 343, H 344, H 301,** and **H 334** with the recommendation that they do pass.

CAMERON, Chairman

H 330, H 341, H 342, H 343, H 344, H 301, and **H 334** were filed for second reading.

March 21, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 231** with the recommendation that it do pass.

ANDREASON, Chairman

H 231 was filed for second reading.

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

Third Reading of Bills

On request by Senator Ipsen, granted by unanimous consent, **H 253**, as amended in the Senate, having been held, retained its place on the Third Reading Calendar.

H 74, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared **H 74** passed, title was approved, and the bill ordered returned to the House.

H 246, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Branch, Bunderson, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stennett, Thorne, Whitworth. Total - 26.

NAYS--Boatright, Brandt, Burtenshaw, Deide, Hawkins, Sims, Stegner, Wheeler, Williams. Total - 9.

Total - 35.

Whereupon the President declared **H 246** passed, title was approved, and the bill ordered returned to the House.

H 53, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Risch, Danielson, and Stennett.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senators Bunderson, Cameron, Davis, Hawkins, Sorensen, and Thorne.

The President directed the Sergeant at Arms to find and present Senators Bunderson, Cameron, Davis, Hawkins, Sorensen, and Thorne to the Senate.

Senators Bunderson, Cameron, Davis, Hawkins, Sorensen, and Thorne were recorded present.

On request by Senator Risch, granted by unanimous consent, the Call was lifted.

The question being, "Shall **H 53** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 33.

NAYS--Stennett, Whitworth. Total - 2.

Total - 35.

Whereupon the President declared **H 53** passed, title was approved, and the bill ordered returned to the House.

H 24, as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bunderson, Danielson, Darrington, Davis, Dunklin, King-Barrutia, Lee, Risch, Sandy, Sorensen, Stegner, Stennett, Thorne. Total - 14.

NAYS--Boatright, Branch, Brandt, Burtenshaw, Cameron, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lodge, Noh, Richardson, Schroeder, Sims, Wheeler, Whitworth, Williams. Total - 21.

Total - 35.

Whereupon the President declared that **H 24**, as amended, had failed to pass the Senate and ordered the bill returned to the House.

The President announced that **H 70**, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and re-opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 70** passed, title was approved, and the bill ordered returned to the House.

H 256, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Senator Lodge requested that she be excused from voting on **H 256**, as amended, pursuant to Senate Rule 39(A). Senator Lodge's request was granted by unanimous consent.

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Whitworth, Williams. Total - 33.

NAYS--None.

Excused from voting--Lodge. Total - 1.

Absent and excused--Wheeler. Total - 1.

Total - 35.

Whereupon the President declared **H 256**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 207, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate.

On request by President Pro Tempore Geddes, granted by unanimous consent, **H 207**, as amended, was re-committed to the State Affairs Committee.

H 306 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--Dunklin, Keough. Total - 2.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared **H 306** passed, title was approved, and the bill ordered returned to the House.

H 307 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sandy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--Stennett. Total - 1.

Absent and excused--Brandt, Keough. Total - 2.

Total - 35.

Whereupon the President declared **H 307** passed, title was approved, and the bill ordered returned to the House.

H 340 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Moved by Senator Danielson, seconded by Senator Ingram, that **H 340** be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senators Noh, Danielson, and Whitworth.

Roll call resulted as follows:

AYES--Andreason, Boatright, Danielson, Deide, Dunklin, Goedde, Ingram, Keough, Lodge, Noh, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Whitworth. Total - 17.

NAYS--Branch, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Frasure, Geddes, Hawkins, Ipsen, King-Barrutia, Lee, Richardson, Risch, Thorne, Wheeler, Williams. Total - 18.

Total - 35.

Whereupon the President declared that the motion to refer **H 340** to the Fourteenth Order of Business for amendment did not prevail.

The question being, "Shall **H 340** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Frasure, Geddes, Goedde, Hawkins, Ipsen, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Thorne, Wheeler, Williams. Total - 23.

NAYS--Deide, Dunklin, Ingram, Keough, Noh, Schroeder, Sims, Stegner, Stennett, Whitworth. Total - 10.

Absent and excused--Danielson, Sorensen. Total - 2.

Total - 35.

Whereupon the President declared **H 340** passed, title was approved, and the bill ordered returned to the House.

H 353 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--Danielson. Total - 1.

Absent and excused--Hawkins. Total - 1.

Total - 35.

Whereupon the President declared **H 353** passed, title was approved, and the bill ordered returned to the House.

H 292 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--Hawkins. Total - 1.

Total - 35.

Whereupon the President declared **H 292** passed, title was approved, and the bill ordered returned to the House.

H 316 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--Hawkins. Total - 1.

Total - 35.

Whereupon the President declared **H 316** passed, title was approved, and the bill ordered returned to the House.

H 52 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--Hawkins. Total - 1.

Total - 35.

Whereupon the President declared **H 52** passed, title was approved, and the bill ordered returned to the House.

H 252 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--Hawkins. Total - 1.

Total - 35.

Whereupon the President declared **H 252** passed, title was approved, and the bill ordered returned to the House.

H 232, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ipsen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--Hawkins. Total - 1.

Total - 35.

Whereupon the President declared **H 232**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 155 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--Hawkins. Total - 1.

Total - 35.

Whereupon the President declared **H 155** passed, title was approved, and the bill ordered returned to the House.

Having voted on the prevailing side by which **H 24**, as amended, failed to pass the Senate, Senator Ipsen served notice that he may on this or the next legislative day move for reconsideration of the vote.

H 24, as amended, was ordered held at the Desk.

Having voted on the prevailing side and proper notice having been served, Senator Frasure moved, seconded by Senator Cameron, that the vote by which **H 24**, as amended, failed to pass the Senate now be reconsidered. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senators Hawkins, Frasure, and Cameron.

Roll call resulted as follows:

AYES--Andreason, Brandt, Bunderson, Darrington, Davis, Dunklin, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Risch, Sandy, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 20.

NAYS--Boatright, Branch, Burtenshaw, Cameron, Deide, Frasure, Geddes, Hawkins, Lodge, Noh, Richardson, Schroeder, Sims, Williams. Total - 14.

Absent and excused--Danielson. Total - 1.

Total - 35.

Whereupon the President declared that the motion to reconsider had prevailed and **H 24**, as amended, was placed before the Senate for final consideration. The question being, "Shall **H 24**, as amended, pass?"

Roll call resulted as follows:

AYES--Andreason, Bunderson, Danielson, Darrington, Davis, Dunklin, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sorensen, Stegner, Thorne, Wheeler. Total - 21.

NAYS--Boatright, Branch, Brandt, Burtenshaw, Cameron, Frasure, Geddes, Hawkins, Schroeder, Sims, Stennett, Whitworth, Williams. Total - 13.

Absent and excused--Deide. Total - 1.

Paired and voting included in roll call:

AYE - Andreason NAY - Boatright

Total - 35.

Whereupon the President declared that **H 24**, as amended, passed, title was approved, and the bill ordered returned to the House

On request by Senator Frasure, granted by unanimous consent, **H 268** was recommitted to the Transportation Committee.

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

Messages from the House

March 21, 2001

Mr. President:

I transmit 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** for the signature of the President, and I return 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**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed 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**, and ordered them returned to the House.

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** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 21, 2001

Mr. President:

I transmit herewith **H 335, H 337, H 310,** and **H 336**, and I return herewith **S 1180, S 1181, S 1186, S 1187, S 1189, S 1190, S 1185, S 1184, S 1196, S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1208,** and **S 1209**, which have passed the House.

JUKER, Chief Clerk

H 335, H 337, H 310, and **H 336** were filed for first reading.

S 1180, S 1181, S 1186, S 1187, S 1189, S 1190, S 1185, S 1184, S 1196, S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1208, and **S 1209** were referred to the Judiciary and Rules Committee for enrolling.

March 21, 2001

Mr. President:

I transmit herewith **H 367**, and I return herewith **S 1217, S 1175, S 1188, S 1207, S 1218, S 1219, S 1220, S 1221, S 1222,** and **S 1224**, which have passed the House.

JUKER, Chief Clerk

H 367 was filed for first reading.

S 1217, S 1175, S 1188, S 1207, S 1218, S 1219, S 1220, S 1221, S 1222, and **S 1224** were referred to the Judiciary and Rules Committee for enrolling.

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

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

H 335, H 337, and **H 336**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 310 and **H 367**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of House bills amended in the Senate, followed by all House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 6:15 p.m. until the hour of 9 a.m., Thursday, March 22, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 22, 2001

Senate Chamber

President Riggs called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Danielson, Sandy, and Stennett, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 21, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 117
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULES THAT ARE NOT APPROVED.

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

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

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

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Department of Insurance, relating to extraordinary exam fees and overpayments, and certain rules of the Outfitters and Guides Licensing Board concerning definitions of unethical/unprofessional conduct relating to failure to pay taxes owed to a governmental entity, and certain rules of the Idaho Transportation Department governing use of state right-of-way relating to full control of access, conduits under the roadway, review and approval of construction plans, trees at the edge of the traveled way, rocks at the edge of the traveled way, and permit application fees, are not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of Rules Coordinator to the Legislature for review during the 2001 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules:

(1) IDAPA 18.01.44, Section 020, Subsection 05 g., Rules of the Idaho Department of Insurance relating to extraordinary exam fees, and Section 051, Rules of the Idaho Department of Insurance relating to overpayments, adopted as pending fee rules under Docket number 18-0144-0001; and

(2) IDAPA 25.01.01, Section 002, Subsection 45 j., Rules of the Outfitters and Guides Licensing Board concerning definitions of unethical/unprofessional conduct relating to failure to pay taxes owed to a governmental entity adopted as a pending fee rule under Docket number 25-0101-0001.

(3) IDAPA 39.03.42, Rules of the Idaho Transportation Department governing use of state right-of-way, Section 500, Subsection 03, relating to full control of access and Subsection 05 b., relating to conduits under the roadway and review and approval of construction plans, Section 600, Subsection 04 g., relating to trees at the edge of the traveled way, and Subsection 04 h., relating to rocks at the edge of the traveled way, and Section 700, Subsection 02, relating to permit application fees, adopted as pending fee rules under Docket number 39-0342-0001.

BE IT FURTHER RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 18.01.44, Section 020, Subsection 05 g., Rules of the Idaho Department of Insurance relating to extraordinary exam fees, and IDAPA 18.01.44, Section 051, Rules of the Idaho Department of Insurance relating to overpayments, adopted as pending fee rules under Docket number 18-0144-0001, IDAPA 25.01.01, Section 002, Subsection 45 j., Rules of the Outfitters and Guides Licensing Board concerning definitions of unethical/unprofessional conduct relating to failure to pay taxes owed to a governmental entity adopted as a pending fee rule under Docket number 25-0101-0001, and IDAPA 39.03.42, Rules of the Idaho Transportation Department governing use of state right-of-way,

Section 500, Subsection 03, relating to full control of access and Subsection 05 b., relating to conduits under the roadway and review and approval of construction plans, Section 600, Subsection 04 g., relating to trees at the edge of the traveled way and Subsection 04 h., relating to rocks at the edge of the traveled way, and Section 700, Subsection 02, relating to permit application fees, adopted as pending fee rules under Docket number 39-0342-0001, be, and the same are hereby rejected and not approved and thereby pursuant to Section 67-5291, and Section 67-5224, Idaho Code, are declared null, void and of no force and effect.

BE IT FURTHER RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that rule provisions imposing fees or charges that were not submitted through the Office of Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

SCR 118
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE.

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

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in re-adopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of Rules Coordinator for review during the 2001 legislative session, and all temporary rules previously approved and extended by concurrent resolution adopted in a prior regular session of the Idaho Legislature, be, and the same are approved.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Fifty-sixth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules which were not submitted to the Legislature for review during the 2001 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Fifty-sixth Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

SCR 117 and **SCR 118** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 108** was delivered to the Office of the Secretary of State at 2:31 p.m., March 21, 2001.

DARRINGTON, Chairman

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

March 21, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142,** as amended, and **S 1153** were delivered to the Office of the Governor at 2:40 p.m., March 21, 2001.

DARRINGTON, Chairman

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

March 22, 2001

The FINANCE Committee reports out **H 335, H 337,** and **H 336** with the recommendation that they do pass.

CAMERON, Chairman

H 335, H 337, and **H 336** were filed for second reading.

March 21, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 238,** as amended, and **H 305,** as amended, with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

ANDREASON, Chairman

H 238, as amended, and **H 305,** as amended, were filed for second reading.

March 21, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 121** with the recommendation that it do pass.

THORNE, Chairman

On request by Senator Thorne, granted by unanimous consent, **H 121** was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

March 20, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1052, S 1060, S 1132, S 1145, S 1146

Sincerely,
/s/ Dirk Kempthorne
Governor

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

Senator Sandy was recorded present at this order of business

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 21, 2001

Mr. President:

I return 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** which have been signed by the Speaker.

JUKER, Chief Clerk

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** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Stennett and Danielson were recorded present at this order of business.

The President announced that **SJM 107** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Branch, seconded by Senator Burtenshaw, **SJM 107** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that **SJM 108** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Branch, seconded by Senator Burtenshaw, **SJM 108** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that **SJM 109** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Branch, seconded by Senator Stennett, **SJM 109** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that **SCR 116** was before the Senate for final consideration.

Moved by Senator Andreason, seconded by Senator Stennett, that **SCR 116** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Bunderson, Davis, Lee, Sorensen, Stegner. Total - 5.

Total - 35.

Whereupon the President declared **SCR 116** adopted, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Thorne, seconded by Senator Whitworth, the Gubernatorial appointment of DuWayne E. Hammond as a member of the Idaho State Tax Commission was confirmed by voice vote.

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

The President announced the Transportation Committee report relative to the Gubernatorial appointment of John McHugh was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Boatright, seconded by Senator Risch, the Gubernatorial appointment of John McHugh as a member of the Idaho Transportation Board was confirmed by voice vote.

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

The President announced that **SCR 114** was before the Senate for final consideration.

Moved by Senator Risch, seconded by Senator Dunklin, that **SCR 114** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **SCR 114** adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1259
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE LIEUTENANT GOVERNOR; AMENDING SECTION 67-809, IDAHO CODE, TO INCREASE THE RATE OF PER DIEM THE LIEUTENANT GOVERNOR SHALL RECEIVE WHEN THE LEGISLATURE IS IN OR OUT OF SESSION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1260
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO AGRICULTURAL COMMODITY DEALER LIENS; AMENDING SECTION 45-1801, IDAHO CODE, TO REVISE A DEFINITION AND TO CORRECT A CODIFIER'S ERROR; AMENDING SECTION 45-1802, IDAHO CODE, 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; AMENDING SECTION 45-1804, IDAHO CODE, TO PROVIDE FOR THE DURATION OF CERTAIN LIENS 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.

S 1259 and **S 1260** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 192, as amended, by Environmental Affairs Committee, was read the second time at length and filed for third reading.

H 326, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1254, by State Affairs Committee, was read the second time at length and filed for third reading.

H 269, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 327, by Education Committee, was read the second time at length and filed for third reading.

H 356, by State Affairs Committee, was read the second time at length and filed for third reading.

H 315, as amended, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 330, H 341, H 342, H 343, H 344, H 301, and **H 334**, by Appropriations Committee, were read the second time at length and filed for third reading.

H 231, by Business Committee, was read the second time at length and filed for third reading.

H 335, H 337, and **H 336**, by Appropriations Committee, were read the second time at length and filed for third reading.

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

Reports of Standing Committees

March 22, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 262,** as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DEIDE, Chairman

There being no objection, **H 262,** as amended, was referred to the Fourteenth Order of Business, General Calendar.

March 22, 2001

The AGRICULTURAL AFFAIRS Committee reports out **H 366** with the recommendation that it do pass.

DEIDE, Chairman

H 366 was filed for second reading.

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

Messages from the House

March 22, 2001

Mr. President:

I transmit 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** for the signature of the President.

JUKER, Chief Clerk

The President signed 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 ordered them returned to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Sandy, Chairman of the Committee of the Whole, reported out **H 275, H 280, H 169**, as amended**, S 1107, H 121,** and **H 262**, as amended, without recommendation, amended as follows:

SENATE AMENDMENTS TO H 275

AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 37 through 52; and delete pages 3 through 28, and insert:

"SECTION 1. That Section 63-3024, Idaho Code, be, and the same is hereby amended to read as follows:

63-3024. INDIVIDUALS' TAX AND TAX ON ESTATES AND TRUSTS. For taxable year 2000~~0~~1, a tax measured by Idaho taxable income as defined in this chapter is hereby imposed upon every individual, trust, or estate required by this chapter to file a return.

(a) (i) The tax imposed upon individuals, trusts and estates shall be computed at the following rates:

When Idaho taxable income is:	The rate is:
Less than $1,000	One and ~~nine~~five-tenths percent (1.~~9~~5%)
$1,000 but less than $2,000	$1~~9~~5, plus three and ~~nine~~five-tenths percent (3.~~9~~5%) of the amount over $1,000
$2,000 but less than $3,000	$5~~8~~0, plus four ~~and four-tenths~~ percent (4.~~4~~%) of the amount over $2,000
$3,000 but less than $4,000	$~~10~~29~~0~~, plus five ~~and four-tenths~~ percent (5.~~4~~%) of the amount over $3,000
$4,000 but less than $5,000	$1~~56~~40, plus six ~~and four-tenths~~ percent (6.~~4~~%) of the amount over $4,000
$5,000 but less than $7,500	$2~~2~~00, plus seven ~~and four-tenths~~ percent (7.~~4~~%) of the amount over $5,000
$7,500 but less than $20,000	$~~40~~375, plus seven and ~~seven~~three-tenths percent (7.~~7~~3%) of the amount over $7,500
Over $20,000	$1,~~36~~287.50, plus ~~eight and one~~seven and seven-tenths percent (~~8.1~~7.7%) of the amount over $20,000

(ii) For taxable year 200~~1~~2 and each taxable year thereafter, a tax measured by Idaho taxable income as defined in this chapter is hereby imposed upon every individual, trust, or estate required by this chapter to file a return.

The tax imposed upon individuals, trusts and estates shall be computed at the following rates:

When Idaho taxable income is:	The rate is:
~~Less than $1,000~~	~~Two percent (2.0%)~~
~~$1,000 but less than $2,000~~	~~$20, plus four percent (4.0%) of the amount over o $1,000~~
~~$2,000 but less than $3,000~~	~~$60, plus four and one-half percent (4.5%) of the amount over $2,000~~
~~$3,000 but less than $4,000~~	~~$105, plus five and one-half percent (5.5%) of the amount over $3,000~~
~~$4,000 but less than $5,000~~	~~$160, plus six and one-half percent (6.5%) of the amount over $4,000~~
~~$5,000 but less than $7,500~~	~~$225, plus seven and one-half percent (7.5%) of the amount over $5,000~~
~~$7,500 but less than $20,000~~	~~$412.50, plus seven and eight-tenths percent (7.8%) of the amount over $7,500~~
~~Over $20,000~~	~~$1,387.50, plus eight and two-tenths percent (8.2%) of the amount over $20,000~~
Less than $1,000	One and seventy-five hundredths percent (1.75%)

$1,000 but less than $2,000	$17.50, plus three and seventy-five hundredths percent (3.75%) of the amount over $1,000
$2,000 but less than $3,000	$55, plus four and twenty-five hundredths percent (4.25%) of the amount over $2,000
$3,000 but less than $4,000	$97.50, plus five and twenty-five hundredths percent (5.25%) of the amount over $3,000
$4,000 but less than $5,000	$150, plus six and twenty-five hundredths percent (6.25%) of the amount over $4,000
$5,000 but less than $7,500	$212.50, plus seven and twenty-five hundredths percent (7.25%) of the amount over $5,000
$7,500 but less than $20,000	$393.75, plus seven and fifty-five hundredths percent (7.55%) of the amount over $7,500
Over $20,000	$1,337.50, plus seven and ninety-five hundredths percent (7.95%) of the amount over $20,000

For taxable year 2000 and each year thereafter, the state tax commission shall prescribe a factor which shall be used to compute the Idaho income tax brackets provided in subsections (a)(i) and (a)(ii) of this section. The factor shall provide an adjustment to the Idaho tax brackets so that inflation will not result in a tax increase. The Idaho tax brackets shall be adjusted as follows: multiply the bracket amounts by the percentage (the consumer price index for the calendar year immediately preceding the calendar year to which the adjusted brackets will apply divided by the consumer price index for calendar year 1998). For the purpose of this computation, the consumer price index for any calendar year is the average of the consumer price index as of the close of the twelve (12) month period for the immediately preceding calendar year as adopted by the state tax commission. This adoption shall be exempt from the provisions of chapter 52, title 67, Idaho Code. The consumer price index shall mean the consumer price index for all U.S. urban consumers published by the United States department of labor. The state tax commission shall annually include the factor as provided in this subsection to multiply against Idaho taxable income in the brackets above to arrive at that year's taxable income for tax bracket purposes.

(b) In case a joint return is filed by husband and wife pursuant to the provisions of section 63-3031, Idaho Code, the tax imposed by this section shall be twice the tax which would be imposed on one-half (½) of the aggregate Idaho taxable income. For the purposes of this section, a return of a surviving spouse, as defined in section 2(a) of the Internal Revenue Code, and a head of household, as defined in section 2(b) of the Internal Revenue Code, shall be treated as a joint return and the tax imposed shall be twice the tax which would be imposed on one-half (½) of the Idaho taxable income.

(c) The state tax commission shall compute and publish Idaho income tax liability for taxpayers at the midpoint of each bracket of Idaho taxable income in fifty dollar ($50.00) steps to fifty thousand dollars ($50,000), rounding such calculations to the nearest dollar. Taxpayers having income within such brackets shall file returns based upon and pay taxes according to the schedule thus established. The state tax commission shall promulgate rules defining the conditions upon which such returns shall be filed.

SECTION 2. That Section 63-3024A, Idaho Code, be, and the same is hereby amended to read as follows:

63-3024A. CREDITS AND REFUNDS. (a) Any resident individual not entitled to the credit allowed in subsection (b)(1), who is required to file by law and who has filed an Idaho income tax return, shall be allowed a credit against taxes due under the Idaho income tax act equal to the amount of ~~fifteen~~ twenty dollars ($~~15~~20.00) for each personal exemption for which a deduction is permitted by section 151(b) and (c) of the Internal Revenue Code if such deduction is claimed on the taxpayer's Idaho income tax return, and if the individual for whom the deduction is claimed is a resident of the state of Idaho. If taxes due are less than the total credit allowed, the taxpayer shall be paid a refund equal to the balance of the unused credit. If the credit or refund is not claimed for the year for which the individual income tax return is filed, the right thereafter to claim such credit or refund shall be forfeited. The state tax commission shall prescribe the method by which the refund, if any, is to be made to the taxpayer.

(b) (1) A resident individual who has reached his sixty-fifth birthday before the end of his taxable year, who is required to file by law and who has filed an Idaho income tax return, shall be allowed a credit against taxes due under the Idaho income tax act equal to the amount of thirty-five dollars ($3~~0~~5.00) for each personal exemption representing himself, a spouse over the age of sixty-five (65) years, or a dependent over the age of sixty-five (65) years, but shall be allowed a credit against taxes due under the Idaho income tax act equal to ~~fifteen~~ twenty dollars ($~~15~~20.00) for each personal exemption representing a spouse or dependent under the age of sixty-five (65) years. If taxes due are less than the total credit allowed, the taxpayer shall be paid a refund equal to the balance of the unused credit. If the credit or refund is not claimed for the year for which the individual income tax return is filed, the right thereafter to claim such credit or refund shall be forfeited. The state tax commission shall prescribe the method by which the refund, if any, is to be made to the taxpayer.

(2) A resident individual who has reached his sixty-fifth birthday and is not required by law to file an Idaho income tax return and who has received no credit or refund under any other subsection of this section, shall be entitled to a refund of thirty-five dollars ($3~~0~~5.00). Any refund shall be paid to such individual only upon his making application therefor at such time and in such manner as may be prescribed by the state tax commission.

(c) A resident individual of the state of Idaho who is:

(i) blind, or

(ii) a disabled American veteran of any war engaged in by the United States, whose disability is recognized as a service connected disability of a degree of ten ~~per cent~~ percent (10%) or more, or who is in receipt of a pension for nonservice connected disabilities, in accordance with laws and regulations administered by the United States veterans administration, substantiated by a statement as to status signed by a responsible officer of the United States veterans administration, or

(iii) over sixty-two (62) years of age, and has been allowed none, or less than all, of the credit provided by subsection (a) or subsection (b) of this section, shall be entitled to a payment from the refund fund in an amount equal to ~~fifteen~~ twenty dollars ($~~15~~20.00), or the balance of his unused credit, whichever is less, upon making application therefor at such time and in such manner as the state tax commission may prescribe.

(d) Any part-year resident entitled to a credit under this section shall receive a proportionate credit, in the manner above provided, reflecting the part of the year in which he was domiciled in this state.

(e) No credit or refund may be claimed for an exemption which represents a person who has himself filed an Idaho income tax return claiming a deduction for his own personal exemption, and in no event shall more than one (1) taxpayer be allowed a credit or refund for the same exemption, or under more than one (1) subsection of this section.

(f) The refunds authorized by this section shall be paid from the state refund fund in the same manner as the refunds authorized by section 63-3067, Idaho Code.

(g) An application for any refund which is due and payable under the provisions of this section must be filed with the state tax commission within three (3) years of:

(i) the due date, including extensions, of the return required under section 63-3030, Idaho Code, if the applicant is required to file a return, or

(ii) the 15th day of April of the year following the year to which the application relates if the applicant is not required to file a return.

SECTION 3. That Section 63-3025, Idaho Code, be, and the same is hereby amended to read as follows:

63-3025. TAX ON CORPORATE INCOME. For taxable years commencing on and after January 1, ~~1987~~ 2001, a tax is hereby imposed on the Idaho taxable income of a corporation which transacts or is authorized to transact business in this state or which has income attributable to this state. The tax shall be equal to ~~eight~~ seven and five-tenths percent (~~8~~7.5%) of Idaho taxable income for taxable year 2001 and seven and seventy-five hundredths percent (7.75%) of Idaho taxable income for taxable year 2002 and thereafter; provided, however, that the tax shall not be less than twenty dollars ($20.00); provided further that the twenty dollar ($20.00) minimum payment shall not be collected from nonproductive mining corporations. The tax imposed by this section shall not apply to corporations taxed pursuant to the provisions of section 63-3025A, Idaho Code.

SECTION 4. That Section 63-3025A, Idaho Code, be, and the same is hereby amended to read as follows:

63-3025A. FRANCHISE TAX. For taxable years commencing on and after January 1, ~~1987~~ 2001, a franchise tax shall be imposed upon any corporation for the privilege of exercising its corporate franchise within the state during such taxable year~~,~~ including, but not limited to, corporations engaged in business in Idaho for the exclusive purpose of performing contracts with the United States department of energy at the Idaho national engineering and environmental laboratory, which tax shall be measured by income which is attributable to this state under the provisions of this chapter and which tax shall be ~~equal to eight percent (8%) of Idaho taxable income~~ at the rate provided in section 63-3025, Idaho Code; provided, however, that the tax shall not be less than twenty dollars ($20.00); provided further that the twenty dollar ($20.00) minimum payment shall not be collected from nonproductive mining corporations; but the twenty dollar ($20.00) minimum tax shall apply to corporations qualified to file returns and actually filing returns under the provisions of subchapter "S" of the Internal Revenue Code.

SECTION 5. That Section 63-3029B, Idaho Code, be, and the same is hereby amended to read as follows:

63-3029B. INCOME TAX CREDIT FOR CAPITAL INVESTMENT. (1) At the election of the taxpayer there shall be allowed, subject to the applicable limitations provided herein as a credit against the income tax imposed by chapter 30, title 63, Idaho Code, an amount equal to the sum of:

(a) The tax credit carryovers; and

(b) The tax credit for the taxable year.

(2) The maximum allowable amount of the credit for the current taxable year shall be three percent (3%) of the amount of qualified investments made during the taxable year.

(3) As used in this section "qualified investment" means certain depreciable property which:

(a) (i) Is eligible for the federal investment tax credit, as defined in sections 46(c) and 48 of the Internal Revenue Code subject to the limitations provided for certain regulated companies in section 46(f) of the Internal Revenue Code and is not a motor vehicle under eight thousand (8,000) pounds gross weight; or

(ii) Is qualified broadband equipment as defined in section 63-3029I, Idaho Code; and

(b) Is acquired, constructed, reconstructed, erected or placed into service after December 31, 1981; and

(c) Has a situs in Idaho.

(4) Notwithstanding the provisions of subsections (1) and (2) of this section, the amount of the credit allowed shall not exceed fifty percent (50%) of the tax liability of the taxpayer.

(5) If the sum of credit carryovers from the credit allowed by subsection (2) of this section and the amount of credit for the taxable year from the credit allowed by subsection (2) of this section exceed the limitation imposed by subsection (4) of this section for the current taxable year, the excess attributable to the current taxable year's credit shall be an investment credit carryover to the fourteen (14) succeeding taxable years. In the case of a group of corporations filing a combined report under section 63-3027, Idaho Code, or sections 63-3027B through 63-3027E, Idaho Code, credit earned by one (1) member of the group but not used by that member may be used by another member of the group, subject to the provisions of subsection (4) of this section, instead of carried over. The entire amount of unused credit shall be carried forward to the earliest of the succeeding years, wherein the oldest available unused credit shall be used first, so long as the qualified investment property for which the unused credit was granted still maintains Idaho situs. For a combined group of corporations, credit carried forward may be claimed by any member of the group unless the member who earned the credit is no longer included in the combined group.

(6) Any recapture of the credit allowed by subsection (2) of this section on property disposed of or ceasing to qualify, prior to the close of ~~its useful life~~ the recapture period, shall be determined according to the applicable recapture provisions of the Internal Revenue Code. In the case of a unitary group of corporations, the increase in tax due to the recapture of investment tax credit must be reported by the member of the group who earned the credit regardless of which member claimed the credit against tax.

(7) For the purpose of determining whether property placed in service is a "qualified investment" as defined in subsection (3) of this section, the provisions of section 49 of the Internal Revenue Code shall be disregarded.

(8) For purposes of this section, property has a situs in Idaho during a taxable year if it is used in Idaho at any time during the taxable year. Property not used in Idaho during a taxable year does not have a situs in Idaho in the taxable year during which the property is not used in Idaho or in any subsequent taxable year. No credit or carryover of credit is permitted under this section if the credit or carryover relates to property that does not have a situs in Idaho during the taxable year for which the credit or carryover is claimed. The Idaho situs of property must be established by records maintained by the taxpayer which are created reasonably contemporaneously with the use of the property.

(9) In the case of property used both in and outside Idaho, the taxpayer, electing to claim the credit provided in this section, must elect to compute the qualified investment in property with a situs in Idaho for all such investments first qualifying during that year in one (1), but only one (1), of the following ways:

(a) The amount of each qualified investment in a specific asset shall be separately computed based on the percentage of the actual use of the property in Idaho by using a measure of the use, such as total miles or total machine hours, that most accurately reflects the beneficial use during the taxable year in which it is first acquired, constructed, reconstructed, erected or placed into service; provided, that the asset is placed in service more than ninety (90) days before the end of the taxable year. In the case of assets acquired, constructed, reconstructed, erected or placed into service within ninety (90) days prior to the end of the taxable year in which the investment first qualifies, the measure of the use of that asset within Idaho for that year shall be based upon the percentage of use in Idaho during the first ninety (90) days of use of the asset;

(b) The investment in qualified property used both inside and outside Idaho during the taxable year in which it is first acquired, constructed, reconstructed, erected or placed into service shall be multiplied by the percent of the investment that would be included in the numerator of the Idaho property factor determined pursuant to section 63-3027, Idaho Code, for the same year.

(10) Only for the purposes of subsections (3)(a) and (7) of this section, references to sections of the "Internal Revenue Code" mean the sections referred to as they existed in the Internal Revenue Code of 1986 prior to November 5, 1990.

SECTION 6. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3029G, Idaho Code, and to read as follows:

63-3029G. CREDITS FOR RESEARCH ACTIVITIES CONDUCTED IN THIS STATE -- CARRY FORWARD.

(1) (a) Subject to the limitations of this section, for taxable year 2001 only, there shall be allowed to a taxpayer a nonrefundable credit against taxes imposed by sections 63-3024, 63-3025 and 63-3025A, Idaho Code, for increasing research activities in Idaho during any twelve (12) month period beginning, at the election of the taxpayer, either:

(i) January 1, 2001, or

(ii) The first day of the taxpayer's taxable year beginning in 2001.

(b) The credit allowed by subsection (1)(a) of this section shall be the sum of:

(i) Five percent (5%) of the excess of qualified research payments for research conducted in Idaho over the base amount; and

(ii) Five percent (5%) basic research payments allowable under subsection (e) of section 41 of the Internal Revenue Code for basic research conducted in Idaho.

(2) As used in this section:

(a) The terms "qualified research payments," "qualified research," "basic research payments" and "basic research" shall be as defined in section 41 of the Internal Revenue Code except that the research must be conducted in Idaho.

(b) The term "base amount" shall mean an amount calculated as provided in sections 41(c) and 41(h) of the Internal Revenue Code, except that:

(i) The base amount does not include the calculation of the alternative incremental credit provided for in section 41(c)(4) of the Internal Revenue Code;

(ii) A taxpayer's gross receipts include only those gross receipts attributable to sources within this state as provided in subsections (q) and (r) of section 63-3027, Idaho Code; and

(iii) Notwithstanding section 41(c) of the Internal Revenue Code, for purposes of calculating the base amount, a taxpayer:

(A) May elect to be treated as a start-up company as provided in section 41(c)(3)(B) of the Internal Revenue Code, regardless of whether the taxpayer meets the requirements of section 41(c)(3)(B)(i)(I) or (II) of the Internal Revenue Code; and

(B) May not revoke an election to be treated as a start-up company.

(3) The credit allowed by subsection (1)(a) of this section together with any credits carried forward under subsection (5) of this section shall not exceed the amount of tax due under sections 63-3024, 63-3025 and 63-3025A, Idaho Code, after allowance for all other credits permitted by this chapter. When credits earned in more than one (1) taxable year are available, the oldest credits shall be applied first.

(4) In the case of a group of corporations filing a combined report under subsection (t) of section 63-3027, Idaho Code, credit earned by one (1) member of the group but not used by that member may be used by another member of the group. For a combined group of corporations, any member of the group may claim credit carried forward unless the member who earned the credit is no longer included in the combined group.

(5) The credit allowed by subsection (1)(a) of this section shall be claimed for the taxable year during which the taxpayer qualifies for the credit. If the credit exceeds the limitation under subsection (3) of this section, the excess amount may be carried forward for a period that does not exceed the next fourteen (14) taxable years.

(6) In addition to other needed rules, the state tax commission may promulgate rules prescribing, in the case of S corporations, partnerships, trusts or estates, a method of attributing the credit under this section to the shareholders, partners or beneficiaries in proportion to their share of the income from the S corporation, partnership, trust or estate.

SECTION 7. That Section 63-3029H, Idaho Code, be, and the same is hereby amended to read as follows:

63-3029~~H~~P. PRIORITY OF CREDITS. When a taxpayer subject to any taxes imposed under this chapter is entitled to two (2) or more credits against such taxes, the priority of credits shall be determined in the following order:

(a) Nonrefundable credits. Nonrefundable credits shall be applied to the tax liability before application of refundable credits. If a taxpayer is entitled to more than one (1) nonrefundable credit, the credits shall be applied in the order in which the statutes authorizing the credits were enacted by the legislature.

(b) Refundable credits. Refundable credits shall be applied to the tax liability after application of any nonrefundable credits.

SECTION 8. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3029I, Idaho Code, and to read as follows:

63-3029I. INCOME TAX CREDIT FOR INVESTMENT IN BROADBAND EQUIPMENT. (1) Subject to the limitations of this section, for taxable year 2001 only, there shall be allowed to a taxpayer a nonrefundable credit against taxes imposed by sections 63-3024, 63-3025 and 63-3025A, Idaho Code, for qualified expenditures in qualified broadband equipment in Idaho.

(2) The credit permitted in subsection (1) of this section shall be three percent (3%) of the qualified investment in qualified broadband equipment in Idaho and shall be in addition to the credit for capital investment permitted by section 63-3029B, Idaho Code.

(3) As used in this section the term:

(a) "Qualified investment" shall be as defined in section 63-3029B, Idaho Code.

(b) "Qualified broadband equipment" means equipment that qualifies for the credit for capital investment permitted by section 63-3029B, Idaho Code, and is capable of transmitting signals at a rate of at least two hundred thousand (200,000) bits per second to a subscriber and at least one hundred twenty-five thousand (125,000) bits per second from a subscriber, and

(i) In the case of a telecommunications carrier, such qualifying equipment shall be necessary to the provision of broadband service and an integral part of a broadband network. "Telecommunications carrier" has the meaning given such term by section 3(44) of the communications act of 1934, as amended, but does not include a commercial mobile service provider.

(ii) In the case of a commercial mobile service carrier, such qualifying equipment shall extend from the subscriber side of the mobile telecommunications switching office to a transmitting/receiving antenna, including such antenna, on the outside of the structure in which the subscriber is located. "Commercial mobile service carrier" means any person authorized to provide commercial mobile radio service to subscribers as defined in section 20.3 of title 47, Code of Federal Regulations (10-1-99 ed.), as amended.

(iii) In the case of a cable or open video system operator, such qualifying equipment shall extend from the subscriber's side of the headend to the outside of the structure in which the subscriber is located. The terms "cable operator" and "open video system operator" have the meanings given such terms by sections 602(5) and 653, respectively, of the communications act of 1934, as amended.

(iv) In the case of a satellite carrier or a wireless carrier other than listed above, such qualifying equipment is only that equipment that extends from a transmitting/receiving antenna, including such antenna, which transmits and receives signals to or from multiple subscribers to a transmitting/receiving antenna on the outside of the structure in which the subscriber is located. "Satellite carrier" means any person using the facilities of a satellite or satellite services licensed by the federal communications commission and operating a fixed-satellite service or direct broadcast satellite services to provide point-to-multipoint distribution of signals. "Other wireless carrier" means any person, other than a telecommunications carrier, commercial mobile service carrier, cable operator, open video operator, or satellite carrier, providing broadband services to subscribers through the radio transmission of energy.

(v) In the case of packet switching equipment, such packet equipment installed in connection with other qualifying equipment listed in subsections (2)(b)(i) through (2)(b)(iv) of this section, provided it is the last in a series of equipment that transmits signals to a subscriber or the first in a series of equipment that transmits signals from a subscriber. "Packet switching" means controlling or routing the path of a digital transmission signal which is assembled into packets or cells.

(vi) In the case of multiplexing and demultiplexing equipment, such equipment only to the extent that it is deployed in connection with providing broadband services in locations between packet switching equipment and the structure in which the subscriber is located. "Multiplexing" means the transmission of two (2) or more signals over a communications circuit without regard to the communications technology.

(vii) Any property not primarily used to provide services in Idaho to public subscribers is not qualified broadband equipment.

(4) No equipment described in subsections (2)(b)(i) through (2)(b)(vi) of this section shall qualify for the credit provided in subsection (1) of this section until the taxpayer applies to and obtains from the Idaho public utilities commission an order confirming that the installed equipment is qualified broadband equipment. Applications submitted to the commission shall be governed by the commission's rules of procedure. The commission may issue procedural orders necessary to implement this section.

(5) The credit allowed by subsection (1) of this section together with any credits carried forward under subsection (7) of this section shall not, in any one (1) taxable year, exceed the lesser of:

(a) The amount of tax due under sections 63-3024, 63-3025 and 63-3025A, Idaho Code, after allowance for all other credits permitted by this chapter; or

(b) Seven hundred fifty thousand dollars ($750,000).

When credits earned in more than one (1) taxable year are available, the oldest credits shall be applied first.

(6) In the case of a group of corporations filing a combined report under subsection (t) of section 63-3027, Idaho Code, credit earned by one (1) member of the group but not used by that member may be used by another member of the group, subject to the provisions of subsection (7) of this section, instead of carried over. For a combined group of corporations, credit carried forward may be claimed by any member of the group unless the member who earned the credit is no longer included in the combined group.

(7) If the credit allowed by subsection (1) of this section exceeds the limitation under subsection (5) of this section, the excess amount may be carried forward for a period that does not exceed the next fourteen (14) taxable years.

(8) In the event that qualified broadband equipment upon which the credit allowed by this section has been used ceases to qualify for the credit allowed by section 63-3029B, Idaho Code, or is subject to recapture of that credit, the recapture of credit under this section shall be in the same proportion and subject to the same provisions as the amount of credit required to be recaptured under section 63-3029B, Idaho Code.

(9) (a) Subject to the requirements of this subsection, a taxpayer entitled to the credit or to an unused portion of the credit allowed by this section may transfer the unused credit to another taxpayer required to file a return under this chapter.

(b) Before completing a transfer under this subsection, the transferor shall notify the state tax commission of its intention to transfer the credit and the identity of the transferee. The state tax commission shall provide the transferor with a written statement of the amount of credit available under this section as then appearing in the commission's records and the number of years the credit may be carried over. The transferee shall attach a copy of the statement to any return in regard to which the transferred credit is claimed.

(c) In the event that after the transfer the state tax commission determines that the amount of credit properly available under this section is less than the amount claimed by the transferor of the credit or that the credit is subject to recapture, the commission shall assess the amount of overstated or recaptured credit as taxes due from the transferor and not the transferee. The assessment shall be made in the manner provided for a deficiency in taxes under this chapter.

(10) In addition to other needed rules, the state tax commission may promulgate rules prescribing, in the case of S corporations, partnerships, trusts or estates, a method of attributing the credit under this section to the shareholders, partners or beneficiaries in proportion to their share of the income from the S corporation, partnership, trust or estate.

SECTION 9. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3022P, Idaho Code, and to read as follows:

63-3022P. HEALTH INSURANCE COSTS. 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. As used in this section, "insurance which constitutes medical care" includes any hospital or medical policy or certificate, any subscriber contract provided by a hospital or professional service corporation or mutual insurer, or any health maintenance organization subscriber contract, policies or certificates of insurance for specific disease, hospital confinement indemnity, accident-only, credit, dental, vision, single employer self-funded coverage, meaning that portion of health insurance which is the retained risk of the employer, student health benefits only or coverage for medical care or treatment issued as a supplement to liability insurance.

SECTION 10. That Chapter 6, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-602EE, Idaho Code, and to read as follows:

63-602EE. PROPERTY EXEMPT FROM TAXATION -- CERTAIN TANGIBLE PERSONAL PROPERTY. The following property is exempt from taxation: class 2 property that is agricultural machinery and equipment and exclusively used in agriculture during the immediately preceding tax year. For purposes of this section:

(1) "Agricultural machinery and equipment" shall mean any machinery and equipment that is used in:

(a) Production of field crops including, but not limited to, grains, feed crops, fruits and vegetables; or

(b) The grazing, feeding or raising of livestock, fur-bearing animals, fish, fowl and bees to be sold or used as part of a net profit-making agricultural enterprise or dairy.

(2) Buildings shall not be considered to be agricultural machinery and equipment.

SECTION 11. That Section 63-3067, Idaho Code, be, and the same is hereby amended to read as follows:

63-3067. REVENUE RECEIVED -- STATE REFUND ACCOUNT. (1) A sum equal to the amount withheld under section 63-3035A, Idaho Code, shall be distributed fifty percent (50%) to the public school income fund to be utilized to facilitate and provide substance abuse programs in the public school system, and fifty percent (50%) shall be distributed to the counties to be utilized for county juvenile probation services. These funds shall be distributed quarterly to the counties based upon the percentage the population of the county bears to the population of the state as a whole.

(2) All moneys except as provided in subsection (1) of this section, and except as hereinafter provided, received by the state of Idaho under this act shall be deposited by the state tax

commission, as received by it, with the state treasurer and shall be placed in and become a part of the general account under the custody of the state treasurer. Providing however, that an amount equal to twenty percent (20%) of the amount deposited with the state treasurer shall be placed in the "state refund account" which is hereby created for the purpose of repaying overpayments, for the purpose of remitting to counties and taxing districts for personal property exempt from taxation pursuant to section 63-602EE, Idaho Code, as provided in subsection (3) of this section, for the purpose of depositing in the trust accounts specified in section 63-3067A, Idaho Code, such amounts as may be designated by individuals for the purpose of depositing in the Idaho Ag in the classroom account an amount as may be designated by the individual receiving a refund for such overpayment, and for the purpose of paying any other erroneous receipts illegally assessed or collected, penalties collected without authority and taxes and licenses unjustly assessed, collected or which are excessive in amount. Whenever necessary for the purpose of making prompt payment of refunds, the board of examiners, upon request from the state tax commission, and after review, may authorize the state tax commission to transfer any additional specific amount from income tax collections to the "state refund account." There is appropriated out of the state refund account so much thereof as may be necessary for the payment of the refunds herein provided. Claims for, and payment of refunds under the provisions of this section shall be made in the same manner as other claims against the state of Idaho.

(3) The state tax commission shall calculate the amount that each county assessed in taxes in tax year 2000 on property that is exempt from taxation pursuant to section 63-602EE, Idaho Code, and shall remit to the county treasurer for distribution to each taxing district in the county one hundred six percent (106%) of the amount calculated as follows:

The county commissioners in each county shall certify to the state tax commission by July 1, 2001, the year 2000 tax charge, applicable to the property exempt from taxation pursuant to section 63-602EE, Idaho Code, provided that such property was categorized in year 2000 as farm machinery, tools and equipment pursuant to rules of the state tax commission, for the portion of each taxing district or unit within the county. For nonschool districts the state tax commission shall distribute one-fourth (1/4) of this amount certified quarterly to each county beginning in October 2001. For school districts the state tax commission shall distribute one-fourth (1/4) of the amount certified quarterly to each school district beginning in October 2001. For nonschool districts, the county auditor shall distribute to each district within thirty (30) calendar days from receipt of moneys from the tax commission. Moneys received by each taxing district for replacement shall be utilized in the same manner and in the same proportions as revenues from property taxation. The moneys remitted to the county treasurer for replacement of property exempt from taxation pursuant to section 63-602EE, Idaho Code, may be considered by the counties and other taxing districts and budgeted at the same time, in the same manner and in the same year as revenues from taxation on personal property which these moneys replace. If taxing districts are consolidated, the resulting district is entitled to an amount equal to the sum of the amounts which were received in the last calendar quarter by each district pursuant to this subsection prior to the consolidation. If a taxing district is dissolved or disincorporated, the state tax commission shall continuously distribute to the board of county commissioners an amount equal to the last quarter's distribution prior to dissolution or disincorporation. The board of county commissioners shall determine any redistribution of moneys so received. If a taxing district annexes territory, the distribution of moneys received pursuant to this subsection shall be unaffected. Taxing districts formed after January 1, 2001, are not entitled to a payment under the provisions of this subsection. School districts shall receive an amount determined by multiplying the sum of the year 2000 school district levy plus .001 times the market value on December 31, 2000, in the district of the property exempt from taxation pursuant to section 63-602EE, Idaho Code. For purposes of the limitation provided by section 63-802, Idaho Code, moneys received pursuant to this subsection as property tax replacement for property exempt from taxation pursuant to section 63-602EE, Idaho Code, shall be treated as property tax revenues.

(4) Any unencumbered balance remaining in the state refund account on June 30 of each and every year in excess of the sum of one million five hundred thousand dollars ($1,500,000) shall be transferred to the general ~~account~~ fund and the state controller is hereby authorized and directed on such dates to make such transfers unless the board of examiners, which is hereby authorized to do so, changes the date of transfer or sum to be transferred.

SECTION 12. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3029J, Idaho Code, and to read as follows:

63-3029J. INCENTIVE INCOME TAX INVESTMENT CREDIT. (1) Subject to the limitations of this section, for taxable year 2001 only, there shall be allowed to a taxpayer a nonrefundable credit against taxes imposed by sections 63-3024, 63-3025 and 63-3025A, Idaho Code, in the amount allowed by subsection (2) of this section for qualified investments in Idaho. The credit shall be in addition to the credit for capital investment permitted by section 63-3029B, Idaho Code.

(2) The credit permitted in subsection (1) of this section shall be at the percentage rate determined under either subsection (2)(a) or (2)(b) of this section at the election of the taxpayer.

(a) (i) One-half (½) of the amount by which the average three-year unemployment rate in the county in which the property is located exceeds six percent (6%). In the case of mobile property, the property shall be located in the county in which it is primarily based.

(ii) For purposes of this section the director of the department of labor shall, on or before the first day of September of each calendar year, establish and certify to the state tax commission the average three-year unemployment rate in each county in Idaho for the immediately preceding three (3) calendar years. The rates thus certified shall apply to the calculation of the credit under subsection (2)(a)(i) of this section for property qualifying in the taxable year beginning during the next calendar year.

(b) (i) One-tenth of one percent (.1%) for each full percent that the three-year average per capita personal income level in the county in which the property is located is below ninety percent (90%) of the average statewide per capita personal income level.

(ii) For purposes of this section the director of the department of commerce shall, on or before the first day of September of each calendar year, establish and certify to the state tax commission the most current three-year average per capita personal income level in each county in Idaho and the statewide per capita personal income level for the most current preceding three (3) calendar years. The levels thus certified shall apply to the calculation of the credit under subsection (2)(b)(i) of this section for property qualifying in the taxable year beginning during the next calendar year.

(3) As used in this section the term "qualified investment" shall be defined as in section 63-3029B, Idaho Code.

(4) The credit allowed by subsection (1) of this section together with any credits carried forward under subsection (6) of this section shall not exceed in any one (1) taxable year the lesser of:

(a) The amount of tax due under sections 63-3024, 63-3025 and 63-3025A, Idaho Code, after allowance for all other credits permitted by this chapter; or

(b) Five hundred thousand dollars ($500,000).

(5) In the case of a group of corporations filing a combined report under subsection (t) of section 63-3027, Idaho Code, credit earned by one (1) member of the group but not used by that member may be used by another member of the group, subject to the provisions of subsection (6) of this section, instead of carried over. For a combined group of corporations, credit carried forward may be claimed by any member of the group unless the member who earned the credit is no longer included in the combined group.

(6) If the credit allowed by subsection (1) of this section exceeds the limitation under subsection (4) of this section, the excess amount may be carried forward for a period that does not exceed the next fourteen (14) taxable years.

(7) In the event that property upon which the credit allowed by this section has been used ceases to qualify for the credit allowed by section 63-3029B, Idaho Code, the recapture of credit under this section shall be in the same proportion and subject to the same provisions as the amount of credit required to be recaptured under section 63-3029B, Idaho Code.

(8) (a) Subject to the requirements of this subsection, a taxpayer entitled to the credit or to an unused portion of the credit allowed by this section may transfer the unused credit to another taxpayer required to file a return under this chapter.

(b) Before completing a transfer under this subsection, the transferor shall notify the state tax commission of its intention to transfer the credit and the identity of the transferee. The state tax commission shall provide the transferor with a written statement of the amount of credit available under this section as then appearing in the commission's records and the number of years the credit may be carried over. The transferor shall provide the transferee with the original statement. The transferee shall attach a copy of the statement to any return in regard to which the transferred credit is claimed.

(c) In the event that after the transfer the state tax commission determines that the amount of credit properly available under this section is less than the amount claimed by the transferor of the credit and shown in the statement described in subsection (8)(b) of this section or that the credit is subject to recapture, the commission shall assess the amount of overstated credit as taxes due from the transferor and not the transferee. The assessment shall be made in the manner provided for a deficiency in taxes under this chapter.

(9) In addition to other needed rules, the state tax commission may promulgate rules prescribing:

(a) In the case of S corporations, partnerships, trusts or estates, a method of attributing the credit under this section to the shareholders, partners or beneficiaries in proportion to their share of the income from the S corporation, partnership, trust or estate.

(b) A requirement that a transferor under subsection (8) of this section, prior to obtaining the written statement provided in subsection (8)(b) of this section, post such bond or security as the state tax commission may require to secure any liability referred to in subsection (8)(c) of this section. Such rules shall provide an opportunity for a taxpayer, upon a showing of financial responsibility, to have the bond waiver, for notice of denial of waiver in accordance with section 63-3045, Idaho Code, and for review in accordance with section 63-3045B, Idaho Code.

SECTION 13. That Section 63-3029E, Idaho Code, be, and the same is hereby amended to read as follows:

63-3029E. DEFINITIONS -- CONSTRUCTION OF TERMS. As used in this section and in section 63-3029F, Idaho Code:

(1) (a) "New employee" means a person from whom Idaho income tax has been withheld, employed by the taxpayer, ~~in a revenue-producing enterprise creating value-added natural resource products,~~ and covered for unemployment insurance purposes under chapter 13, title 72, Idaho Code, during the taxable year for which the credit allowed by section 63-3029F, Idaho Code, is claimed. A person shall be deemed to be so engaged if such person performs duties on:

(i) A regular full-time basis; or

(ii) A part-time basis if such person is customarily performing such duties at least twenty (20) hours per week.

No credit shall be earned unless the new employee shall have performed such duties for the taxpayer for a minimum of nine (9) months during the taxable year for which the credit is claimed.

(b) The provisions of paragraph (a) of this subsection notwithstanding, no credit shall be allowed for employment of persons by a taxpayer who acquires a revenue-producing enterprise from another taxpayer or who operates in a place of business the same or a substantially identical ~~revenue-producing value-added natural resource products enterprise~~ business as operated by another taxpayer within the prior twelve (12) months, except as the prior taxpayer would have qualified under the provisions of paragraph (c) of this subsection. Employees transferred from a related taxpayer shall not be included in the computation of the credit.

(c) The number of employees during any taxable year for any taxpayer shall be the mathematical average of the number of employees reported to the Idaho department of labor for

employment security purposes during the twelve (12) months of the taxable year which qualified under paragraph (a) of this subsection. In the event the business is in operation for less than the entire taxable year, the number of employees of the business for the year shall be the average number actually employed during the months of operation, providing that the qualifications of paragraph (a) of this subsection are met.

(2) ~~"Revenue-producing enterprise" means the production, assembly, fabrication, manufacture or processing of any natural resource product.~~

~~(3)~~ "Same or a substantially identical ~~revenue-producing enterprise~~ business" means a ~~revenue-producing enterprise~~ business in which the products produced or sold, or the activities conducted are the same in character and use and are produced, sold or conducted in the same manner as, or for the same types of customers as, the products or activities produced, sold or conducted in another ~~revenue-producing enterprise~~ business.

SECTION 14. That Section 63-3029F, Idaho Code, be, and the same is hereby amended to read as follows:

63-3029F. SPECIAL CREDIT AVAILABLE -- NEW EMPLOYEES. (1) Any taxpayer shall be allowed a credit, in an amount determined under subsection (2) of this section, against the tax imposed by this chapter, other than the tax imposed by section 63-3082, Idaho Code, for any taxable year during which the taxpayer's employment of new employees, as defined under section 63-3029E(1), Idaho Code, increases above the taxpayer's average employment for either: (a) the prior taxable year, or (b) the average of three (3) prior taxable years, whichever is higher. No credit shall be allowed under this section unless the number of new employees equals or exceeds one (1) person.

(2) The credit authorized in subsection (1) of this section shall be five hundred dollars ($500) per new employee, but the total credit allowed shall not exceed three and one-quarter percent (3.25%) of net income from the taxpayer's corporate, proprietorship, partnership, small business corporation or limited liability company ~~revenue-producing enterprise~~ business in which the employment occurred. Additionally, the total of this and all other credits allowed under this chapter except for the credits allowed under sections 63-3024A, 63-3025D and 63-3029, Idaho Code, taken during any taxable year shall not exceed forty-five percent (45%) of the tax otherwise imposed on the taxpayer for the taxable year for which such credit is allowed.

(3) If the sum of the credit carryovers from the credit allowed by subsection (2) of this section and the amount of credit for the taxable year from the credit allowed by subsection (2) of this section exceed the limitation imposed by subsection (2) of this section for the current taxable year, the excess attributable to the current taxable year's credit shall be a credit carryover to the three (3) succeeding taxable years. The entire amount of unused credit shall be carried forward to the earliest of the succeeding years, wherein the oldest available unused credit shall be used first, so long as the employment level for which the credit was granted is still maintained.

SECTION 15. That Sections 63-3029E and 63-3029F, Idaho Code, be, and the same are hereby repealed.

SECTION 16. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3029E, Idaho Code, and to read as follows:

63-3029E. DEFINITIONS -- CONSTRUCTION OF TERMS. As used in this section and in section 63-3029F, Idaho Code:

(1) (a) "New employee" means a person from whom Idaho income tax has been withheld, employed by the taxpayer in a revenue-producing enterprise creating value-added natural resource products, and covered for unemployment insurance purposes under chapter 13, title 72, Idaho Code, during the taxable year for which the credit allowed by section 63-3029F, Idaho Code, is claimed. A person shall be deemed to be so engaged if such person performs duties on:

(i) A regular full-time basis; or

(ii) A part-time basis if such person is customarily performing such duties at least twenty (20) hours per week.

No credit shall be earned unless the new employee shall have performed such duties for the taxpayer for a minimum of nine (9) months during the taxable year for which the credit is claimed.

(b) The provisions of paragraph (a) of this subsection notwithstanding, no credit shall be allowed for employment of persons by a taxpayer who acquires a revenue-producing enterprise from another taxpayer or who operates in a place of business the same or a substantially identical revenue-producing value-added natural resource products enterprise as operated by another taxpayer within the prior twelve (12) months, except as the prior taxpayer would have qualified under the provisions of paragraph (c) of this subsection. Employees transferred from a related taxpayer shall not be included in the computation of the credit.

(c) The number of employees during any taxable year for any taxpayer shall be the mathematical average of the number of employees reported to the Idaho department of labor for employment security purposes during the twelve (12) months of the taxable year which qualified under paragraph (a) of this subsection. In the event the business is in operation for less than the entire taxable year, the number of employees of the business for the year shall be the average number actually employed during the months of operation, providing that the qualifications of paragraph (a) of this subsection are met.

(2) "Revenue-producing enterprise" means the production, assembly, fabrication, manufacture or processing of any natural resource product.

(3) "Same or a substantially identical revenue-producing enterprise" means a revenue-producing enterprise in which the products produced or sold, or the activities conducted are the same in character and use and are produced, sold or conducted in the same manner as, or for the same types of customers as, the products or activities produced, sold or conducted in another revenue-producing enterprise.

SECTION 17. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3029F, Idaho Code, and to read as follows:

63-3029F. SPECIAL CREDIT AVAILABLE -- NEW EMPLOYEES. (1) Any taxpayer shall be allowed a credit, in an amount determined under subsection (2) of this section, against the tax imposed by this chapter, other than the tax imposed by section 63-3082, Idaho Code, for any taxable year during which

the taxpayer's employment of new employees, as defined under section 63-3029E(1), Idaho Code, increases above the taxpayer's average employment for either: (a) the prior taxable year, or (b) the average of three (3) prior taxable years, whichever is higher. No credit shall be allowed under this section unless the number of new employees equals or exceeds one (1) person.

(2) The credit authorized in subsection (1) of this section shall be five hundred dollars ($500) per new employee, but the total credit allowed shall not exceed three and one-quarter percent (3.25%) of net income from the taxpayer's corporate, proprietorship, partnership, small business corporation or limited liability company revenue-producing enterprise in which the employment occurred. Additionally, the total of this and all other credits allowed under this chapter except for the credits allowed under sections 63-3024A, 63-3025D and 63-3029, Idaho Code, taken during any taxable year shall not exceed forty-five percent (45%) of the tax otherwise imposed on the taxpayer for the taxable year for which such credit is allowed.

(3) If the sum of the credit carryovers from the credit allowed by subsection (2) of this section and the amount of credit for the taxable year from the credit allowed by subsection (2) of this section exceed the limitation imposed by subsection (2) of this section for the current taxable year, the excess attributable to the current taxable year's credit shall be a credit carryover to the three (3) succeeding taxable years. The entire amount of unused credit shall be carried forward to the earliest of the succeeding years, wherein the oldest available unused credit shall be used first, so long as the employment level for which the credit was granted is still maintained.

SECTION 18. The provisions of Sections 5, 6, 8, 12, 13 and 14 of this act are hereby declared to be nonseverable from other provisions within each section and if any provision of any of those sections or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall render the entire section invalid but not other sections of this act.

SECTION 19. An emergency existing therefor, which emergency is hereby declared to exist, Sections 1 through 14 and Section 18 of this act shall be in full force and effect on and after passage and approval, and retroactively to January 1, 2001. Sections 15, 16 and 17 of this act shall be in full force and effect on and after January 1, 2002.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 46; and on page 2, delete lines 1 through 35, and insert:

"RELATING TO TAXATION AND TAX RELIEF; AMENDING SECTION 63-3024, IDAHO CODE, TO PROVIDE FOR PERSONAL INCOME TAX RATES FOR TAXABLE YEAR 2001 AND TO PROVIDE FOR PERSONAL INCOME TAX RATES FOR TAXABLE YEAR 2002 AND EACH YEAR THEREAFTER; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAXES PAID BY CERTAIN INDIVIDUALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025, IDAHO CODE, TO PROVIDE THE CORPORATE INCOME TAX RATE FOR TAXABLE YEAR 2001 AND TO PROVIDE THE CORPORATE INCOME TAX RATE FOR TAXABLE YEAR 2002 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 FOR TAXABLE YEAR 2001, 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 FOR TAXABLE YEAR 2001, 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; 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.".

SENATE AMENDMENTS TO H 280

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, delete "To the maximum extent possible, the" and insert: "The".

CORRECTION TO TITLE

On page 1, in line 3, delete "TO THE MAXIMUM EXTENT POSSIBLE,".

SENATE AMENDMENT TO H 169, As Amended

AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 15, following "purposes" insert: "and that is also grown".

SENATE AMENDMENT TO S 1107

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete line 39, and insert: "Each"; delete lines 41 through 43; and on page 2, delete lines 1 through 11.

CORRECTIONS TO TITLE

On page 1, delete lines 4 and 5, and insert: "COMMISSIONERS.".

SENATE AMENDMENT TO H 121

AMENDMENT TO SECTION 6

On page 8 of the printed bill, delete lines 13 and 14, and insert: "section, the amount of the credit allowed shall".

SENATE AMENDMENT TO H 262, As Amended

AMENDMENT TO SECTION 1

On page 3 of the engrossed bill, in line 44, delete "of the department of agriculture"; in line 45, delete "under the authority of this chapter" and insert: "as a result of an inspection pursuant to this section"; and in line 46, following "Code" insert: ", except:

(1) Records otherwise deemed to be public records not exempt from disclosure pursuant to chapter 3, title 9, Idaho Code; and

(2) Inspection reports, determinations of compliance or noncompliance and all other records created by the director or his designee pursuant to this section".

AMENDMENT TO SECTION 2

On page 6, in line 41, following "Code" insert: ", except:

(a) Records otherwise deemed to be public records not exempt from disclosure pursuant to this chapter; and

(b) Inspection reports, determinations of compliance or noncompliance and all other records created by the director or his designee pursuant to section 25-3806, Idaho Code".

CORRECTION TO TITLE

On page 1, in line 15, following "THAT" insert: "CERTAIN".

The committee also has **H 110, H 80, S 1198, H 299, H 312,** as amended, and **S 1211** under consideration, reports progress, and begs leave to sit again.

SANDY, Chairman

On motion by Senator Danielson, seconded by Senator Whitworth, the report was adopted by voice vote.

S 1107, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto to the Judiciary and Rules Committee for printing.

H 275, as amended in the Senate**, H 280**, as amended in the Senate, **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 filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

On request by Senator Cameron, granted by unanimous consent, **S 1214**, having been held, retained its place on the Third Reading Calendar.

On request by Senator Ipsen, granted by unanimous consent, **H 253**, as amended in the Senate, retained its place on the Third Reading Calendar for Monday, March 26, 2001.

S 1256 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Hawkins, Sandy, Wheeler. Total - 3.

Total - 35.

Whereupon the President declared **S 1256** passed, title was approved, and the bill ordered transmitted to the House.

H 321, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Hawkins, Sorensen. Total - 2.

Total - 35.

Whereupon the President declared **H 321**, as amended, passed, title was approved, and the bill ordered returned to the House.

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

Petitions, Resolutions, and Memorials

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 1:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senators Hawkins, Noh, Sorensen, and Whitworth, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 22, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 275** have been correctly printed.

DARRINGTON, Chairman

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

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

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

S 1261
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO AND THE STATE BOARD OF EDUCATION FOR TEACHER TRAINING FOR FISCAL YEAR 2002; EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO USE AND ALLOCATION OF FUNDS FOR TEACHER TRAINING; EXPRESSING LEGISLATIVE INTENT REGARDING THE USE OF STATE MONEYS TO MATCH A BILL AND MELINDA GATES FOUNDATION GRANT.

S 1261 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 275, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

H 280, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

H 169, as amended, as amended in the Senate, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

H 121, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

H 262, as amended, as amended in the Senate, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

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

Third Reading of Bills

Senators Hawkins, Noh, Sorensen, and Whitworth were recorded present at this order of business.

On request by Senator Cameron, granted by unanimous consent, **S 1214**, having been held, was recommitted to the Finance Committee.

H 358 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Deide. Total - 1.

Total - 35.

Whereupon the President declared **H 358** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Sandy, granted by unanimous consent, **H 211**, as amended, retained its place on the Third Reading Calendar.

H 339 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Sandy and Darrington arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 33.

NAYS--None.

Absent and excused--Deide, Williams. Total - 2.

Total - 35.

Whereupon the President declared **H 339** passed, title was approved, and the bill ordered returned to the House.

H 309 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate.

Moved by Senator Schroeder, seconded by Senator Stennett, that **H 309** be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senators Schroeder, Boatright, and Stennett.

Roll call resulted as follows:

AYES--Boatright, Danielson, Deide, Dunklin, Goedde, Ingram, Keough, Lodge, Noh, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth. Total - 17.

NAYS--Andreason, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Frasure, Geddes, Hawkins, Ipsen, King-Barrutia, Lee, Richardson, Risch, Thorne, Williams. Total - 18.

Total - 35.

Whereupon the President declared that the motion to refer **H 309** to the Fourteenth Order for amendment did not prevail.

The question being, "Shall **H 309** pass?"

Senator Danielson requested that she be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. Her request was granted by unanimous consent.

Senator Keough requested that she be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. Her request was granted by unanimous consent.

Senator Sorensen requested that she be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522.

Senator Lee objected.

Moved by Senator Danielson, seconded by Senator Stennett, that Senator Sorensen be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. The question being, "Shall the motion prevail?"

Senator Lee withdrew his objection to Senator Sorensen's unanimous consent request. Senator Danielson withdrew her motion, with the consent of the second.

Senator Sorensen requested that she be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. Her request was granted by unanimous consent.

Senator Schroeder requested that he be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. His request was granted by unanimous consent.

Senator Lodge requested that she be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. Her request was granted by unanimous consent.

Senator Sims requested that she be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. Her request was granted by unanimous consent.

Senator Dunklin requested that she be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. Her request was granted by unanimous consent.

Senator Stennett requested that he be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. His request was granted by unanimous consent.

Senator Whitworth requested that he be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. His request was granted by unanimous consent.

Senator Boatright requested that he be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. His request was granted by unanimous consent.

Senator Deide requested that he be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. His request was granted by unanimous consent.

Senator Goedde requested that he be excused from voting on **H 309** pursuant to Senate Rule 39(A) and *Mason's Manual of Legislative Procedure,* Sections 521 and 522. His request was granted by unanimous consent.

The question being, "Shall **H 309** pass?

Roll call resulted as follows:

AYES--Andreason, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Frasure, Geddes, Hawkins, Ipsen, King-Barrutia, Lee, Richardson, Risch, Sandy, Thorne, Wheeler, Williams. Total - 20.

NAYS--Ingram, Noh, Stegner. Total - 3.

Excused from voting--Boatright, Danielson, Deide, Dunklin, Goedde, Keough, Lodge, Schroeder, Sims, Sorensen, Stennett, Whitworth. Total - 12.

Total - 35.

Whereupon the President declared **H 309** passed, title was approved, and the bill ordered returned to the House.

H 351 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stennett, Thorne, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Boatright, Lodge, Sorensen, Stegner, Wheeler. Total - 5.

Total - 35.

Whereupon the President declared **H 351** passed, title was approved, and the bill ordered returned to the House.

H 352 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Brandt, Lodge, Noh, Stegner, Wheeler. Total - 5.

Total - 35.

Whereupon the President declared **H 352** passed, title was approved, and the bill ordered returned to the House.

H 300, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate.

Pursuant to Joint Rule 18, Senator Cameron challenged the sufficiency of the fiscal note of **H 300**, as amended, and requested unanimous consent that **H 300**, as amended, be re-referred to the Finance Committee.

Senator Stegner objected.

Moved by Senator Cameron, seconded by Senator Whitworth, that **H 300**, as amended, be re-referred to the Finance Committee. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senators Schroeder, Cameron, and Williams.

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Risch, Schroeder, Sims, Sorensen, Whitworth, Williams. Total - 27.

NAYS--Bunderson, Stegner, Stennett, Thorne, Wheeler. Total - 5.

Absent and excused--Brandt, Richardson, Sandy. Total - 3.

Total - 35.

Whereupon the President declared that the motion did prevail and **H 300**, as amended, was re-referred to the Finance Committee.

H 365 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Lee, Richardson, Schroeder, Stegner, Thorne, Wheeler. Total - 21.

NAYS--Danielson, Darrington, Dunklin, Keough, King-Barrutia, Lodge, Noh, Risch, Sims, Sorensen, Stennett, Whitworth. Total - 12.

Absent and excused--Sandy, Williams. Total - 2.

Total - 35.

Whereupon the President declared **H 365** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all Senate bills were placed ahead of all House bills amended in the Senate, followed by House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 5:05 p.m. until the hour of 9 a.m., Friday, March 23, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 23, 2001

Senate Chamber

President Riggs called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Dunklin and Noh, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 22, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

March 23, 2001

The JUDICIARY AND RULES Committee reports that **S 1259, S 1260, S 1261, SCR 117,** and **SCR 118** have been correctly printed.

S 1259 and **S 1261** were referred to the Finance Committee.

S 1260 was referred to the State Affairs Committee.

SCR 117 and **SCR 118** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 22, 2001

The JUDICIARY AND RULES Committee reports that **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** have been correctly enrolled.

DARRINGTON, Chairman

The President signed 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 ordered them transmitted to the House for the signature of the Speaker.

March 22, 2001

The JUDICIARY AND RULES Committee reports that **S 1107,** as amended, has been correctly engrossed.

DARRINGTON, Chairman

S 1107, as amended, was filed for first reading.

March 23, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 280, H 169,** as amended, **S 1107, H 121,** and **H 262,** as amended, have been correctly printed.

DARRINGTON, Chairman

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

March 22, 2001

The JUDICIARY AND RULES Committee reports 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** were delivered to the Office of the Governor at 2:55 p.m., March 22, 2001.

DARRINGTON, Chairman

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

March 22, 2001

The JUDICIARY AND RULES Committee reports that 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** were delivered to the Office of the Governor at 2:55 p.m., March 22, 2001.

DARRINGTON, Chairman

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

March 22, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 367** with the recommendation that it do pass.

THORNE, Chairman

H 367 was filed for second reading.

March 23, 2001

The FINANCE Committee reports out **S 1259** and **S 1261** with the recommendation that they do pass.

CAMERON, Chairman

S 1259 and **S 1261** were filed for second reading.

March 22, 2001

The STATE AFFAIRS Committee reports out **S 1260** with the recommendation that it do pass.

SORENSEN, Chairman

S 1260 was filed for second reading.

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

Messages from the Governor

March 22, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1039 and **S 1090**

Sincerely,
/s/ Dirk Kempthorne
Governor

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

Senators Dunklin and Noh were recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 22, 2001

Mr. President:

I transmit herewith **H 371, H 372,** and **HCR 34**, and I return herewith **S 1223, S 1225, S 1229, S 1230, S 1234, S 1235, S 1236, S 1238, S 1239, S 1240,** and **S 1226**, which have passed the House.

JUKER, Chief Clerk

H 371, H 372, and **HCR 34** were filed for first reading.

S 1223, S 1225, S 1229, S 1230, S 1234, S 1235, S 1236, S 1238, S 1239, S 1240, and **S 1226** were referred to the Judiciary and Rules Committee for enrolling.

March 22, 2001

Mr. President:

I transmit 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**, and **H 24,** as amended, for the signature of the President.

JUKER, Chief Clerk

The President signed 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, and ordered them returned to the House.

March 23, 2001

Mr. President:

I transmit herewith Enrolled **H 321,** as amended, for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 321,** as amended, and ordered it returned to the House.

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

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

S 1262
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2002.

S 1262 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1107, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

H 371, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 372, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

HCR 34, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 238, as amended, by Business Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 305, as amended, by State Affairs Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 366, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 275, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 280, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

H 169, as amended, as amended in the Senate, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 121, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 262, as amended, as amended in the Senate, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Risch, seconded by President Pro Tempore Geddes, that all rules of the Senate interfering with the immediate passage of **H 275**, 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 275**, as amended in the Senate, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 275, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 34.

NAYS--Whitworth. Total - 1.

Total - 35.

Whereupon the President declared **H 275**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Goedde, granted by unanimous consent, **H 326**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

S 1254 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Geddes. Total - 1.

Total - 35.

Whereupon the President declared **S 1254** passed, title was approved, and the bill ordered transmitted to the House.

H 211, as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Sandy, Noh, and Stennett arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Dunklin, Frasure, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Danielson, Geddes. Total - 2.

Total - 35.

Whereupon the President declared **H 211**, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator King-Barrutia, granted by unanimous consent, **H 192**, as amended, was placed below **H 269** on the Third Reading Calendar.

H 269 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 269** passed, title was approved, and the bill ordered returned to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Sandy, Chairman of the Committee of the Whole, reported out **S 1211** without recommendation, amended as follows:

SENATE AMENDMENTS TO S 1211

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 38, following "lands" insert: ", as defined in 25 U.S.C. sections 2703(4) and 2719,".

AMENDMENT TO SECTION 2

On page 2, in line 8, following "lands" insert: ", as defined in 25 U.S.C. sections 2703(4) and 2719,".

AMENDMENTS TO SECTION 3

On page 2, in line 48, following "uniformity" insert: "throughout the state of Idaho"; in line 49, following "activities" insert: "of all Indian tribes engaged in class III gaming in Idaho"; and in line 52, following "Restraining" insert: ", containing and limiting".

On page 3, delete line 2, and insert:

"(b) Prohibiting Nevada or New Jersey style casinos in the state of".

AMENDMENTS TO SECTION 4

On page 3, following line 48, insert:

"(i) "Indian lands" means Indian lands as defined in 25 U.S.C. section 2703(4), as well as lands which meet the requirements of 25 U.S.C. section 2719.";

in line 49, delete "(i)" and insert: "(j)"; in line 52, delete "(j)" and insert: "(k)".

On page 4, in line 2, delete "as defined in paragraph (l) of this subsection,"; in line 4, delete "(k)" and insert: "(l)"; delete lines 8 through 12; in line 20, following "player" insert: "for game play"; delete lines 24 through 26, and insert: "shall constitute a single TGD. A TGD shall not be activated by handle or lever, shall not dispense coins or currency and shall perform only the following functions:"; in line 39, delete "Notwithstanding the provisions of" and insert: "Pursuant to"; in line 41, delete "all of"; and also in line 41, following "contain" insert: "all of"; in line 42, delete "and" and insert: "or"; in line 43, delete "reservation"; following line 49, insert:

"(d) Automated teller machines shall not be located in any room or rooms where class III gaming is conducted and shall be programmed so that they will not accept cards issued by the state of Idaho to AFDC/TANF recipients for access to AFDC/TANF benefits;";

in line 50, delete "(d)" and insert: "(e)"; and also in line 50, following "is" insert: "absolutely"; delete lines 51 through 54, and insert: "by the governor that will allow for a determination of a maximum number of TGDs to be allocated to each tribe. The maximum number of TGDs owned by the Coeur d'Alene, Kootenai and Nez Perce tribes shall be determined as of January 1, 2001, with no more than a fifteen percent (15%) cumulative increase for each of those tribes over a ten (10) year period from the effective date of this statute, after which no additional TGDs shall be allowed. For any other Indian tribe conducting class III gaming, the maximum number of TGDs shall be determined through negotiations with the governor, but in no event shall the maximum number of TGDs exceed any single allocation to any single tribe named above;";

in line 55, delete "(e)" and insert: "(f)".

On page 5, in line 3, delete "(f)" and insert: "(g)"; in line 13, following "2710(d)(1)(B)." insert: "No TGDs shall be permitted within the meaning of 25 U.S.C. section 2710(d)(1)(B) for any Indian tribe pursuant to any future negotiated or amended compact unless the conditions in subsection (2) of this section are agreed to by the tribe."; in line 16, following "lands" insert: "but only".

AMENDMENT TO SECTION 5

On page 5, in line 20, delete "The" and insert: "For purposes of section 67-429A, Idaho Code, the".

AMENDMENT TO SECTION 6

On page 5 of the printed bill, in line 30, following "approval" insert: "and upon certification by the Secretary of State that he has received an affidavit from the governing body of each Indian tribe subject to this act, signed by the tribal chairman and all tribal council members, that the tribe and the governing body of the Indian tribe renounce all claims over state lottery winnings or state lottery proceeds that occur on that tribe's reservation and that the tribe and the governing body of the tribe shall not regulate the state lottery and its operations in any form whatsoever in Idaho".

CORRECTION TO TITLE

On page 1, in line 20, delete "AND"; and also in line 20, following "EMERGENCY" insert: "AND TO REQUIRE CERTIFICATION BY THE SECRETARY OF STATE UPON CERTAIN CIRCUMSTANCES OCCURRING".

AMENDMENTS TO SECTION 3

On page 2 of the printed bill, in line 42, delete "and the state"; and also in line 42, delete "may" and insert: "shall"; and in line 43, following "vital" insert: "employment, educational, health and societal".

The committee also has **H 110, H 80, S 1198, H 299, H 312,** as amended, and **H 326,** as amended, under consideration, reports progress, and begs leave to sit again.

SANDY, Chairman

On motion by Senator Sandy, seconded by Senator Stennett, the report was adopted by voice vote.

S 1211, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

On motion by Senator Risch, seconded by Senator Dunklin, by voice vote the Senate recessed at 12:30 p.m. until the hour of 1:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senators Burtenshaw and Ipsen, absent and formally excused by the Chair; and Senators Danielson, Davis, King-Barrutia, Noh, Sandy, and Stennett, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

On request by Senator Risch, granted by unanimous consent, **H 192**, as amended, retained its place on the Third Reading Calendar.

Senators Danielson, Davis, King-Barrutia, Noh, Sandy, and Stennett were recorded present at this order of business.

H 327 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, “Shall the bill pass?”

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Burtenshaw, Ipsen. Total - 2.

Total - 35.

Whereupon the President declared **H 327** passed, title was approved, and the bill ordered returned to the House.

The President announced that **H 192**, as amended, having been held, was now before the Senate for final consideration.

H 192, as amended was read the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Ingram. Total - 1.

Absent and excused--Burtenshaw, Ipsen, Stegner. Total - 3.

Total - 35.

Whereupon the President declared **H 192**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 356 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Hawkins, Ingram, King-Barrutia, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 27.

NAYS--Cameron, Frasure, Keough, Lee. Total - 4.

Absent and excused--Brandt, Burtenshaw, Ipsen, Noh. Total - 4.

Total - 35.

Whereupon the President declared **H 356** passed, title was approved, and the bill ordered returned to the House.

The President called President Pro Tempore Geddes to the Chair.

H 315, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Deide arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Goedde, Richardson, Thorne. Total - 3.

Absent and excused--Burtenshaw, Ipsen. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 315**, as amended, passed, title was approved, and the bill ordered returned to the House.

Having voted on the prevailing side by which **H 356** passed the Senate, Senator Hawkins served notice that he may on this or the next legislative day move for reconsideration of the vote.

H 356 was ordered held at the Desk.

H 330 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Hawkins, Lee. Total - 2.

Absent and excused--Burtenshaw, Ipsen. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 330** passed, title was approved, and the bill ordered returned to the House.

H 341 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Cameron, Danielson, Darrington, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 28.

NAYS--None.

Absent and excused--Brandt, Burtenshaw, Deide, Ipsen, Keough, Noh, Williams. Total - 7.

Total - 35.

Whereupon the President Pro Tempore declared **H 341** passed, title was approved, and the bill ordered returned to the House.

H 342 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--None.

Absent and excused--Burtenshaw, Ipsen. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 342** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all House bills amended in the Senate were placed ahead of House bills on the Third Reading Calendar.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 3:10 p.m. until the hour of 9 a.m., Monday, March 26, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 26, 2001

Senate Chamber

President Riggs called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Branch, Cameron, Dunklin, King-Barrutia, Sandy, and Stennett, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 23, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

Senator Branch was recorded present at this order of business.

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

Reports of Standing Committees

Senator Dunklin was recorded present at this order of business.

March 26, 2001

The JUDICIARY AND RULES Committee reports that **S 1262** has been correctly printed.

DARRINGTON, Chairman

S 1262 was referred to the Finance Committee.

March 23, 2001

The JUDICIARY AND RULES Committee reports that **S 1223, S 1225, S 1226, S 1229, S 1230, S 1234, S 1235, S 1236, S 1238, S 1239,** and **S 1240** have been correctly enrolled.

DARRINGTON, Chairman

The President signed 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 ordered them transmitted to the House for the signature of the Speaker.

March 23, 2001

The JUDICIARY AND RULES Committee reports that **S 1211,** as amended, has been correctly engrossed.

DARRINGTON, Chairman

S 1211, as amended, was filed for first reading.

March 26, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1211** have been correctly printed.

DARRINGTON, Chairman

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

March 23, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 371** with the recommendation that it do pass.

ANDREASON, Chairman

H 371 was filed for second reading.

March 23, 2001

The FINANCE Committee reports out **H 372** and **H 348** with the recommendation that they do pass.

CAMERON, Chairman

H 372 and **H 348** were filed for second reading.

March 23, 2001

The JUDICIARY AND RULES Committee reports out **H 242,** as amended, with the recommendation that it do pass.

DARRINGTON, Chairman

H 242, as amended, was filed for second reading.

March 26, 2001

The FINANCE Committee reports out **S 1262** with the recommendation that it do pass.

CAMERON, Chairman

S 1262 was filed for second reading.

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

Messages from the Governor

March 22, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1016, S 1017, S 1142, as amended

Sincerely,
/s/ Dirk Kempthorne
Governor

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

March 23, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1012, S 1011, S 1047, S 1050,
S 1051, as amended, **S 1055, S 1056, S 1122,**
S 1127, as amended, **S 1143, S 1166, S 1174**

Sincerely,
/s/ Dirk Kempthorne
Governor

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

March 23, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that M. Dean Buffington of Boise, Idaho, was appointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing March 20, 2001, and expiring April 11, 2003.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 23, 2001

Mr. President:

I transmit herewith **H 374, H 375, H 376,** and **H 369** which have passed the House.

JUKER, Chief Clerk

H 374, H 375, H 376, and **H 369** were filed for first reading.

March 23, 2001

Mr. President:

I return herewith **S 1037, S 1147, S 1227, S 1228, S 1182, S 1171, S 1172, S 1164,** as amended, **S 1241,** and **S 1242** which have passed the House.

JUKER, Chief Clerk

S 1037, S 1147, S 1227, S 1228, S 1182, S 1171, S 1172, S 1164, as amended, **S 1241,** and **S 1242** were referred to the Judiciary and Rules Committee for enrolling.

March 23, 2001

Mr. President:

I transmit herewith Enrolled **H 358, H 339, H 309, H 351, H 352,** and **H 365** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 358, H 339, H 309, H 351, H 352,** and **H 365** and ordered them returned to the House.

Senator King-Barrutia was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having voted on the prevailing side and proper notice having been served, Senator Hawkins requested unanimous consent that the vote by which **H 356** passed the Senate be now reconsidered.

Senator Hawkins' request was granted by unanimous consent, and **H 356** was placed before the Senate for consideration. The question being, "Shall the bill pass?"

On request by Senator Hawkins, granted by unanimous consent, **H 356** was referred to the Fourteenth Order of Business, General Calendar.

Senator Stennett was recorded present at this order of business.

The President announced that **SCR 117** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by President Pro Tempore Geddes, seconded by Senator Whitworth, **SCR 117** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **SCR 118** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by President Pro Tempore Geddes, seconded by Senator Stennett, **SCR 118** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1263
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2002.

S 1263 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1211, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

H 374, H 375, and **H 376**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 369, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Cameron was recorded present at this order of business.

H 367, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1259 and **S 1261**, by Finance Committee, were read the second time at length and filed for third reading.

S 1260, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1107, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Ipsen, granted by unanimous consent, **H 253**, as amended in the Senate, having been held, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Risch, granted by unanimous consent, **H 280**, as amended in the Senate, retained its place on the Third Reading Calendar.

H 169, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Thorne, Danielson, and Risch.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present.

On request by Senator Thorne, granted by unanimous consent, the Call was lifted.

The question being, "Shall **H 169**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 169**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, **H 280**, as amended in the Senate, having been held, was placed before the Senate for consideration at this time.

H 280, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Frasure and Whitworth arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Cameron, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Danielson, Davis, Stegner, Stennett. Total - 4.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President declared **H 280**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 121, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 121**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 262, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Stennett, Noh, and Sandy arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Bunderson, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 28.

NAYS--Branch, Burtenshaw, Hawkins, Lee, Sims, Williams. Total - 6.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President declared **H 262**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Risch, seconded by Senator Danielson, that all rules of the Senate interfering with the immediate passage of **S 1211**, 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 1211**, as amended, be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--Frasure. Total - 1.

Absent and excused--Brandt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1211, as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Danielson, Darrington, Deide, Dunklin, Goedde, Ingram, Keough, Lodge, Sandy, Sims, Sorensen, Stennett, Thorne, Whitworth. Total - 15.

NAYS--Andreason, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Davis, Frasure, Geddes, Hawkins, Ipsen, King-Barrutia, Lee, Noh, Richardson, Risch, Schroeder, Stegner, Wheeler, Williams. Total - 20.

Total - 35.

Whereupon the President declared that **S 1211**, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

Having voted on the prevailing side by which **S 1211**, as amended, failed to pass the Senate, Senator Schroeder served notice that he may on this or the next legislative day move for reconsideration of the vote.

S 1211, as amended, was ordered held at the Desk.

Having voted on the prevailing side and proper notice having been served, Senator Risch moved, seconded by Senator Frasure, that the vote by which **S 1211**, as amended, failed to pass the Senate now be reconsidered. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES--Boatright, Danielson, Deide, Goedde, Ingram, Keough, Lodge, Sandy, Schroeder, Sims, Sorensen, Stennett, Whitworth. Total - 13.

NAYS--Andreason, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Dunklin, Frasure, Geddes, Hawkins, Ipsen, King-Barrutia, Lee, Noh, Richardson, Risch, Stegner, Thorne, Wheeler, Williams. Total - 22.

Total - 35.

Whereupon the President declared that the motion to reconsider **S 1211**, as amended, did not prevail and **S 1211**, as amended, was ordered filed in the office of the Secretary of the Senate.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate recessed at 12:35 p.m. until the hour of 2 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except Senators Branch, Sandy, Sorensen, and Wheeler, absent and excused.

Prior to recess the Senate was at the Twelfth Order of Business, Second Reading of Bills.

H 371, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 372, by Appropriations Committee, was read the second time at length and filed for third reading.

H 348, by State Affairs Committee, was read the second time at length and filed for third reading.

H 242, as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1262, by Finance Committee, was read the second time at length and filed for third reading.

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

Reports of Standing Committees

March 26, 2001

The JUDICIARY AND RULES Committee reports that **S 1037, S 1147, S 1164,** as amended, **S 1171, S 1172, S 1182, S 1227, S 1228, S 1241,** and **S 1242** have been correctly enrolled.

DARRINGTON, Chairman

The President signed 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 ordered them transmitted to the House for the signature of the Speaker.

Senator Sorensen was recorded present at this order of business.

March 26, 2001

The FINANCE Committee reports out **H 374, H 375,** and **H 376** with the recommendation that they do pass.

CAMERON, Chairman

H 374, H 375, and **H 376** were filed for second reading.

March 26, 2001

The FINANCE Committee reports out **H 282,** as amended, with the recommendation that it do pass.

CAMERON, Chairman

H 282, as amended, was filed for second reading.

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

Messages from the House

March 26, 2001

Mr. President:

I return 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**, which have been signed by the Speaker.

JUKER, Chief Clerk

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**, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 26, 2001

Mr. President:

I return 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**, which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1223, S 1225, S 1226, S 1229, S 1230, S 1234, S 1235, S 1236, S 1238, S 1239,** and **S 1240**, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

. **Second Reading of Bills**

H 282, as amended, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 343 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Thorne, Danielson, and Risch.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senators Andreason and Sandy.

The President directed the Sergeant at Arms to find and present Senators Andreason and Sandy to the Senate.

Senators Andreason and Sandy were recorded present.

On request by Senator Thorne, granted by unanimous consent, the Call was lifted.

The question being, "Shall **H 343** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 343** passed, title was approved, and the bill ordered returned to the House.

H 344 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Geddes, Goedde, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Risch, Sims, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 25.

NAYS--Dunklin, Frasure, Hawkins, Keough, Schroeder, Stennett, Whitworth. Total - 7.

Absent and excused--Andreason, Richardson, Sandy. Total - 3.

Total - 35.

Whereupon the President declared **H 344** passed, title was approved, and the bill ordered returned to the House.

H 301 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 301** passed, title was approved, and the bill ordered returned to the House.

H 334 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 334** passed, title was approved, and the bill ordered returned to the House.

H 231 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sims, Stennett, Thorne, Wheeler, Williams. Total - 27.

NAYS--Branch, Hawkins, Schroeder, Stegner, Whitworth. Total - 5.

Absent and excused--Andreason, Sandy, Sorensen. Total - 3.

Total - 35.

Whereupon the President declared **H 231** passed, title was approved, and the bill ordered returned to the House.

H 335 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 335** passed, title was approved, and the bill ordered returned to the House.

H 337 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate.

On request by Senator Boatright, granted by unanimous consent, **H 337** retained its place on the Third Reading Calendar for Wednesday, March 28, 2001.

H 336 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 336** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, **H 366** retained its place on the Third Reading Calendar.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 367** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 367** was read the third time at length, section by section, and put upon its final passage.

H 367 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 367** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1259** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1259** was read the third time at length, section by section, and put upon its final passage.

S 1259 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1259** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1261** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1261** was read the third time at length, section by section, and put upon its final passage.

S 1261 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1261** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1260** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1260** was read the third time at length, section by section, and put upon its final passage.

S 1260 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1260** passed, title was approved, and the bill ordered transmitted to the House.

H 366, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 366** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 371** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 371** was read the third time at length, section by section, and put upon its final passage.

H 371 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Andreason arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 371** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 372** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 372** was read the third time at length, section by section, and put upon its final passage.

H 372 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 372** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 348** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 348** was read the third time at length, section by section, and put upon its final passage.

H 348 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 348** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 242,** as amended, were suspended, and 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 were dispensed with, this being a case of urgency, and **H 242**, as amended, was read the third time at length, section by section, and put upon its final passage.

H 242, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 242**, as amended, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1262** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1262** was read the third time at length, section by section, and put upon its final passage.

S 1262 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1262** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 282,** as amended, were suspended, and 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 were dispensed with, this being a case of urgency, and **H 282**, as amended, was read the third time at length, section by section, and put upon its final passage.

H 282, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Schroeder, Stegner, Stennett. Total - 3.

Absent and excused--Branch, Brandt. Total - 2.

Total - 35.

Whereupon the President declared **H 282**, as amended, passed, title was approved, and the bill ordered returned to the House.

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

Second Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 375** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 375** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 375 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 375** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 376** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 376** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 376 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 376** passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1107,** as amended, were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1107**, as amended, was read the third time at length, section by section, and put upon its final passage.

S 1107, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thorne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1107**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 210 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 210** passed, title was approved, and the bill ordered returned to the House.

H 238, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 238**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 305, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 305**, as amended, passed, title was approved, and the bill ordered returned to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Sandy, Chairman of the Committee of the Whole, reported out **H 356** and **H 326**, as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 356

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 12 through 15, and insert: "~~1999~~2001, the annual salary for members of the state tax commission shall be ~~sixty-five thousand dollars ($65,000), which amount shall be increased on July 1, 2000, by three and one-half percent (3 ½%)~~ seventy thousand three hundred two dollars ($70,302).".

SENATE AMENDMENTS TO H 326, As Amended

AMENDMENT TO SECTION 1

On page 2 of the engrossed bill, delete lines 6 through 9, and insert: "of the ~~youth rehabilitation law~~ juvenile corrections act, and an authorized representative of the board shall, ~~file a petition with the magistrate division of the district court~~ within five (5) days, give written notice of the pupil's expulsion to the prosecuting attorney of the county of the pupil's residence~~, in such form as the court may require under the provisions of section 16-1807, Idaho Code~~.".

AMENDMENTS TO SECTION 2

On page 2, in line 40, delete "providing due process of law which have been"; delete line 41, and insert: "trustees of any school district that any child enrolled in public school"; and delete line 45, and insert: "shall notify in writing the prosecuting attorney in the county of the pupil's residence and recommend that a".

AMENDMENTS TO SECTION 3

On page 3, in line 2, delete "~~expelled~~" and insert: "expelled"; and in line 3, following "~~shall~~" insert: "or is".

CORRECTION TO TITLE

On page 1, delete line 3; and in line 4, delete "PROCEDURE" and insert: "PROVIDE THAT ANY PUPIL OF COMPULSORY ATTENDANCE AGE WHO IS DENIED ATTENDANCE SHALL COME UNDER THE PURVIEW OF THE JUVENILE CORRECTIONS ACT AND TO PROVIDE THAT NOTICE OF PUPIL'S STATUS SHALL BE GIVEN TO THE PROSECUTING ATTORNEY OF THE COUNTY OF THE PUPIL'S RESIDENCE".

The committee also has **H 110, H 80, S 1198, H 299,** and **H 312,** as amended, under consideration, reports progress, and begs leave to sit again.

SANDY, Chairman

On motion by Senator Sandy, seconded by Senator Stennett, the report was adopted by voice vote.

H 356, as amended in the Senate, and **H 326,** as amended, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 26, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 356** and **H 326**, as amended, have been correctly printed.

DARRINGTON, Chairman

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

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

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

H 356, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

H 326, as amended, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 356,** as amended in the Senate, were suspended, and 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 were dispensed with, this being a case of urgency, and **H 356**, as amended in the Senate, was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 356, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--None.

Absent and excused--Dunklin, Frasure, Hawkins, Noh, Stennett. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared **H 356**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 326**, as amended, as amended in the Senate, were suspended, and 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 were dispensed with, this being a case of urgency, and **H 326**, as amended, as amended in the Senate, was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 326, as amended, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Deide, Geddes, Goedde, Hawkins, Ipsen, Keough, King-Barrutia, Lee, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 28.

NAYS--None.

Absent and excused--Danielson, Dunklin, Frasure, Ingram, Lodge, Noh, Stennett. Total - 7.

Total - 35.

Whereupon the President declared **H 326**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 374** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 374** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 374 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Branch, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Geddes, Goedde, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 25.

NAYS--Davis, Keough, Schroeder. Total - 3.

Absent and excused--Boatright, Brandt, Dunklin, Frasure, Hawkins, Noh, Stennett. Total - 7.

Total - 35.

Whereupon the President declared **H 374** passed, title was approved, and the bill ordered returned to the House.

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

Senator Risch announced that the Senate would not convene Tuesday, March 27, 2001, in tribute to the recently deceased member of the House of Representatives: Representative George H. Swan, District 23.

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Whitworth, by voice vote the Senate adjourned at 5:05 p.m. until the hour of 9 a.m., Wednesday, March 28, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, MARCH 28, 2001

Senate Chamber

President Riggs called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Boatright, Danielson, Dunklin, Hawkins, and Ingram, absent and excused.

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Boatright and Danielson were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 26, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

March 28, 2001

The JUDICIARY AND RULES Committee reports that **S 1263** has been correctly printed.

DARRINGTON, Chairman

S 1263 was referred to the Finance Committee.

March 26, 2001

The JUDICIARY AND RULES Committee reports that 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** were delivered to the Office of the Governor at 3:20 p.m., March 26, 2001.

DARRINGTON, Chairman

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

March 26, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1223, S 1225, S 1226, S 1229, S 1230, S 1234, S 1235, S 1236, S 1238, S 1239,** and **S 1240** were delivered to the Office of the Governor at 3:20 p.m., March 26, 2001.

DARRINGTON, Chairman

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

March 28, 2001

The FINANCE Committee reports out **S 1263** with the recommendation that it do pass.

CAMERON, Chairman

S 1263 was filed for second reading.

March 26, 2001

The TRANSPORTATION Committee reports out **HCR 35, H 364, H 369, H 268,** and **H 359** with the recommendation that they do pass.

FRASURE, Chairman

HCR 35 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

H 364, H 369, H 268, and **H 359** were filed for second reading.

March 28, 2001

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

M. Dean Buffington to the Idaho Endowment Fund Investment Board, term to expire April 11, 2003.

ANDREASON, Chairman

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

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

Messages from the Governor

Senator Dunklin was recorded present at this order of business.

March 26, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1038, as amended, **S 1069, S 1100, S 1111, S 1121, S 1153, S 1170, S 1192, S 1194**

Sincerely,
/s/ Dirk Kempthorne
Governor

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

March 26, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1086

Sincerely,
/s/ Dirk Kempthorne
Governor

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

March 27, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1063, S 1119, S 1133, S 1168

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 26, 2001

Mr. President:

I transmit herewith **H 377, H 378,** and **H 379** which have passed the House.

JUKER, Chief Clerk

H 377, H 378, and **H 379** were filed for first reading.

March 26, 2001

Mr. President:

I return herewith **S 1156,** as amended, **S 1077,** as amended, **S 1040,** as amended, as amended, **S 1067,** as amended, **S 1258,** and **S 1116,** as amended, which have passed the House.

JUKER, Chief Clerk

S 1156, as amended, **S 1077,** as amended, **S 1040,** as amended, as amended, **S 1067,** as amended, **S 1258,** and **S 1116,** as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 26, 2001

Mr. President:

I transmit 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, and **H 237,** as amended in the Senate, for the signature of the President.

JUKER, Chief Clerk

The President signed 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 ordered them returned to the House.

March 26, 2001

Mr. President:

I return herewith **S 1243, S 1245, S 1244, S 1246, S 1247, S 1248, S 1158,** as amended, **S 1157,** as amended, **S 1031, S 1032, S 1033, S 1059, S 1014,** as amended, **S 1118, S 1191, S 1251,** and **S 1252** which have passed the House.

JUKER, Chief Clerk

S 1243, S 1245, S 1244, S 1246, S 1247, S 1248, S 1158, as amended, **S 1157,** as amended, **S 1031, S 1032, S 1033, S 1059, S 1014,** as amended, **S 1118, S 1191, S 1251,** and **S 1252** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of **HCR 35** were suspended.

The President announced that **HCR 35** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Whitworth, seconded by Senator Sandy, **HCR 35** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of M. Dean Buffington were suspended.

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

On motion by Senator Ipsen, seconded by Senator Stennett, the Gubernatorial appointment of M. Dean Buffington as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

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

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

Messages from the Governor

March 27, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1226

Sincerely,
/s/ Dirk Kempthorne
Governor

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

March 28, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dwight V. Board was appointed as a member of the Idaho Board of Correction to serve a term commencing January 1, 2001, and expiring January 1, 2007.

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

Sincerely,
/s/ Dirk Kempthorne
Governor

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

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

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

Second Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 364** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 364** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 364 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Dunklin, Frasure, Geddes, Goedde, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 29.

NAYS--Davis, Keough, Schroeder, Whitworth. Total - 4.

Absent and excused--Hawkins, Ingram. Total - 2.

Total - 35.

Whereupon the President declared **H 364** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 369** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 369** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 369 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Bunderson, Ipsen, Lee. Total - 3.

Total - 35.

Whereupon the President declared **H 369** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 268** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 268** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 268 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate.

On request by Senator Whitworth, granted by unanimous consent, **H 268** retained its place on the Third Reading Calendar.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 359** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 359** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 359 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Branch arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Darrington, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Thorne, Whitworth, Williams. Total - 26.

NAYS--Davis, Dunklin, Stegner, Stennett, Wheeler. Total - 5.

Absent and excused--Brandt, Cameron, Danielson, Sorensen. Total - 4.

Total - 35.

Whereupon the President declared **H 359** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1263** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1263** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1263 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Brandt, Cameron, Danielson. Total - 3.

Total - 35.

Whereupon the President declared **S 1263** passed, title was approved, and the bill ordered transmitted to the House.

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

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

H 377, H 378, and **H 379**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

On motion by Senator Risch, seconded by Senator Noh, by voice vote the Senate recessed at 12:35 p.m. until the hour of 1:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Riggs presiding.

Roll call showed all members present except President Pro Tempore Geddes and Senators Danielson, Lee, Noh, Sandy, Sorensen, Stennett, and Whitworth, absent and excused.

Prior to recess the Senate was at the Eleventh Order of Business, Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials.

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

Reports of Standing Committees

March 28, 2001

The JUDICIARY AND RULES Committee reports that **S 1040,** as amended, as amended, **S 1067,** as amended, **S 1077,** as amended, **S 1116,** as amended, **S 1156,** as amended, and **S 1258** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1040,** as amended, as amended, **S 1067,** as amended, **S 1077,** as amended, **S 1116,** as amended, **S 1156,** as amended, and **S 1258** and ordered them transmitted to the House for the signature of the Speaker.

March 28, 2001

The JUDICIARY AND RULES Committee reports that **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** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **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 ordered them transmitted to the House for the signature of the Speaker.

March 28, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 378** with the recommendation that it do pass.

THORNE, Chairman

H 378 was filed for second reading.

March 28, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 377** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THORNE, Chairman

There being no objection, **H 377** was referred to the Fourteenth Order of Business, General Calendar.

March 28, 2001

The STATE AFFAIRS Committee reports out **HCR 31** and **H 347,** as amended, with the recommendation that they do pass.

SORENSEN, Chairman

HCR 31 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

H 347, as amended, was filed for second reading.

March 28, 2001

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

Dwight V. Board to the Idaho Board of Correction, term to expire January 1, 2007.

DARRINGTON, Chairman

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

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

Messages from the House

March 28, 2001

Mr. President:

I transmit herewith 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** for the signature of the President, and I return 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**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed 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 ordered them returned to the House.

Enrolled **S 1037, S 1147, S 1164,** as amended, **S 1171, S 1172, S 1182, S 1227, S 1228, S 1241,** and **S 1242** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

President Pro Tempore Geddes and Senators Danielson, Noh, Sandy, Sorensen, Stennett, and Whitworth were recorded present at this order of business.

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of **HCR 31** were suspended.

The President announced that **HCR 31** was before the Senator for final consideration, the question being, "Shall the resolution be adopted?"

Moved by President Pro Tempore Geddes, seconded by Senator Stennett, that **HCR 31** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared **HCR 31** adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Dwight V. Board were suspended.

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

On motion by Senator Darrington, seconded by Senator Dunklin, the Gubernatorial appointment of Dwight V. Board as a member of the Idaho Board of Correction was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1264
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2002; AND AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS.

S 1264 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 378** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 378** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 378 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senators Thorne, Frasure, and Hawkins arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 32.

NAYS--Dunklin, Whitworth. Total - 2.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared **H 378** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 347,** as amended, were suspended, and 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 were dispensed with, this being a case of urgency, and **H 347**, as amended, was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 347, as amended, was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--Sorensen. Total - 1.

Absent and excused--Hawkins, Lee. Total - 2.

Total - 35.

Whereupon the President declared **H 347**, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Whitworth, granted by unanimous consent, **H 268,** having been held, was recommitted to the Transportation Committee.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Ipsen, granted by unanimous consent, **H 253** retained its place on the Third Reading Calendar.

The President announced that **H 337**, having previously been read the third time at length and debate having previously been opened, was now before the Senate for final consideration. Senators Boatright and Noh arose as co-sponsors of the bill and re-opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--Hawkins. Total - 1.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared **H 337** passed, title was approved, and the bill ordered returned to the House.

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

Reports of Standing Committees

March 28, 2001

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

Bill Whittom to the Idaho Soil Conservation Commission, term to expire July 1, 2005.

DEIDE, Chairman

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

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

Motions and Resolutions

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of the Agricultural Affairs Committee report relative to the Gubernatorial appointment of Bill Whittom were suspended.

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

On motion by Senator Deide, seconded by President Pro Tempore Geddes, the Gubernatorial appointment of Bill Whittom as a member of the Idaho Soil Conservation Commission was confirmed by voice vote.

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

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Sandy, Chairman of the Committee of the Whole, reported out **H 110, H 80, H 299**, and **H 312**, as amended, without recommendation and without amendment; and **H 377**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 377

AMENDMENT TO THE BILL

On page 3 of the printed bill, delete lines 32 through 53; and on page 4, delete lines 1 through 33, and insert:

"SECTION 2. That Section 63-3024A, Idaho Code, be, and the same is hereby amended to read as follows:

63-3024A. CREDITS AND REFUNDS. (a) Any resident individual not entitled to the credit allowed in subsection (b)(1), who is required to file by law and who has filed an Idaho income tax return, shall be allowed a credit against taxes due under the Idaho income tax act equal to the amount of ~~fifteen~~ twenty dollars (~~$15~~20 .00) for each personal exemption for which a deduction is permitted by section 151(b) and (c) of the Internal Revenue Code if such deduction is claimed on the taxpayer's Idaho income tax return, and if the individual for whom the deduction is claimed is a resident of the state of Idaho. If taxes due are less than the total credit allowed, the taxpayer shall be paid a refund equal to the balance of the unused credit. If the credit or refund is not claimed for the year for which the individual income tax return is filed, the right thereafter to claim such credit or refund shall be forfeited. The state tax commission shall prescribe the method by which the refund, if any, is to be made to the taxpayer.

(b) (1) A resident individual who has reached his sixty-fifth birthday before the end of his taxable year, who is required to file by law and who has filed an Idaho income tax return, shall be allowed a credit against taxes due under the Idaho income tax act equal to the amount of thirty-five dollars ($30~~5~~.00) for each personal exemption representing himself, a spouse over the age of sixty-five (65) years, or a dependent over the age of sixty-five (65) years, but shall be allowed a credit against taxes due under

the Idaho income tax act equal to ~~fifteen~~ twenty dollars (~~$15~~20.00) for each personal exemption representing a spouse or dependent under the age of sixty-five (65) years. If taxes due are less than the total credit allowed, the taxpayer shall be paid a refund equal to the balance of the unused credit. If the credit or refund is not claimed for the year for which the individual income tax return is filed, the right thereafter to claim such credit or refund shall be forfeited. The state tax commission shall prescribe the method by which the refund, if any, is to be made to the taxpayer.

(2) A resident individual who has reached his sixty-fifth birthday and is not required by law to file an Idaho income tax return and who has received no credit or refund under any other subsection of this section, shall be entitled to a refund of thirty-five dollars ($30~~5~~.00). Any refund shall be paid to such individual only upon his making application therefor at such time and in such manner as may be prescribed by the state tax commission.

(c) A resident individual of the state of Idaho who is:

(i) blind, or

(ii) a disabled American veteran of any war engaged in by the United States, whose disability is recognized as a service connected disability of a degree of ten ~~per cent~~ percent (10%) or more, or who is in receipt of a pension for nonservice connected disabilities, in accordance with laws and regulations administered by the United States veterans administration, substantiated by a statement as to status signed by a responsible officer of the United States veterans administration, or

(iii) over sixty-two (62) years of age, and has been allowed none, or less than all, of the credit provided by subsection (a) or subsection (b) of this section, shall be entitled to a payment from the refund fund in an amount equal to ~~fifteen~~ twenty dollars (~~$15~~20.00), or the balance of his unused credit, whichever is less, upon making application therefor at such time and in such manner as the state tax commission may prescribe.

(d) Any part-year resident entitled to a credit under this section shall receive a proportionate credit, in the manner above provided, reflecting the part of the year in which he was domiciled in this state.

(e) No credit or refund may be claimed for an exemption which represents a person who has himself filed an Idaho income tax return claiming a deduction for his own personal exemption, and in no event shall more than one (1) taxpayer be allowed a credit or refund for the same exemption, or under more than one (1) subsection of this section.

(f) The refunds authorized by this section shall be paid from the state refund fund in the same manner as the refunds authorized by section 63-3067, Idaho Code.

(g) An application for any refund which is due and payable under the provisions of this section must be filed with the state tax commission within three (3) years of:

(i) the due date, including extensions, of the return required under section 63-3030, Idaho Code, if the applicant is required to file a return, or

(ii) the 15th day of April of the year following the year to which the application relates if the applicant is not required to file a return.".

CORRECTIONS TO TITLE

On page 1, in line 3, following "THEREAFTER;" delete the remainder of the line; delete line 4; and in line 5, delete "QUALIFIED CAPITAL GAINS AND TO MAKE TECHNICAL CORRECTIONS" and insert: "AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAXES PAID BY CERTAIN INDIVIDUALS AND TO MAKE TECHNICAL CORRECTIONS".

The committee also has **S 1198** under consideration, reports progress, and begs leave to sit again.

SANDY, Chairman

On motion by Senator Sandy, seconded by Senator Stennett, the report was adopted by voice vote.

H 110, H 80, H 299, and **H 312**, as amended, were filed for second reading.

H 377, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 28, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 377** have been correctly printed.

DARRINGTON, Chairman

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

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

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

S 1265
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SUPREME COURT IN ADDITION TO THE APPROPRIATION MADE IN SECTION 1, SENATE BILL NO. 1206, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE.

S 1266
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SUPREME COURT IN ADDITION TO THE APPROPRIATION MADE IN SECTION 1, SENATE BILL NO. 1206, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE.

S 1267
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SUPREME COURT IN ADDITION TO THE APPROPRIATION MADE IN SECTION 1, SENATE BILL NO. 1206, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE.

S 1268
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2002; PROVIDING TWO ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT REGARDING THE IDAHO RURAL PARTNERSHIP.

S 1269
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR FISCAL YEAR 2002.

S 1265, S 1266, S 1267, S 1268, and **S 1269** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 377, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 377,** as amended in the Senate, were suspended, and 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 were dispensed with, this being a case of urgency, and **H 377**, as amended in the Senate, was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 377, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senators Thorne, Hawkins, and Frasure arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Williams. Total - 34.

NAYS--Whitworth. Total - 1.

Total - 35.

Whereupon the President declared **H 377**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 110** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 110** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 110 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 110** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 80** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 80** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 80 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 80** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 299** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 299** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 299 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **H 299** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 312**, as amended, were suspended, and 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 were dispensed with, this being a case of urgency, and **H 312**, as amended, was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 312, as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Branch, Brandt, Burtenshaw, Cameron, Darrington, Deide, Dunklin, Frasure, Geddes, Hawkins, Ipsen, Keough, King-Barrutia, Lee, Richardson, Risch, Sandy, Sims, Sorensen, Stennett, Thorne, Wheeler, Williams. Total - 24.

NAYS--Andreason, Bunderson, Danielson, Davis, Goedde, Ingram, Lodge, Noh, Schroeder, Stegner, Whitworth. Total - 11.

Total - 35.

Whereupon the President declared **H 312**, as amended, passed, title was approved, and the bill ordered returned to the House.

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

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

S 1270
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO THE CHILDREN'S HEALTH INSURANCE PROGRAM; EXEMPTING STATE VETERANS HOMES FROM COST LIMITS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING THE NUMBER OF BEDS IN MEDICAID FUNDED PRIVATE INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING RATES FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED AT FISCAL YEAR 2000 LEVELS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO GENERIC DRUGS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING RATES FOR DURABLE MEDICAL EQUIPMENT AT FISCAL YEAR 2000 LEVELS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO UTILIZATION MANAGEMENT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO COPAYMENTS AND OTHER COST-SHARING METHODS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO DAY TREATMENT SERVICES PROVIDED TO CLIENTS WITH MENTAL ILLNESS; REDUCING OUTREACH EFFORTS TO THE MINIMUM ALLOWED BY FEDERAL LAW; AUTHORIZING SEVEN ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTION 16 OF THIS ACT.

S 1270 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 28, 2001

The JUDICIARY AND RULES Committee reports that **S 1264, S 1265, S 1266, S 1267, S 1268, S 1269,** and **S 1270** have been correctly printed.

DARRINGTON, Chairman

S 1264, S 1265, S 1266, S 1267, S 1268, S 1269, and **S 1270** were referred to the Finance Committee.

March 28, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1037, S 1147, S 1164,** as amended, **S 1171, S 1172, S 1182, S 1227, S 1228, S 1241,** and **S 1242** were delivered to the Office of the Governor at 3:45 p.m., March 28, 2001.

DARRINGTON, Chairman

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

March 28, 2001

The FINANCE Committee reports out **S 1264, S 1265, S 1266, S 1267, S 1268, S 1269,** and **S 1270** with the recommendation that they do pass.

CAMERON, Chairman

S 1264, S 1265, S 1266, S 1267, S 1268, S 1269, and **S 1270** were filed for second reading.

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

Second Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1264** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1264** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1264 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1264** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1265** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1265** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1265 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1265** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1266** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1266** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1266 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1266** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1267** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1267** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1267 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1267** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1268** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1268** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1268 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Whitworth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 33.

NAYS--Hawkins. Total - 1.

Absent and excused--Frasure. Total - 1.

Total - 35.

Whereupon the President declared **S 1268** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1269** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1269** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1269 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 35.

Whereupon the President declared **S 1269** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1270** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1270** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1270 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Moved by Senator Stennett, seconded by Senator Dunklin, that **S 1270** be referred to the Fourteenth Order of Business for amendment.

Roll call vote was requested by Senators Stennett, Dunklin, and Whitworth.

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES--Dunklin, Schroeder, Stennett, Whitworth. Total - 4.

NAYS--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 30.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President declared that the motion did not prevail. The question being, "Shall **S 1270** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 28.

NAYS--Davis, Dunklin, Hawkins, Richardson, Schroeder, Stennett, Whitworth. Total - 7.

Total - 35.

Whereupon the President declared **S 1270** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 6:35 p.m. until the hour of 9:30 a.m., Thursday, March 29, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

EIGHTY-FIRST LEGISLATIVE DAY
THURSDAY, MARCH 29, 2001

Senate Chamber

President Riggs called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain Bryan Fischer.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 28, 2001, was read and approved as corrected.

DARRINGTON, Chairman

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

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

Reports of Standing Committees

Senator Dunklin was recorded present at this order of business.

March 29, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **HJM 5** with the recommendation that it do pass.

NOH, Chairman

HJM 5 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

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

Messages from the Governor

March 28, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1175, S 1180, S 1181, S 1184, S 1186, S 1187, S 1188, S 1189, S 1190, 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 1222, S 1224, S 1225, S 1229, S 1230, S 1234, S 1235, S 1236, S 1239, S 1240

Sincerely,
/s/ Dirk Kempthorne
Governor

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 28, 2001

Mr. President:

I return herewith **S 1140,** as amended, **S 1257, S 1022, S 1023, S 1043,** as amended, **S 1053, S 1120, S 1114,** as amended, **S 1210,** and **S 1105,** as amended, which have passed the House.

JUKER, Chief Clerk

S 1140, as amended, **S 1257, S 1022, S 1023, S 1043,** as amended, **S 1053, S 1120, S 1114,** as amended, **S 1210,** and **S 1105,** as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 28, 2001

Mr. President:

I return herewith **SJM 107, SJM 108, SJM 109, S 1106, S 1193,** as amended, **S 1075, S 1178, SCR 118, S 1253,** and **S 1259** which have passed the House.

JUKER, Chief Clerk

SJM 107, SJM 108, SJM 109, S 1106, S 1193, as amended, **S 1075, S 1178, SCR 118, S 1253,** and **S 1259** were referred to the Judiciary and Rules Committee for enrolling.

March 28, 2001

Mr. President:

I return herewith **SCR 114, S 1139,** and **S 1177** which have failed to pass the House.

JUKER, Chief Clerk

SCR 114, S 1139, and **S 1177** were ordered filed in the office of the Secretary of the Senate.

March 29, 2001

Mr. President:

I transmit 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, for the signature of the President, and I return 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**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed 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, and ordered them returned to the House.

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** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of **HJM 5** were suspended.

The President announced that **HJM 5** was before the Senate for final consideration.

Moved by Senator Burtenshaw, seconded by Senator Whitworth, that **HJM 5** be adopted. The question being, "Shall the memorial be adopted?"

Roll call vote was requested by Senators Hawkins, Whitworth, and Richardson.

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 30.

NAYS--Dunklin, Schroeder, Stennett. Total - 3.

Absent and excused--King-Barrutia, Sorensen. Total - 2.

Total - 35.

Whereupon the President declared **HJM 5** adopted, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1271
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES AND INDEPENDENT COMMISSIONS AND COUNCILS FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SALARY SAVINGS; AND EXPRESSING LEGISLATIVE INTENT WITH REGARD TO OUTREACH ACTIVITIES.

S 1272
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH

SERVICES FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; SUPERSEDING THE PROVISIONS OF SECTION 57-1702, IDAHO CODE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2001; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SALARY SAVINGS; AND DECLARING AN EMERGENCY FOR SECTION 6 OF THIS ACT.

S 1273
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF FAMILY AND COMMUNITY SERVICES FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SUBSTANCE ABUSE PREVENTION; TRANSFERRING MONEYS FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT TO THE SOCIAL SERVICES BLOCK GRANT FOR COMMUNITY SUPPORTED EMPLOYMENT SERVICES; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SALARY SAVINGS; AND EXPRESSING LEGISLATIVE INTENT WITH REGARD TO OUTREACH ACTIVITIES.

S 1274
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO THE CHILDREN'S HEALTH INSURANCE PROGRAM; EXEMPTING STATE VETERANS HOMES FROM COST LIMITS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING THE NUMBER OF BEDS IN MEDICAID FUNDED PRIVATE INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING RATES FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED AT FISCAL YEAR 2000 LEVELS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO GENERIC DRUGS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CAPPING RATES FOR DURABLE MEDICAL EQUIPMENT AT FISCAL YEAR 2000 LEVELS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO UTILIZATION MANAGEMENT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO COPAYMENTS AND OTHER COST-SHARING METHODS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO DAY TREATMENT SERVICES PROVIDED TO CLIENTS WITH MENTAL ILLNESS; REDUCING OUTREACH EFFORTS TO THE MINIMUM ALLOWED BY FEDERAL LAW; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SALARY SAVINGS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTION 16 OF THIS ACT.

S 1275
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SELF-RELIANCE PROGRAMS FOR FISCAL YEAR 2002; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; REDIRECTING MONEYS FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT; AMENDING THE APPROPRIATION MADE IN SECTION 1, CHAPTER 390, LAWS OF 2000, TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SELF-RELIANCE PROGRAMS FOR FISCAL YEAR 2001; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SALARY SAVINGS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO OUTREACH ACTIVITIES; AND DECLARING AN EMERGENCY FOR SECTION 6 OF THIS ACT.

S 1271, S 1272, S 1273, S 1274, and **S 1275** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 29, 2001

The JUDICIARY AND RULES Committee reports that **S 1271, S 1272, S 1273, S 1274,** and **S 1275** have been correctly printed.

DARRINGTON, Chairman

S 1271, S 1272, S 1273, S 1274, and **S 1275** were referred to the Finance Committee.

March 29, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **S 1014,** as amended, **S 1031, S 1032, S 1033, S 1040,** as amended, as amended, **S 1059, S 1067,** as amended, **S 1077,** as amended, **S 1116,** as amended, **S 1118, S 1156,** as amended, **S 1157,** as amended, **S 1158,** as amended, **S 1191, S 1243, S 1244, S 1245, S 1246, S 1247, S 1248, S 1251, S 1252,** and **S 1258** were delivered to the Office of the Governor at 4:10 p.m., March 29, 2001.

DARRINGTON, Chairman

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

March 29, 2001

The JUDICIARY AND RULES Committee reports that **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** have been correctly enrolled.

DARRINGTON, Chairman

The President signed 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 ordered them transmitted to the House for the signature of the Speaker.

March 29, 2001

The FINANCE Committee reports out **S 1271, S 1272, S 1273, S 1274,** and **S 1275** with the recommendation that they do pass.

CAMERON, Chairman

S 1271, S 1272, S 1273 S 1274, and **S 1275** were filed for second reading.

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

Second Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1271** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1271** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1271 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Williams. Total - 29.

NAYS--Dunklin, Keough, Stennett, Wheeler, Whitworth. Total - 5.

Absent and excused--King-Barrutia. Total - 1.

Total - 35.

Whereupon the President declared **S 1271** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1272** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1272** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1272 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, Lee, Lodge, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Williams. Total - 29.

NAYS--Dunklin, Stennett, Whitworth. Total - 3.

Absent and excused--Brandt, King-Barrutia, Noh. Total - 3.

Total - 35.

Whereupon the President declared **S 1272** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1273** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1273** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1273 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Ingram, Ipsen, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Williams. Total - 27.

NAYS--Dunklin, Hawkins, Keough, Schroeder, Stennett, Wheeler, Whitworth. Total - 7.

Absent and excused--King-Barrutia. Total - 1.

Total - 35.

Whereupon the President declared **S 1273** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1274** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1274** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1274 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Deide, Geddes, Goedde, Ingram, King-Barrutia, Lodge, Noh, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Williams. Total - 21.

NAYS--Andreason, Branch, Davis, Dunklin, Frasure, Hawkins, Ipsen, Keough, Lee, Richardson, Schroeder, Stennett, Wheeler, Whitworth. Total - 14.

Total - 35.

Whereupon the President declared **S 1274** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1275** were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1275** was read the second time by title and the third time at length, section by section, and put upon its final passage.

S 1275 was read the second time by title and third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Geddes, Goedde, Hawkins, Ingram, Ipsen, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stegner, Thorne, Williams. Total - 28.

NAYS--Dunklin, Frasure, Keough, Schroeder, Stennett, Wheeler, Whitworth. Total - 7.

Total - 35.

Whereupon the President declared **S 1275** passed, title was approved, and the bill ordered transmitted to the House.

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

Messages from the House

March 29, 2001

Mr. President:

I transmit herewith **H 382, H 385, H 383, H 386, H 387, H 87,** and **H 88**, and I return herewith **S 1237, S 1057,** as amended in the House, **SJM 106,** and **S 1255**, which have passed the House.

JUKER, Chief Clerk

H 382, H 385, H 383, H 386, H 387, H 87, and **H 88** were filed for first reading.

On request by Senator Risch, granted by unanimous consent, **S 1057,** as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

S 1237, **SJM 106,** and **S 1255** were referred to the Judiciary and Rules Committee for enrolling.

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

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

H 382, H 385, H 386, H 387, H 87, and **H 88**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 383, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

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

Reports of Standing Committees

March 29, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 382** with the recommendation that it do pass.

THORNE, Chairman

H 382 was filed for second reading.

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

Miscellaneous Business

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate adjourned at 6:40 p.m. until the hour of 10 a.m., Friday, March 30, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

EIGHTY-SECOND LEGISLATIVE DAY
FRIDAY, MARCH 30, 2001

Senate Chamber

President Riggs called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Darrington, absent and formally excused by the Chair.

Prayer was offered by Acting Chaplain Montie Ralstin, Jr., Pastor, Boise Valley Christian Communion, Boise, Idaho.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 29, 2001, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Risch, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2001

The JUDICIARY AND RULES Committee reports that **S 1237, S 1255,** and **SJM 106** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1237, S 1255,** and **SJM 106** and ordered them transmitted to the House for the signature of the Speaker.

March 30, 2001

The RESOURCES AND ENVIRONMENT Committee reports out **H 383** with the recommendation that it do pass.

NOH, Chairman

H 383 was filed for second reading.

March 30, 2001

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 87** with the recommendation that it do pass.

THORNE, Chairman

H 87 was filed for second reading.

On request by Senator Risch, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 29, 2001

Mr. President:

I transmit herewith **H 380** and **H 373** which have passed the House.

JUKER, Chief Clerk

H 380 and **H 373** were filed for first reading.

March 30, 2001

Mr. President:

I transmit 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** for the signature of the President, and I return 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**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed 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 ordered them returned to the House.

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,** and **S 1259,** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 118, SJM 107, SJM 108,** and **SJM 109** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 30, 2001

Mr. President:

I return herewith **S 1199,** as amended in the House, which has passed the House.

JUKER, Chief Clerk

On request by Senator King-Barrutia, granted by unanimous consent, **S 1199,** as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to **S 1057,** as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to **S 1057**, as amended in the House?"

On request by Senator Stegner, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to **S 1057**, as amended in the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1057,** as amended in the House, were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1057,** as amended in the House, was read the first time by title, the second time by title, and the third time at length, section by section, and put upon its final passage.

S 1057, as amended in the House, was read the first time by title, second time by title, and the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 34.

NAYS--None.

Absent and excused--Darrington. Total - 1.

Total - 35.

Whereupon the President declared **S 1057**, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for engrossing and enrolling.

The President announced that the House amendments to **S 1199,** as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to **S 1199**, as amended in the House?"

On request by Senator King-Barrutia, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to **S 1199**, as amended in the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1199,** as amended in the House, were suspended, and 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 were dispensed with, this being a case of urgency, and **S 1199,** as amended in the House, was read the first time by title, the second time by title, and the third time at length, section by section, and put upon its final passage.

S 1199, as amended in the House, was read the first time by title, second time by title, and the third time at length, section by section, and placed before the Senate for final consideration. Senator King-Barrutia arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Darrington, Deide, Ipsen. Total - 3.

Total - 35.

Whereupon the President declared **S 1199**, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for engrossing and enrolling.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 380, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 373, by Appropriations Committee, was introduced.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 373** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 373** was read the first time by title, the second time by title, and the third time at length, section by section, and put upon its final passage.

H 373 was read the first time by title, the second time by title, and the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Thorne, Danielson, and Risch.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senator Darrington, absent and formally excused by the Chair.

On request by Senator Thorne, granted by unanimous consent, the Call was lifted.

The question being, "Shall **H 373** pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 31.

NAYS--Hawkins, Lee, Stennett. Total - 3.

Absent and excused--Darrington. Total - 1.

Total - 35.

Whereupon the President declared **H 373** passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 382** were suspended, and 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 were dispensed with, this being a case of urgency, and **H 382** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 382 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--Dunklin, Stennett. Total - 2.

Absent and excused--Darrington. Total - 1.

Total - 35.

Whereupon the President declared **H 382** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 383** were suspended, and 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 were dispensed with, this being a case

of urgency, and **H 383** was read the second time by title and the third time at length, section by section, and put upon its final passage.

H 383 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Noh arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Darrington, Hawkins, Wheeler. Total - 3.

Total - 35.

Whereupon the President declared **H 383** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Thorne, granted by unanimous consent, **H 87** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Risch, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Danielson to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Danielson, Chairman of the Committee of the Whole, reported out **S 1198** without amendment and with the recommendation that it be recommitted to the Local Government and Taxation Committee; and **H 87**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 87
AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 12, delete "one hundred" and insert: "sixty"; and also in line 12, delete "6100" and insert: "60".

CORRECTION TO TITLE

On page 1, delete line 3, and insert: "THE PERCENTAGE OF THE NET CAPITAL GAIN FOR TAXABLE YEAR 2001 FROM".

DANIELSON, Chairman

On motion by Senator Danielson, seconded by Senator Stennett, the report was adopted by voice vote.

S 1198 was recommitted to the Local Government and Taxation Committee.

H 87, as amended in the Senate, was filed for first reading, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Risch, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 30, 2001

Mr. President:

I transmit herewith **H 381** which has passed the House.

JUKER, Chief Clerk

H 381 was filed for first reading.

March 30, 2001

Mr. President:

I transmit 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, for the signature of the President.

JUKER, Chief Clerk

The President signed 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 ordered them returned to the House.

March 30, 2001

Mr. President:

I return herewith Enrolled **S 1237, S 1255,** and **SJM 106**, which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1237** and **S 1255** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SJM 106** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 30, 2001

Mr. President:

I return herewith **S 1266, S 1275, S 1261, S 1262, S 1260, S 1263, S 1264, S 1265, S 1267, S 1268, S 1269, SCR 117,**

S 1271, S 1272, S 1273, and **S 1274** which have passed the House.

JUKER, Chief Clerk

S 1266, S 1275, S 1261, S 1262, S 1260, S 1263, S 1264, S 1265, S 1267, S 1268, S 1269, SCR 117, S 1271, S 1272, S 1273, and **S 1274** were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Risch, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2001

The JUDICIARY AND RULES Committee reports that **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** have been correctly enrolled.

DARRINGTON, Chairman

The President signed 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 ordered them transmitted to the House for the signature of the Speaker.

March 30, 2001

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 87** have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 30, 2001

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 118, SJM 107, SJM 108,** and **SJM 109** were delivered to the Office of the Secretary of State at 11:08 a.m., March 30, 2001.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 30, 2001

The JUDICIARY AND RULES Committee reports that **S 1057,** as amended in the House, and **S 1199,** as amended in the House, have been correctly engrossed and enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1057**, as amended in the House, and **S 1199,** as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

March 30, 2001

The JUDICIARY AND RULES Committee reports that 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,** and **S 1259** were delivered to the Office of the Governor at 2 p.m., March 30, 2001.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Risch, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Suspension of Rules

On request by Senator Risch, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 87**, as amended in the Senate, were suspended, and 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 were dispensed with, this being a case of urgency, and **H 87**, as amended in the Senate, was read the first time by title, the second time by title, and the third time at length, section by section, and put upon its final passage.

H 87, as amended in the Senate, was read the first time by title, the second time by title, and the third time at length, section by section, and placed before the Senate for final consideration. Senator Frasure arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Boatright, Branch, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Sims, Sorensen, Stennett, Thorne, Wheeler, Williams. Total - 31.

NAYS--Dunklin, Schroeder, Stegner, Whitworth. Total - 4.

Paired and voting included in roll call:

AYE - Darrington NAY - Dunklin

Total - 35.

Whereupon the President declared **H 87**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On request by Senator Risch, granted by unanimous consent, the President appointed a committee consisting of Senator Danielson, Chairman, and Senators Sims and Stennett to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*.

The President excused the committee.

On request by Senator Risch, granted by unanimous consent, the President appointed a committee consisting of Senator Richardson, Chairman, and Senators Deide and Whitworth to notify the House of Representatives that the Senate had completed its business and was ready to adjourn *Sine Die*.

The President excused the committee.

The committee appointed to wait upon the Governor returned and reported that it had delivered the President's message. The committee conveyed the Governor's message to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the President's message. The committee conveyed the Speaker's message to the President and the members of the Senate.

The President thanked and discharged the committee.

On request by President Pro Tempore Geddes, granted by unanimous consent, the Idaho Army and Air National Guard Honor Guard entered the Chamber, and the flag, which had flown over the Senate dome during the First Regular Session of the Fifty-sixth Idaho Legislature, was presented to the President of the Senate. Senator Thorne led the Senate in singing "Here We Have Idaho." The Honor Guard exited the Chamber.

On motion by Senator Risch, seconded by Senator Stennett, by voice vote the Senate of the First Regular Session of the Fifty-sixth Legislature of the State of Idaho adjourned *Sine Die* at 3:40 p.m., March 30, 2001.

March 30, 2001

Enrolled **S 1057**, as amended in the House, **S 1199**, as amended in the House, **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** were signed by the Speaker and returned to the Senate.

March 30, 2001

S 1237 and **S 1255** were delivered to the Office of the Governor at 3 p.m., March 30, 2001.

March 30, 2001

SJM 106 was delivered to the Office of the Secretary of State at 3:13 p.m., March 30, 2001.

March 31, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1023, S 1031, S 1059, S 1158, as amended,
S 1246, S 1247, S 1251, S 1252, S 1259

Sincerely,
/s/ Dirk Kempthorne
Governor

April 2, 2001

Enrolled **S 1057**, as amended in the House, **S 1199**, as amended in the House, **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,** and **S 1275** were delivered to the Office of the Governor at 10:30 a.m., April 2, 2001.

April 2, 2001

Enrolled **SCR 117** was delivered to the Office of the Secretary of State at 10:44 a.m., April 2, 2001.

April 2, 2001

Enrolled **H 373, H 382**, and **H 383** were received from the House signed by the Speaker, signed by the President, and returned to the House.

April 2, 2001

SCR 116 passed the House, was returned to the Senate, enrolled and signed by the President, transmitted to the House for the signature of the Speaker, and returned to the Senate.

April 2, 2001

Enrolled **SCR 116** was delivered to the Office of the Secretary of State at 3:28 p.m., April 2, 2001.

April 2, 2001

Enrolled **H 87**, as amended in the Senate, was received from the House signed by the Speaker, signed by the President, and returned to the House.

April 2, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1014, as amended, **S 1032, S 1043**, as amended, **S 1053, S 1118, S 1140**, as amended, **S 1156**, as amended, **S 1164**. as amended, **S 1237, S 1248, S 1253, S 1258**

Sincerely,
/s/ Dirk Kempthorne
Governor

April 2, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bill, to wit:

S 1075

Sincerely,
/s/ Dirk Kempthorne
Governor

April 2, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1228 and **S 1241**

Sincerely,
/s/ Dirk Kempthorne
Governor

April 3, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1191, S 1221, S 1223, S 1243, S 1266

Sincerely,
/s/ Dirk Kempthorne
Governor

April 4, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bill, to wit:

S 1268

Sincerely,
/s/ Dirk Kempthorne
Governor

April 4, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I have transmitted to the Office of the Secretary of State, without my approval, disapproved, and vetoed, the following Senate bill, to wit:

S 1178

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 2 p.m., on March 30, 2001.

This bill would amend *Idaho Code*, Section 67-429A, to require the Governor to serve amended Indian gaming compacts on each member of the Legislature at least twenty-one calendar days before the compact is signed and also obligate the Legislature to adopt a concurrent resolution in both Houses approving the compact before the compacts become effective.

Compact negotiations are historically a primary function of the chief executive. The current law gives the Governor the ability to enter into compacts provided the gaming is authorized under state law, the compact does not obligate the state to appropriate state funds and a copy of the compact is served on the Legislative Council at least twenty-one calendar days before it is signed by the Governor. I support a strong role for the Legislature in approving Indian gaming compacts but not at the expense of a proven statute which affords ample opportunity for legislative involvement.

My recognition of the Legislature's significant role in forming Idaho's policy on Indian gaming is evidenced by this past

session and the earlier compact with the Shoshone-Bannocks. My gaming proposal provided that the Legislature would enact enabling legislation, authorize the waiver of Eleventh Amendment sovereign immunity for dispute resolution, and then ratify the amended compacts. My approach had the Legislature assuming an even greater role than currently required by *Idaho Code*, (Section 67-429A).

This legislation would only serve to confuse a viable compact ratification process which, until this session, remained uncontroversial.

Accordingly, I have vetoed **Senate Bill 1178.**

Sincerely,
/s/ Dirk Kempthorne
Governor

April 4, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1022, S 1033, S 1057, as amended in the House,
S 1077, as amended, **S 1105**, as amended, **S 1106,**
S 1120, S 1157, as amended, **S 1171, S 1172, S 1210,**
S 1238, S 1261, S 1262, S 1263, S 1265, S 1267

Sincerely,
/s/ Dirk Kempthorne
Governor

April 9, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1037, S 1147, S 1182, S 1227, S 1245,
S 1257, S 1260, S 1269, S 1271, S 1272,
S 1273, S 1274, S 1275

Sincerely,
/s/ Dirk Kempthorne
Governor

April 10, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1185, S 1193, as amended,
S 1242, S 1244, S 1255

Sincerely,
/s/ Dirk Kempthorne
Governor

April 11, 2001

The Honorable Jack Riggs
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1040, as amended, as amended, **S 1264,**
S 1067, as amended, **S 1114**, as amended,
S 1116, as amended, **S 1196,**
S 1199, as amended in the House

Sincerely,
/s/ Dirk Kempthorne
Governor

CERTIFICATE

State of Idaho)
)
Senate Chamber, Boise, Idaho)

We, JACK RIGGS, President of the Senate, and JEANNINE WOOD, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of March 30, 2001, has been read and approved as corrected;

And, that we have carefully compiled in the Senate Journal of the First Regular Session of the Fifty-sixth Idaho Legislature all of the proceedings of the Eighty-second Legislative Day, and that said Journal contains a full, true, and correct record of all proceedings of said Senate for said day and final actions upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hand this 16th day of April, 2001.

JACK RIGGS, President

Attest: JEANNINE WOOD, Secretary

(This page intentionally left blank.)

SENATE JOURNAL INDEX

– ORGANIZATIONAL SESSION –
– FIRST EXTRAORDINARY SESSION –
– FIRST REGULAR SESSION –

FIFTY-SIXTH IDAHO LEGISLATURE – 2001

This index is divided into the following sections:

ORGANIZATIONAL SESSION: Page

SECTION I-O Officers and Administration of the Senate for the Organizational Session, December 7, 2000. 336

SECTION II-O Committee Assignments for the First Regular Session 337

SECTION III-O Alphabetical Index of Senate Action 338

EXTRAORDINARY SESSION: Page

SECTION I-EO Officers and Administration of the Senate for the First Extraordinary Session, December 8, 2000. 339

SECTION II-EO Alphabetical Index of Senate Action 340

FIRST REGULAR SESSION: Page

SECTION I Officers and Administration for the First Regular Session, January 8, 2001 341

SECTION II Elected Members and Committee Assignments 342

SECTION III Senate Attaches 345

SECTION IV Topical Index, alphabetically arranged, of ALL Senate introductions, including ONLY House legislation received by the Senate, and Senate action on that legislation. (IF unable to locate topic, reference should be made to the House Journal's Topical Index for all House introductions and action on House legislation which did not reach the Senate.) 347

SECTION V Numerical Index of Senate Bills 420

SECTION VI Numerical Index of Senate Joint Resolutions 459

SECTION VII Numerical Index of Senate Joint Memorials 459

SECTION VIII Numerical Index of Senate Resolutions 460

SECTION IX Numerical Index of Senate Proclamations (None in 2001)

SECTION X Numerical Index of Senate Concurrent Resolutions 461

SECTION XI Action of the Governor on Senate Bills which passed both the Senate and House, with effective dates and Session Law Chapter Numbers cited 463

SECTION XII Numerical Index of House Bills received by the Senate 467

SECTION XIII Numerical Index of House Concurrent Resolutions received by the Senate 499

SECTION XIV Numerical Index of House Joint Memorials received by the Senate 502

SECTION XV Senate Primary Sponsors and Co-sponsors of Senate and House legislation voted on in the Senate 503

SECTION I-O

FIFTY-SIXTH LEGISLATURE - **ORGANIZATIONAL SESSION**

2001 LEGISLATIVE SESSION

OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
OTTER, C. L. "BUTCH" Lieutenant Governor/President of the Senate	Boise
GEDDES, ROBERT L. President Pro Tempore	Soda Springs
RISCH, JAMES E. Majority Leader	Boise
SANDY, JOHN Assistant Majority Leader	Hagerman
DANIELSON, JUDI Majority Caucus Chairman	Council
STENNETT, CLINT Minority Leader	Ketchum
DUNKLIN, BETSY Assistant Minority Leader	Boise
WHITWORTH, LIN Minority Caucus Chairman	Inkom
WOOD, JEANNINE Secretary of the Senate	Meridian
HORTON, RUSTI Assistant Secretary of the Senate	Emmett
CHRISMAN, PEGGY Sergeant at Arms	Boise
JENSEN, DARLA Administrative Assistant to the President Pro Tempore	Boise
JONES, MARY SUE Fiscal Assistant to the President Pro Tempore	Boise
PECK, CHRISTINE Minority Chief of Staff	Boise

SECTION II-O

SENATE COMMITTEE ASSIGNMENTS
2001 LEGISLATURE

AGRICULTURAL AFFAIRS
Deide, Chairman
Goedde, Vice Chairman

Noh — Stennett
Sandy
Danielson
Branch
Davis
Sims

COMMERCE AND HUMAN RESOURCES
Andreason, Chairman
Davis, Vice-Chairman

Ipsen — Dunklin
Stegner
Bunderson
Brandt
Goedde
Lodge

EDUCATION
Schroeder, Chairman
Williams, Vice Chairman

Noh — Dunklin
Andreason
Deide
Thorne
Goedde
Sims

FINANCE
Cameron, Chairman
Hawkins, Vice Chairman

Richardson — Whitworth
Ingram
Bunderson
Boatright
Lee
Burtenshaw
Keough

HEALTH AND WELFARE
Ipsen, Chairman
Lodge, Vice Chairman

Darrington — Stennett
Wheeler
King-Barrutia
Brandt

JUDICIARY AND RULES
Darrington, Chairman
Stegner, Vice Chairman

Risch — Dunklin
Sorensen
King-Barrutia
Richardson
Davis
Lodge

LOCAL GOVERNMENT AND TAXATION
Thorne, Chairman
Wheeler, Vice Chairman

Frasure — Whitworth
Ipsen
Bunderson
Stegner
Branch
Williams

RESOURCES AND ENVIRONMENT
Noh, Chairman
Lee, Vice Chairman

Hawkins — Stennett
Cameron
Schroeder
Danielson
Branch
Burtenshaw
Williams
Brandt
Sims

STATE AFFAIRS
Sorensen, Chairman
Richardson, Vice Chairman

Risch — Stennett
Darrington
Sandy
Geddes
Danielson
King-Barrutia

TRANSPORTATION
Frasure, Chairman
Ingram, Vice Chairman

Thorne — Whitworth
Boatright
Sandy
Keough
Deide
Geddes

SENATE JOURNAL

SECTION III-O

FIFTY-SIXTH IDAHO LEGISLATURE

ORGANIZATIONAL SESSION

2001 LEGISLATIVE SESSION

December 7, 2000

Page

SUBJECT MATTER:

ORGANIZATIONAL SESSION - December 7, 2000 1
Certificate of Election and Oath of Office 1
Committees
Approved by the Senate 2
Assignments 2
President Pro Tempore
GEDDES, ROBERT L.
Elected by the Senate 1
Oath of Office 1
Rules
Adopted, First Regular Session of the Fifty-sixth Legislature 2
Seat Assignments 1
Secretary of the Senate
JEANNINE WOOD
Elected by the Senate 1
Oath of Office 1
Senate Organized and Ready to Conduct Business
Committee to Notify the Governor 2
Governor Notified 2
Committee to Notify the House of Representatives 2
House Notified 3
Sine Die Adjournment of Organizational Session 3

SECTION I-EO

FIFTY-SIXTH LEGISLATURE
FIRST EXTRAORDINARY SESSION
December 8, 2000

OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
OTTER, C. L. "BUTCH" Lieutenant Governor/President of the Senate	Boise
GEDDES, ROBERT L. President Pro Tempore	Soda Springs
RISCH, JAMES E. Majority Leader	Boise
SANDY, JOHN Assistant Majority Leader	Hagerman
DANIELSON, JUDI Majority Caucus Chairman	Council
STENNETT, CLINT Minority Leader	Ketchum
DUNKLIN, BETSY Assistant Minority Leader	Boise
WHITWORTH, LIN Minority Caucus Chairman	Inkom
WOOD, JEANNINE Secretary of the Senate	Meridian
HORTON, RUSTI Assistant Secretary of the Senate	Emmett
CHRISMAN, PEGGY Sergeant at Arms	Boise
JENSEN, DARLA Administrative Assistant to the President Pro Tempore	Boise
JONES, MARY SUE Fiscal Assistant to the President Pro Tempore	Boise
PECK, CHRISTINE Minority Chief of Staff	Boise

SENATE JOURNAL

SECTION II-EO

FIFTY-SIXTH IDAHO LEGISLATURE

FIRST EXTRAORDINARY SESSION

December 8, 2000

Page

SUBJECT MATTER:

FIRST EXTRAORDINARY SESSION - December 8, 2000 5
Certification, Secretary of State 5
Certificate of Election 6
Farewell Ceremony: C. L. "Butch" Otter, Retiring President of the Senate 8
Message from the Governor 6
Proclamation, Office of the Governor 5
Rules
Adopted, First Extraordinary Session of the Fifty-sixth Legislature 6
H 1, by Ways and Means Committee 7
Rules Suspended 7
Roll Call Vote 8
Sine Die Adjournment of First Extraordinary Session 8

SECTION I

FIFTY-SIXTH LEGISLATURE - FIRST REGULAR SESSION - 2001

OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
RIGGS, JACK Lieutenant Governor/President of the Senate (Appointed by Governor/Confirmed by Senate/Oath of Office - January 30, 2001)	Coeur d'Alene
GEDDES, ROBERT L. President Pro Tempore	Soda Springs
RISCH, JAMES E. Majority Leader	Boise
SANDY, JOHN Assistant Majority Leader	Hagerman
DANIELSON, JUDI Majority Caucus Chairman	Council
STENNETT, CLINT Minority Leader	Ketchum
DUNKLIN, BETSY Assistant Minority Leader	Boise
WHITWORTH, LIN Minority Caucus Chairman	Inkom
WOOD, JEANNINE Secretary of the Senate	Meridian
HORTON, RUSTI Assistant Secretary of the Senate	Emmett
LUNDY, MARGARET Journal Clerk	Boise
MULLER, LANA Journal Clerk	Boise
RYDER, SUZY Docket Clerk	Boise
PECK, CHRISTINE Minority Chief of Staff	Boise
CHRISMAN, PEGGY Sergeant at Arms	Boise
JENSEN, DARLA Administrative Assistant to the President Pro Tempore	Boise
JONES, MARY SUE Fiscal Assistant to the President Pro Tempore	Boise
EASTON, LOUISE Administrative Assistant to Assistant Majority Leader	Boise
HUNT, JOANN Assistant to Majority Caucus Chairman	Hammett
SIMPSON, MELISSA Administrative Assistant to Majority Leader	Boise
FISCHER, BRYAN.. Chaplain	Boise

SECTION II

2001 MEMBERS OF THE SENATE AND COMMITTEE ASSIGNMENTS

(*Certificate of Election: Page 1 - Organizational Session*)

Name	Address	District
ANDREASON, JOHN Commerce and Human Resources - Chairman Education	Boise	15
BOATRIGHT, CLYDE Finance Transportation	Rathdrum	2
BRANCH, W. RIC Agricultural Affairs (Chairman until February 14, 2001) Local Government and Taxation Resources and Environment	Midvale	9
BRANDT, R. SKIPPER "Skip" Commerce and Human Resources Health and Welfare Resources and Environment	Stites	7
BUNDERSON, HAL Finance Commerce and Human Resources Local Government and Taxation	Meridian	14
BURTENSHAW, DON M. Resources and Environment Finance	Terreton	26
CAMERON, DEAN L. Finance - Chairman (Cochairman - Joint Finance/Appropriations Committee) Resources and Environment	Rupert	24
DANIELSON, JUDI Majority Caucus Chairman Resources and Environment Agricultural Affairs State Affairs	Council	8
DARRINGTON, DENTON Judiciary and Rules - Chairman Health and Welfare State Affairs	Declo	25
DAVIS, BART M. Commerce and Human Resources - Vice Chairman Judiciary and Rules Agricultural Affairs	Idaho Falls	29
DEIDE, DARREL Agricultural Affairs - Chairman (Appointed Chairman - February 14, 2001) Education Transportation	Caldwell	10

DUNKLIN, BETSY D. . . . . Boise 19
Assistant Minority Leader
Commerce and Human Resources
Education
Judiciary and Rules

FRASURE, EVAN . . . . . Pocatello 34
Transportation - Chairman
Local Government and Taxation

GEDDES, ROBERT L. . . . . Soda Springs 32
President Pro Tempore
State Affairs
Transportation

GOEDDE, JOHN W.. . . . . Coeur d'Alene 3
Agricultural Affairs - Vice Chairman
(Replaced Senator Jack Riggs as Vice Chairman - February 2, 2001)
Commerce and Human Resources
Education

HAWKINS, STAN . . . . . Ucon 28
Finance - Vice Chairman
Resources and Environment

INGRAM, CECIL D. . . . . Boise 16
Transportation - Vice Chairman
Finance

IPSEN, GRANT . . . . . Boise 17
Health and Welfare - Chairman
Commerce and Human Resources
Local Government and Taxation

KEOUGH, SHAWN . . . . . Sandpoint 1
Transportation
Finance

KING-BARRUTIA, ROBBI . . . . . Glenns Ferry 20
Judiciary and Rules
Health and Welfare
State Affairs

LEE, ROBERT R. . . . . Rexburg 27
Resources and Environment - Vice Chairman
Finance

LODGE, PATTI ANNE. . . . . Caldwell 11
Health and Welfare - Vice Chairman
Commerce and Human Resources
Judiciary and Rules

NOH, LAIRD . . . . . Kimberly 23
Resources and Environment - Chairman
Agricultural Affairs
Education

RICHARDSON, MEL . . . . . Idaho Falls 30
State Affairs - Vice Chairman
Finance
Judiciary and Rules

RIGGS, JACK . . . . . Coeur d'Alene 4
(Resigned to become Lt. Governor/President of the Senate - January 30, 2001)
(Replaced by Senator Kathy Sims - February 13, 2001)
Education
Resources and Environment

RISCH, JAMES E. . . . . Boise 18
Majority Leader
Judiciary and Rules
State Affairs

SANDY, JOHN . . . . . Hagerman 22
Assistant Majority Leader
Agricultural Affairs
State Affairs
Transportation

SCHROEDER, GARY J. . . . . Moscow 5
Education - Chairman
Resources and Environment

SIMS, KATHY . . . . . Coeur d'Alene 4
(Replaced Senator Jack Riggs - District 4 - February 13, 2001)
Agricultural Affairs
Education
Resources and Environment

SORENSEN, SHEILA . . . . . Boise 13
State Affairs - Chairman
Judiciary and Rules

STEGNER, JOE. . . . . Lewiston 6
Judiciary and Rules - Vice Chairman
Commerce and Human Resources
Local Government and Taxation

STENNETT, CLINT . . . . . Ketchum 21
Minority Leader
Agricultural Affairs
Health and Welfare
Resources and Environment
State Affairs

THORNE, J. L. "JERRY" . . . . . Nampa 12
Local Government and Taxation - Chairman
Education
Transportation

WHEELER, RALPH "MOON" . . . . . American Falls 35
Local Government and Taxation - Vice Chairman
Health and Welfare

WHITWORTH, LIN . . . . . Inkom 33
Minority Caucus Chairman
Finance
Local Government and Taxation
Transportation

WILLIAMS, STANLEY J. . . . . Blackfoot 31
Education - Vice Chairman
(Replaced Senator Darrel Deide as Vice Chairman - February 16, 2001)
Local Government and Taxation
Resources and Environment

SECTION III

2001 SENATE ATTACHE INDEX

The following attaches were elected and sworn in January 9, 2001:

NAME	POSITION
ANDERSON, MOLLY (Sworn in January 15, 2001)	Secretary to Finance Committee
BATE, BONNIE	Assistant Hostess
BENNETT, GLORIA	Mail Room Director
BLAISDELL, JANE	Page
BRIGGS, JEAN	Mail Clerk
BUDELL, JUANITA	Secretary to Education Committee
BURWELL, SUE	Legislative Information Center Director
CALKINS, DERRECK	Page *
CHRISMAN, PEGGY	Sergeant at Arms
DAVIS, BERT	Minority Staff Assistant
EASTON, LOUISE	Assistant Majority Leader Secretary
FISCHER, BRYAN	Chaplain
FORD, KRISTEN	Page *
GEBS, KRISTEN	Page
GIDDINGS, PRISCILLA	Page *
GORINO, CINDY	Mail Clerk
HALES, CIARRAN	Page *
HANSEN, MARIANNE	Secretary to Judiciary and Rules Committee
HARRIS, CHARLIE	Gallery Doorkeeper
HARRIS, DARBY	Secretary to Resources and Environment Committee
HART, T. ALEX	Page
HARVEY, MARY	Constituent Services/Research Assistant
HONE, BRIAN	Page
HORTON, RUSTI	Assistant Secretary of the Senate
HUNT, JOANN	Majority Caucus Chairman Secretary
JENSEN, DARLA	Administrative Assistant to President Pro Tempore**
JONES, JESSAMINE	Page
JONES, MARY SUE	Fiscal Assistant to President Pro Tempore**
KARABA, SUSAN	Republican Secretarial Pool
KEITHLY, JUNE	Secretary to the Secretary of the Senate
KING, NANCY	Secretary to Local Government and Taxation Committee
KNOWLES, ZURIEL	Minority Staff Assistant
KREPS, CASEY	Page

* Attaches sworn in February 21, 2001
** Permanent Employees

NAME	POSITION
KREPS, PEARL	Hostess
LANCE, SHERRY	Republican Secretarial Pool
LUNDY, MARGARET	Journal Clerk
MASTERS, JOHN	Constituent Services Director**
MC CARTER, DARELYN	Secretary to Transportation Committee
MC DONALD, ROBERT	Senate Doorkeeper
MORRISON, KATY	Page *
MULLER, LANA	Journal Clerk
MURDOCK, CAROLYN	Page
O'CONNOR, SHAYLEE	Page *
OSBORN, BETTY	Secretary to Health and Welfare Committee
PECK, CHRISTINE	Minority Chief of Staff**
PRATT, ARIEL	Page
RADAKOVICH, CAROLYN	Page *
REES, GERI	Republican Secretarial Pool
RICHARDSON, BOBBIE	Assistant Sergeant at Arms
RININGER, JESSE	Page *
ROURKE, VALERIE	Page
RYDER, SUZY	Docket Clerk
SHAFFER, CAROLYN HENIZMAN	Secretary to State Affairs Committee
SIGLOH, RUTH	Secretary to Agricultural Affairs Committee
SIMPSON, MELISSA (Sworn in February 1, 2001)	Secretary to Majority Leader
SNOWDEN, DAVID	Page
STRAHLE, KIM	Page *
SWARTHOUT, LINDA	Secretary to Commerce and Human Resources Committee
TAYLOR, CAROLE	Mail Clerk
TUCKER, ABIGAIL	Page *
WAGNILD, CAROLYN	Republican Secretarial Pool
WESTERFIELD, INGRID	Republican Secretarial Pool
WHITE, LISA RANAE	Page
WOOD, JEANNINE	Secretary of the Senate**
WORNELL, TESSA	Page

* Attaches sworn in February 21, 2001
** Permanent Employees

SECTION IV

TOPICAL INDEX ALPHABETICALLY ARRANGED

This alphabetical index lists subjects for **ALL** Senate bills and **ONLY** those House bills introduced in the Senate, and includes Session Law Chapter numbers for those bills passed. Adopted resolutions and memorials are indicated by (A) and vetoed bills are indicated by (V). Nonlegislative subject matter is included and referred to by page number only.

Since the Senate Journal only covers the action of House bills transmitted to the Senate, this topical index does not refer to all House bills introduced in the House. Separate indices in this volume list in numerical order all House bills, memorials, resolutions, and proclamations received by the Senate and show action taken by the Senate thereon. If the subject matter does not appear in this index, refer to the House Journal Alphabetical Index. If more information is desired, reference should be made to the Session laws.

	Bill Number	Session Law No.	Intro. Page	Vote Page
-A-				
ABORTION				
Constitution/statute, interpret, prefer childbirth	H 309	273	178	289
Minors, court proceedings, no self-incrimination	H 340	277	199	269
Save low-income women's health, payments denied	H 309	273	178	289
Unlawful, physician penalties, defenses	H 340	277	199	269
ACCOUNTS				
See also FUNDS				
Big game depredation, claims, deductible waiver	H 224	172	155	249
Disadvantaged school district building account	S 1131	- -	107	- -
Insurance Guaranty Assn, accounts consolidated	H 161	155	186	262
Legislative, quarterly transfers increased	H 372	305	292	304
Revenue sharing, sales tax distribution increased	H 387	- -	326	- -
State controller, error corrections, authorization	H 217	60	131	196
ACTING SENATORS				
See SUBSTITUTE SENATORS				
ACTS				
Agriculture Odor Management Act added	H 262	383	254	299
Art in Public Places Act added	S 1082	- -	85	156
Basin Environmental Improvement Act added	H 256	371	226	268
Bond Bank Authority Act added	S 1174	130	130	179
Child Protective Act amended	H 185	107	160	248
Drug Court Act added	S 1171	337	130	175
Drug Pusher Registration Notification Act added	S 1150	- -	110	179
Electric Supplier Stabilization Act amended	H 142	29	124	152
Emergency Communications Preservation Act added	H 232	316	199	270
Fertilizer Act amended	H 75	147	131	258
Incentives for Targeted Growth Act of 2001	H 300	- -	203	- -
Natural Death Act amended, terms corrected	S 1009	27	36	72
Physical Therapy Practice Act added (new)	S 1086	197	91	151
Physical Therapy Practice Act repealed (old)	S 1086	197	91	151
Real Estate License Law amended	S 1051	123	64	169
Safe Haven Act added	S 1037	357	58	80
Site Advisory Team Suitability Determination Act added	H 211	381	226	293
Soil and Plant Amendment Act added	H 74	250	131	267
Uniform Athlete Agents Act added	S 1063	202	78	134
Uniform Foreign-Money Claims Act added	S 1022	329	45	97
Uniform Principal & Income Act added (new)	S 1023	261	46	121
Uniform Principal & Income Act repealed (old)	S 1023	261	46	121

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
ADJOURNMENT, *SINE DIE*				
Organizational Session:				
Thursday, December 7, 2000, at 4:45 p.m.			3	
Extraordinary Session:				
Friday, December 8, 2000, at 1:30 p.m.			8	
First Regular Session:				
Friday, March 30, 2001, at 3:40 p.m. (82nd Legislative Day)			331	
ADMINISTRATION DEPARTMENT				
2000 appropriation reduced	S 1238	340	198	222
Appropriation	S 1186	219	160	192
Energy savings performance contracts authorized	H 251	213	163	255
Idaho State Capitol Commission, appropriation	H 342	282	265	296
Legislative office building, construction authorized	SCR 112	- -	118	- -
ADMINISTRATIVE RULES				
See RULES				
ADOPTION				
Hard-to-place child, guardian, subsidies	H 58	92	160	240
Parental fitness, factors to be considered	S 1073	- -	84	133
ADVERTISING				
Health & Welfare Department, appropriation, substance abuse messages	S 1212	- -	178	205
AERONAUTICS				
Advisory board, membership and compensation amended	S 1193	377	163	228
Aircraft improvement liens, claims/recording/releases	S 1083	- -	86	174
Aircraft registration period, prior year	H 124	182	121	256
Aircraft replacement materials, sales tax exemption	H 143	98	131	237
Fund, appropriation, additional	H 375	328	298	305
State aeronautics fund, interest earned	H 67	94	68	240
AERONAUTICS ADVISORY BOARD				
Patrick, Scott W.: Member				
Appointed by Governor Kempthorne/to Transportation			31	
Committee Report			123	
Confirmed by Senate				129
AGENCY RULES				
See RULES				
AGIDIUS, PAUL C.				
Appointment, Member: Board of Environmental Quality				
Appointed by Governor Kempthorne/to Resources & Environment			29	
Committee Report			70	
Confirmed by Senate				73
AGING, COMMISSION ON				
Adult abuse, disclose names to police	H 8	79	127	235
Appropriation	S 1190	223	162	193
Director references changed to administrator	H 31	87	117	242
AGRICULTURE				
Agricultural laborers, minimum wage, specific exemptions	H 71	70	86	178
Agricultural machinery/equipment, income tax credit	H 275	- -	138	292
Agricultural machinery/equipment, tax exemption	H 378	356	312	314
Agricultural property, 100% capital gains deduction	H 386	- -	326	- -
Agricultural property, 100% capital gains deduction	H 379	- -	312	- -
Brand Board assessment $1, certificated animals	S 1141	- -	108	- -
Carbon sequestration, advisory committee, powers/duties	S 1064	- -	78	194
Cattle feeding operations, certain rules rejected	HCR 25	(A)	138	220
Cattle, beef/feed imports, support moratorium	SJM 107	(A)	251	274
Cloven-hoofed animals/products, import moratorium	SJM 109	(A)	251	274
Commodity dealer, delivery contracts, liens, duration	S 1260	363	275	303
Commodity indemnity fund, assessments, claims	H 366	304	254	303

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
AGRICULTURE (Continued)				
Confined animal feeding operation, site suitability	H 211	381	226	293
Confined animal feeding operations, plan approval	S 1148	- -	109	165
Crop product destruction, civil damages	H 169	324	160	299
Crop revenue protection insurer, certification	H 281	- -	234	- -
Dairy farm, livestock waste, disclose contracts	S 1065	- -	78	- -
Dairy farm, new/expanding, permit requirements	S 1067	388	79	227
Dairy farms, animal units, annual report	S 1144	- -	109	217
Dairy farms, valid water permit required	S 1066	- -	78	- -
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	S 1240	246	199	223
Department, appropriation, additional, Animal Industries	S 1264	393	314	319
Department, appropriation, Pest Control Deficiency Fund	H 68	11	58	80
Department, appropriation, Soil Conservation Commission	S 1208	231	177	204
Department, develop voluntary services, sanitation, safety	H 73	146	127	256
Department, odor management, authority, duties	H 262	383	254	299
Domestic Cervidae, license, disease monitoring	S 1128	- -	102	- -
Domestic Cervidae, violations, civil penalties	S 1143	128	109	151
Fertilizer act, registration requirements, rulemaking	H 75	147	131	258
Fertilizer act, violations, fine increased	H 75	147	131	258
Food disparagement, impugns product safety	S 1005	20	36	69
Importing meat products, standards, labeling	SJM 108	(A)	251	274
Land assessment, irrigation buy-back contract	S 1256	- -	226	286
Land, tax purposes, produce nursery stock	H 55	12	52	80
Nutrient management plans, livestock waste recipients	S 1040	387	62	228
Organic certified producers, annual list, distribution	S 1142	75	109	194
Organic food advisory council, membership amended	S 1142	75	109	194
Peas/lentils, amount of tax to be levied	H 210	298	160	306
Pesticide dealers, obtain applicator license	H 70	249	131	268
Piece rate workers, minimum wage, records	S 1029	- -	48	- -
Potato producers, Agricultural Risk Protection Act	SJM 101	(A)	35	40
Quarantine laws, violations, penalty increased	H 76	148	131	257
Research and Cooperative Extension, appropriation	S 1220	236	182	210
Soil and Plant Amendment Act added	H74	250	131	267
Swine/poultry facilities, construction, regulation	H 339	350	178	288
Weed management, plats, acknowledgment certificate	S 1042	- -	62	173
Weigh masters, licensing, felon prohibition removed	H72	145		
Wheat Commission, maximum tax rate	H 170	105	127	243
AIRLINES AND AIRPLANES				
Aircraft improvement liens, claims/recording/releases	S 1083	- -	86	174
Aircraft registration period, prior year	H 124	182	121	256
Aircraft replacement materials, sales tax exemption	H 143	98	131	237
AIR POLLUTION				
See ENVIRONMENT				
ALCOHOLIC BEVERAGES				
See LIQUOR				
ALLRED, STEPHEN				
Appointment, Director: Department of Environmental Quality				
Appointed by Governor Kempthorne/to Resources & Environment			27	
Committee Report			70	
Confirmed by Senate				73

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
AMENDMENTS				
Senate Bills Amended in the Senate				
S 1014, As Amended			164	
S 1028, As Amended			164	
S 1038, As Amended			141	
S 1040, As Amended, As Amended			191/208	
S 1042, As Amended			141	
S 1043, As Amended			164	
S 1051, As Amended			141	
S 1061, As Amended			141	
S 1064, As Amended			165	
S 1067, As Amended			205	
S 1070, As Amended			164	
S 1077, As Amended			187	
S 1083, As Amended			141	
S 1089, As Amended			143	
S 1094, As Amended			191	
S 1104, As Amended			190	
S 1105, As Amended			190	
S 1107, As Amended			286	
S 1114, As Amended			205	
S 1116, As Amended			208	
S 1127, As Amended			143	
S 1140, As Amended			164	
S 1142, As Amended			164	
S 1144, As Amended, As Amended			141/191	
S 1150, As Amended			143	
S 1152, As Amended			164	
S 1156, As Amended			190	
S 1157, As Amended			190	
S 1158, As Amended			190	
S 1159, As Amended			141	
S 1164, As Amended			190	
S 1167, As Amended			230	
S 1179, As Amended			164	
S 1193, As Amended			206	
S 1200, As Amended			230	
S 1211, As Amended			293	
Senate Bills Amended in the House, Concurrence in				
S 1057, As Amended in the House			327	
S 1199, As Amended in the House			327	
House Bills Amended in the Senate				
H 176, As Amended in the Senate			164	
H 71, As Amended in the Senate			165	
H 144, As Amended in the Senate			205	
H 237, As Amended in the Senate			206	
H 206, As Amended in the Senate			208	
H 317, As Amended in the Senate			230	
H 35, As Amended, As Amended in the Senate			230	
H 47, As Amended in the Senate			230	
H 253, As Amended in the Senate			231	
H 275, As Amended in the Senate			276	
H 280, As Amended in the Senate			286	
H 169, As Amended, As Amended in the Senate			286	
H 121, As Amended in the Senate			286	
H 262, As Amended, As Amended in the Senate			286	
H 356, As Amended in the Senate			306	
H 326, As Amended, As Amended in the Senate			306	
H 377, As Amended in the Senate			315	
H 87, As Amended in the Senate			329	

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
ANIMALS				
Agriculture Department, odor management plans	H 262	383	254	299
Bighorn sheep tags, proceeds distribution	H 222	170	173	261
Domestic Cervidae, restrictions, disease monitoring	S 1128	- -	102	- -
Domestic Cervidae, violations, civil penalties	S 1143	128	109	151
Wolves, remove from Idaho	HJM 5	(A)	183	322
ANNEXATION				
City, procedures, voluntary and involuntary	S 1151	- -	110	- -
City, procedures, with and without landowner consent	S 1167	- -	120	254
APPEALS				
Equalization Board, when fees awarded	S 1049	- -	63	- -
Post-conviction proceedings, needy person, attorney	H 183	160	140	236
Postconviction, trial court, petition, DNA test	H 242	317	254	304
School charter, revision not approved, procedure	S 1132	65	107	174
State Appellate Public Defender, appropriation	S 1204	227	177	204
State employee, review, choose representation	S 1084	- -	86	- -
Tax Appeals Board, appropriation	S 1251	267	220	247
Vocational Rehabilitation hearing rule rejected	HCR 28	- -	160	- -
Water Resources Department action, judicial review, venue	H 114	31	79	131
APPOINTMENTS				
See GUBERNATORIAL APPOINTMENTS				
APPRAISALS AND APPRAISERS				
Real Estate Appraiser Board, trainee rules	H 27	132	118	261
APPROPRIATIONS				
Administration Department	S 1186	219	160	192
Administration Department, State Capitol Commission	H 344	283	265	302
Administration Department, State Capitol Commission	H 342	282	265	296
Aging, Commission on	S 1190	223	162	193
Agricultural Research and Cooperative Extension	S 1220	236	182	210
Agriculture Department	S 1240	246	199	223
Agriculture Department, additional, Animal Industries	S 1264	393	314	319
Agriculture Department, Pest Control Deficiency Fund	H 68	11	58	80
Agriculture Department, Soil Conservation Commission	S 1208	231	177	204
Attorney General	S 1205	228	177	204
Attorney General, additional, consumer protection	H 94	4	68	92
Blind and Visually Impaired, Commission for	S 1241	307	202	227
Building Safety Division	S 1218	234	182	209
Building Safety Division, additional	S 1085	35	90	131
Capitol Commission	H 342	282	265	296
Capitol Commission	H 344	283	265	302
Catastrophic Health Care Cost Fund	S 1188	221	162	193
Commerce Department	H 301	349	265	302
Controller, State	H 343	319	265	301
Corrections Department	S 1226	210	183	215
Corrections Department, amended	H 318	118	163	239
Disadvantaged school district building account	S 1131	- -	107	- -
Education Board, additional, endowment land exchange	S 1269	364	317	320
Education Board, additional, Historical Society	H 178	59	121	195
Education Board, additional, Idaho Promise Scholarship	S 1034	17	55	69
Education Board, colleges and universities	H 330	314	265	295
Education Board, community college support	S 1196	391	172	200
Education Board, health education programs	S 1222	237	182	210
Education Board, Historical Society	S 1248	293	213	235
Education Board, Idaho School for Deaf and Blind	S 1247	266	213	235
Education Board, Office of	S 1221	310	182	210
Education Board, Public Broadcasting System	S 1228	306	183	215

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
APPROPRIATIONS (Continued)				
Education Board, special programs	S 1223	311	182	214
Education Board, State Library Board	S 1246	265	213	235
Education Board, teacher training	S 1261	341	287	303
Education Board, Vocational Rehabilitation Division	S 1243	312	202	227
Education Department	H 376	320	298	305
Education Department, additional	H 125	25	79	121
Environmental Quality Department	S 1245	361	202	227
Examiners Board	S 1175	215	140	166
Finance Department	H 334	274	265	302
Financial Management Division	H 335	275	271	302
Fish and Game Department	S 1237	292	198	222
Governor, Office of	S 1225	239	183	215
Governor, Office of, additional, Military Division	H 66	1	53	60
Governor, Office of, Human Resources Division	H 302	115	155	238
Governor, Office of, Human Rights Commission	H 336	303	271	302
Governor, Office of, Military Division	S 1209	232	177	205
Governor, Office of, Public Employee Retirement System of Idaho	H 304	116	155	238
Governor, Office of, Species Conservation	H 337	276	271	315
Governor, Office of, State Liquor Dispensary	H 303	177	155	238
Governor, Office of, Women's Commission	S 1180	216	154	191
Guardian Ad Litem Fund	S 1206	229	177	204
Health & Welfare Department, additional, Independent Com/Councils	S 1271	365	322	324
Health & Welfare Department, additional, Indirect Support Services	S 1271	365	322	324
Health & Welfare Department, additional, Public Health Services	S 1272	366	322	324
Health & Welfare Department, additional, Self-Reliance Programs	S 1275	369	323	325
Health & Welfare Department, Family/Community Services	S 1212	- -	178	205
Health & Welfare Department, Family/Community Services	S 1273	367	323	325
Health & Welfare Department, Independent Commission and Councils	S 1213	- -	178	209
Health & Welfare Department, Indirect Support Services	S 1213	- -	178	209
Health & Welfare Department, Medical Assistance Services	S 1214	- -	182	- -
Health & Welfare Department, Medical Assistance Services	S 1274	368	323	325
Health & Welfare Department, Medical Assistance Services	S 1270	- -	318	321
Health & Welfare Department, Public Health Services	S 1215	- -	182	209
Health & Welfare Department, Self-Reliance Programs	S 1216	- -	182	209
Idaho State Police	S 1242	378	202	227
Idaho State Police, appropriation amended	H 95	3	68	93
Industrial Commission	S 1234	242	198	221
Industrial Commission, additional	S 1165	41	120	143
Industrial Commission, commissioner salaries	H 374	280	298	308
Insurance Department	S 1181	217	154	191
Insurance Department, additional	H 83	7	63	81
Juvenile Corrections Department	S 1244	379	202	228
Juvenile Corrections Department, additional	H 93	5	68	97
Labor Department	S 1236	244	198	222
Labor Department, additional	S 1268	346	317	320
Land Commission, Endowment Fund Investment Board	S 1197	224	172	203
Lands Department	S 1207	230	177	204
Lands Department, Fire Suppression Deficiency Fund	H 69	10	58	80
Legislative account, electric utility restructuring	H 54	91	58	240
Legislative account, quarterly transfers increased	H 372	305	292	304
Legislative Council	S 1219	235	182	210
Library Board, State	S 1246	265	213	235
Lieutenant Governor	H 313	117	160	238
Lieutenant Governor, additional	S 1263	343	298	312
Liquor Dispensary, State	H 303	177	155	238

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
APPROPRIATIONS (Continued)				
Lottery Commission	S 1203	226	177	204
Millennium Income Fund, tobacco programs	S 1230	241	186	216
Museum of Natural History	S 1223	311	182	214
Parks & Recreation Park Land Trust Fund	S 1250	- -	220	- -
Parks and Recreation Department	S 1185	376	160	193
Public Employee Retirement System of Idaho	H 304	116	155	238
Professional-Technical Education Board	S 1227	360	183	215
Public Broadcasting System, Idaho Educational	S 1228	306	183	215
Public Health Trust Fund	S 1217	233	182	209
Public Schools	S 1182	359	155	199
Public Utilities Commission	H 341	278	265	296
Public Utilities Commission, commissioner salaries	H 374	280	298	308
Public Works Division	H 373	374	328	328
Revenue and Taxation Department, State Tax Commission	S 1252	268	220	247
Revenue and Taxation Department, Tax Appeals Board	S 1251	267	220	247
School district building account	S 1134	- -	107	- -
School districts, distribution, purposes	S 1112	- -	100	- -
Secretary of State	S 1224	238	183	215
Secretary of State, additional, Arts Commission	H 84	6	63	81
Secretary of State, Arts Commission	S 1229	240	186	216
Self-Governing Agencies Department	S 1202	225	177	204
Self-Governing Agencies Department, additional	H 82	8	63	81
Self-Governing Agencies, additional	S 1189	222	162	193
Self-Governing Agencies, additional	S 1262	342	292	305
Self-Governing Agencies, additional	S 1175	215	140	166
Self-Governing Agencies, additional, Building Safety	S 1085	35	90	131
Self-Governing Agencies, additional, Veterans Services	S 1258	295	233	266
Self-Governing Agencies, Lottery Commission	S 1203	226	177	204
Self-Governing Agencies, Veterans Services Division	S 1235	243	198	222
Soil Conservation Commission	S 1208	231	177	204
State Appellate Public Defender	S 1204	227	177	204
State Controller	H 343	319	265	301
State Controller, error corrections, authorization	H 217	60	131	196
Substance abuse treatment programs	S 1257	362	233	266
Supreme Court	S 1206	229	177	204
Supreme Court, additional	S 1266	313	316	319
Supreme Court, additional	S 1265	344	316	319
Supreme Court, additional	S 1267	345	317	320
Tax Commission	S 1252	268	220	247
Tax Commission, appropriation amended	H 126	2	79	97
Tax Commission, commissioner salaries	H 374	280	298	308
Transportation Department	S 1184	218	160	200
Transportation Department, additional	H 81	9	63	81
Transportation Department, additional, aeronautics	H 375	328	298	305
Treasurer, State	S 1187	220	160	192
Various departments, 2000 appropriation reduced	S 1238	340	198	222
Veterans Services Division, additional	S 1258	295	233	266
Veterans Services Division	S 1235	243	198	222
Water Resources Department	S 1239	245	199	223
Water Resources Department, Galloway dam study	H 179	- –	163	- -
Women's Commission	S 1180	216	154	191
ARCHITECTURE AND ARCHITECTS				
Architectural Examiners, member compensation increased	H 226	173	183	262
Professional services, exempt, state bidding process	H 231	(V)	186	302
Seal, electronic documents, application	H 32	88	117	250

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
ARTS				
Art in Public Places Act	S 1082	- -	85	156
Commission, appropriation	S 1229	240	186	216
Commission, appropriation, additional	H 84	6	63	81
ASSAULT				
Police officer, official status, 5 years	H 65	181	131	239
Sports official, encourage prosecutions	HCR 32	(A)	220	265
ASSESSMENTS AND ASSESSORS				
Peas/lentils, amount of tax to be levied	H 210	298	160	306
Property transfer certificates, disclosure exemption	S 1154	- -	111	- -
Real property, method, legislative study committee	HCR 10	- -	121	- -
ASSIGNMENTS				
See COMMITTEES, Standing				
See COMMITTEES, Memorial, Lincoln, and Lunch				
See also SEAT ASSIGNMENTS				
ATHLETICS				
Assaults on sports officials, encourage prosecutions	HCR 32	(A)	220	265
Dave Nielsen, coaching excellence, commend	HCR 8	(A)	71	83
Stacy Dragila, Olympic gold medalist, commend	HCR 8	(A)	71	83
Uniform Athlete Agents Act	S 1063	202	78	134
ATTACHES				
See also INDEX SECTION III				
Compensation	SR 101	(A)	41	42
Election and Oath of Office			19	19
List of			19	19
Attaches elected following first election:				
Molly Anderson			37	37
Melissa Simpson			69	69
List of (2nd Term Pages - February 21, 2001)			137	137
ATTORNEY GENERAL				
2000 appropriation reduced	S 1238	340	198	222
Appropriation	S 1205	228	177	204
Appropriation, additional	H 94	4	68	92
Authority, enforcement, emergency medical services	H 198	110	169	241
Consumer Protection Fund, transfer of excess funds	H 218	61	131	196
Legal services for governmental entities, fees	H 218	61	131	196
Stock insurer corporations, return articles, 2 copies	H 25	85	168	248
ATTORNEYS				
Appointment, post-conviction proceedings, needy person	H 183	160	140	236
Defendant, felony & misdemeanor, when dismissed	S 1008	23	36	72
Fee award, county equalization board appeal	S 1049	- -	63	- -
Fees, award, prevailing party, adverse possession	S 1159	- -	111	170
Fees, postjudgment, collecting small claims judgment	H 184	161	183	257
Legal service expense plans, no insurance regulation	S 1127	127	102	174
Legal service expense plans, no insurance regulation	S 1026	- -	48	- -
Public defender duties, post-conviction relief	S 1044	- -	62	- -
Public records, not supplement to discovery procedures	H 151	101	178	249
Services, needy person, reimburse county	S 1053	287	67	132
State Appellate Public Defender, appropriation	S 1204	227	177	204
AUCTIONS AND AUCTIONEERS				
Public, highway commissioners, equipment purchase	S 1103	- -	95	- -
AUDITS AND AUDITORS				
Audit reporting requirements, charter schools	S 1060	64	68	132
Business development corp reports, when filed	H 26	86	140	243
New construction roll, electricity generation property	H 310	- -	271	- -
AUTOMOBILES				
See MOTOR VEHICLES				

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
-B-				
BAKER, VERNON.				
Appointment, Member: Idaho Commission on Human Rights				
Appointed by Governor Kempthorne/to State Affairs			145	
Committee Report			245	
Confirmed by Senate				254
BALLOTS				
See ELECTIONS; VOTING AND VOTERS				
BANDELIN, GLENN E.				
Memorial Service (February 19, 2001)			126	127
BANKS AND BANKING				
Acquiring, financial holding company, Finance Department	H 34	137	140	259
Bank holding company exam cost assessment	H 34	137	140	259
Business development corp, audit reports	H 26	86	140	243
Business development corp, out-of-state offices	H 26	86	140	243
UCC, new secured transactions chapter	H 205	208	146	229
BARBERS				
Barber school teachers, licensing requirements	H 28	133	160	262
Barbers and barber-stylists, licensing requirements	H 28	133	160	262
BARTLETT, JUDY BOYLE				
Substitute Senator (Temporary Replacement for Senator Branch, District 9)				
Certificate of Appointment (Effective February 6, 2001)			77	
Oath of Office			77	
Certificate of Appointment (Effective February 13, 2001)			114	
Oath of Office			114	
BEER				
See also LIQUOR; WINE				
License, fingerprint-based criminal history checks	S 1014	284	40	193
BLIND				
Blind and Visually Impaired Commission, appropriation	S 1241	307	202	227
Blind and Visually Impaired Commission, membership amended	S 1161	- -	115	- -
Idaho School for Deaf and Blind, appropriation	S 1247	266	213	235
Property tax relief, eligible claimants, requirements	H 150	69	131	223
Property tax, income, funeral expenses deducted	H 299	325	203	318
BLIND AND VISUALLY IMPAIRED, COMMISSION FOR THE				
Hand, Dave: Member				
Appointed by Governor Kempthorne/to Health & Welfare			35	
Committee Report			66	
Confirmed by Senate				71
Milhollin, Dianne S.: Member				
Appointed by Governor Kempthorne/to Health & Welfare			35	
Committee Report			66	
Confirmed by Senate				71
Ryan, David L.: Member				
Appointed by Governor Kempthorne/to Health & Welfare			36	
Committee Report			66	
Confirmed by Senate				71
BOARD, DWIGHT V.				
Appointment, Member: Idaho Board of Correction				
Appointed by Governor Kempthorne/to Judiciary & Rules			311	
Committee Report			313	
Confirmed by Senate				314

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
BOARD OF CORRECTION				
Board, Dwight V.: Member				
Appointed by Governor Kempthorne/to Judiciary & Rules			311	
Committee Report			313	
Confirmed by Senate				314
BOARD OF EDUCATION				
See EDUCATION, BOARD OF				
BOARDS				
SELF-GOVERNING AGENCIES				
(Also see individual names)				
Aeronautics, membership and compensation amended	S 1193	377	163	228
Architectural Examiners, member compensation increased	H 226	173	183	262
Building code, member compensation increased	H 130	151	169	259
Community guardian board member appointed, commissioners	H 134	97	131	236
Endowment Fund Investment, appropriation	S 1197	224	172	203
Hearing aid dealers/fitters, compensation	H 13	82	131	237
Idaho Electrical, member compensation increased	H 130	151	169	259
Idaho Plumbing, member compensation increased	H 130	151	169	259
Manufactured home, member compensation increased	H 130	151	169	259
Primary/Preventive Care Grant program board established	S 1183	- -	155	- -
Professional Counselors/Marriage/Family Therapists	S 1039	71	59	133
Public works contractors license board membership amended	H 305	301	226	306
Veterinary medicine, qualifications, approved school	H 90	149	169	257
BOATS				
Certain safety violations, penalties reduced	H 180	159	199	259
Operating under influence, arrest authority	H 245	113	169	249
Sales tax exemption, use outside state	H 367	354	271	303
Sales tax exemption, use outside state	S 1096	- -	94	135
Salvage certificates, not applicable to vessels	S 1016	73	43	133
Transporting child, under influence, misdemeanor	H 63	49	91	195
BOISE CHORISTERS				
Memorial Service, musical selections (February 19, 2001)			126	
BOISE STATE UNIVERSITY				
See COLLEGES AND UNIVERSITIES				
BOMBS AND BOMBING				
Possession, felony, penalties	H 321	256	234	287
BONDS				
Energy cost recovery bonds, issuance, application	S 1255	380	226	266
Port district, refunding revenue, no maximum interest	H 195	164	150	258
Private sale defined, notice	S 1158	264	111	217
Sale by electronic bidding	S 1158	264	111	217
School district, issuance any time after election	S 1157	336	111	217
School, sale, public or private	S 1157	336	111	217
BRANDS				
Board employees, classified status	S 1046	38	63	92
Inspector/district supervisors, nonclassified status	S 1046	38	63	92
BROWN, WARREN H.				
Memorial Service (February 19, 2001)			126	126
BUDGET MESSAGE				
Governor Dirk Kempthorne (HCR 4)			21	
BUDGETS				
Attorney General services, cost allocation	H 218	61	131	196
General fund surplus, farm property tax relief	H 275	- -	138	292
Governor, Budget address	HCR 4	(A)	20	21
Library capital improvement reserve funds authorized	S 1155	- -	111	151
State, expenditure limit increased	H 282	(V)	220	305

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
BUFFINGTON, M. DEAN				
Appointment, Member: Idaho Endowment Fund Investment Board				
Appointed by Governor Kempthorne/to Commerce & Human Resources			297	
Committee Report			309	
Confirmed by Senate				310
BUILDING AUTHORITY				
Capitol Commission, restoration plan, financing agreements	HCR 21	(A)	138	159
Legislative office building, construction authorized	SCR 112	- -	118	- -
Powers, convey property to state bodies	S 1134	- -	107	- -
Powers, purchase school district obligations	S 1134	- -	107	- -
State property, 50-year lease	S 1024	34	46	69
Water Resources Department, new building authorized	SCR 113	- -	166	176
BUILDING SAFETY DIVISION				
2000 appropriation reduced	S 1238	340	198	222
Administrator, licensing, public works contractors	H 238	300	226	306
Administrator, public works contractor licensing	H 305	301	226	306
Appropriation	S 1218	234	182	209
Appropriation, additional	S 1085	35	90	131
Public works contractor licensing bureau added	H 129	150	169	258
Residential wireman, licensing authority	H 291	- -	220	- -
Schools, imminent safety hazard, evacuate	H 315	326	178	295
BUILDINGS				
Ada County courthouse building, remodel	SCR 115	- -	171	181
Building code board, member compensation increased	H 130	151	169	259
Government, art in public places	S 1082	- -	85	156
Idaho Electrical Board, member compensation increased	H 130	151	169	259
Idaho Plumbing Board, member compensation increased	H 130	151	169	259
Manufactured home board, member compensation increased	H 130	151	169	259
Manufactured home installation, Idaho standard	H 131	96	169	243
Public, energy savings performance contracts authorized	H 251	213	163	255
School Safety/Health Revolving Loan repealed	S 1113	- -	100	- -
State-owned, local restrictions, exemption	H 365	259	234	290
Water Resources Department, new building authorized	SCR 113	- -	166	176
BURNS, JOHN E.				
Appointment, Member: Idaho Fish and Game Commission				
Appointed by Governor Kempthorne/to Resources & Environment			32	
Committee Report			50	
Dissenting Reasons and Conclusions Report [Pursuant to Senate Rule 21(B), Senator Stennett]			50	
Confirmed by Senate				53
BUSINESS				
New employees, income tax credit, 2001 only	H 377	386	312	317
Partnership assets, assignees continuing business	S 1052	63	67	133

-C-

CALABRETTA, MARTI A.				
Appointment, Member: Board of Environmental Quality				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
CAMPAIGNS				
See ELECTIONS; CANDIDATES				

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
CANDIDATES				
Auditorium district, campaign contribution reports	S 1179	- -	140	- -
Auditorium district, elections, campaign reporting	H 353	258	214	269
County, precinct committeeman office, separate ballot	H 206	272	163	248
Highway district commissioners, alternative terms	S 1107	- -	96	306
Magistrate judge, campaign contributions report	S 1164	291	115	216
Persuasive poll, advocate election or defeat	H 175	106	163	241
Write-in, names must be written	H 206	272	163	248
CAPITAL PUNISHMENT				
Public defender duties, post-conviction relief	S 1044	- -	62	- -
Trial court petition, postconviction DNA test	H 242	317	254	304
CAPITOL				
Commission, appropriation	H 342	282	265	296
Commission, final restoration plan approved	HCR 21	(A)	138	159
Commission, special license plates	S 1075	281	84	133
Endowment Income Fund, appropriation	H 344	283	265	302
Legislative office building, construction authorized	SCR 112	- -	118	- -
CASWELL, JIM				
Appointment, Administrator: Office of Species Conservation				
Appointed by Governor Kempthorne/to Resources & Environment			32	
Committee Report			40	
Confirmed by Senate				45
CATTLE				
See LIVESTOCK				
CEMETERIES AND CREMATORIUMS				
Crematory license fee increased	H 30	135	118	256
Veterans cemetery, criteria for interment	H 141	199	131	239
CEREMONY, FLAG				
Presentation of Senate flag to Idaho National Guard Honor Guard			9	
Idaho National Guard Honor Guard lowering flag at *Sine Die:*				
Presentation to President of the Senate, Jack Riggs			331	
CERTIFICATE OF APPOINTMENT				
Bartlett, Judith Boyle:				
Substitute Senator (Temporary Replacement for Senator Branch, District 9)				
Certificate of Appointment (Effective February 6, 2001)			77	
Oath of Office			77	
Certificate of Appointment (Effective February 13, 2001)			114	
Oath of Office			114	
Sims, Kathy				
Appointed to Replace Lt. Gov. Riggs, District 4 (February 6, 2001)			113	
Certificate of Appointment			113	
Oath of Office			114	
CERTIFICATE OF ELECTION				
Senators, Organization Session			1	
Senators, Extraordinary Session			6	
CERTIFICATE OF EXTRAORDINARY SESSION				
Friday, December 8, 2000			5	
CHAPLAINS				
Senate Chaplain, Bryan Fischer, Community Church of the Valley, Boise			18	
Acting Chaplain, Montie Ralstin Jr., Boise Valley Christian Communion			148/326	
CHARITIES				
Big Brothers/Big Sisters program, tax credit	H 298	- -	173	- -
Contributions, income tax credit limit increased	H 80	370	160	318
Contributions, tax credit, Gem Youth services	H 149	157	169	257
Highway solicitations, local authorization, one year	S 1199	392	172	247/328
Rehabilitation, recognized accreditation, tax credit	H 252	382	178	270

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
CHILDREN				
Abandoned, safe haven, emergency custody	S 1037	357	58	80
Abandoned, safe haven, exempt, Health & Welfare registry	S 1147	358	109	179
Child Protective Act amended	H 185	107	160	248
Gem Youth, contributions, income tax credit	H 149	157	169	257
Health & Welfare Department continued care, 18-21 year olds	H 60	93	178	249
Health & Welfare Department, Family/Community Services, appropriation	S 1212	- -	178	205
Hard-to-place, guardians, subsidies	H 58	92	160	240
Inheritance, homestead/family allowances increased	S 1062	- -	74	- -
Parental fitness, disability adaptive equipment	S 1074	- -	84	134
Prekindergarten program, age 3 minimum	S 1027	- -	48	- -
Prekindergarten program, funding support	S 1027	- -	48	- -
Prekindergarten readiness programs, reimbursement	S 1117	- -	100	174
Prekindergarten, minimum school age 3 years	S 1028	- -	48	194
Read Across Idaho Day declared	SR 102	(A)	98	117
Ritalin prescriptions, disclose risks/effects	H 213	- -	178	- -
School readiness, legislative study committee	SCR 107	- -	104	117
Schools/day care, smoking prohibited	S 1169	- -	121	186
Sex education, abstinence only safe method	H 277	- -	214	- -
Sex education, content determined locally	H 277	- -	214	- -
CHIROPRACTORS				
Chiropractic interns, temporary permits	H 9	80	150	237
CHISHOLM, DONALD A.				
Appointment, Member: Board of Environmental Quality				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
CITIES				
Accommodate amateur radio use, emergencies	H 232	316	199	270
Adopt, national codes, one copy on file	H 162	156	160	250
Annexation procedures, voluntary and involuntary	S 1151	- -	110	- -
Annexation procedures, with/without landowner consent	S 1167	- -	120	254
Authority, grant (non)exclusive utility franchises	S 1152	- -	110	- -
Bond bank authority created	S 1174	130	130	179
Bonds, public/private sale	S 1158	264	111	217
Building restrictions, state property, exemption	H 365	259	234	290
Development impact fees, exemption, public schools	S 1099	- -	95	- -
Funds, investments, A-rated corporations	S 1091	42	91	134
Funds, investments, reverse repurchase agreements	S 1091	42	91	134
Highway solicitations, local authorization, one year	S 1199	392	172	247/328
Housing authority commissioners, members, terms	H 352	257	226	289
Irrigation system annual costs, meeting deadline	H 308	186	178	257
Manufactured home installation permit, Idaho standard	H 131	96	169	243
Public Employee Retirement System of Idaho, admission, costs waiver	H 40	- -	91	- -
Real property, city conveyance, procedures	S 1057	331	68	122/327
St. Maries, support creosote cleanup	HCR 24	(A)	150	233
Subdivisions, county/city definitions	S 1198	- -	172	- -
CIVIL ACTIONS				
Adverse possession, prevailing party, attorney fees	S 1159	- -	111	170
Crop product destruction, double damages	H 169	324	160	299
Government employees, torts arising before retirement	S 1231	- -	186	- -
Vehicle collision damages, nonpayment, treble damages	S 1054	- -	67	- -
CIVIL RIGHTS				
Action, free exercise of religion not a defense	S 1002	- -	33	- -
National Freedom Day, slavery abolition	SCR 101	(A)	45	71

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
CLERICAL CORRECTIONS				
Senate Floor, clerical/typographical corrections:				
S 1032 (Requested by Senator King-Barrutia)			87	
Senate Floor, clerical/typographical corrections:				
H 205 (Requested by Senator Davis)			229	
CLOONAN, JOAN M.				
Appointment, Member: Board of Environmental Quality				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
COBBS, LYLE R.				
Appointment, Member: Tax Appeals, Board of				
Appointed by Governor Kempthorne/to Local Government & Taxation			31	
Committee Report			61	
Confirmed by Senate				64
COLLECTION AGENCIES				
See DEBTORS AND CREDITORS				
COLLEGES AND UNIVERSITIES				
See also EDUCATION				
2000 appropriation reduced	S 1238	340	198	222
Appropriation	H 330	314	265	295
Center for Higher Education, land exchange	H 348	351	199	304
Community college support, appropriation	S 1196	391	172	200
Community colleges, legislative study committee	HCR 34	- -	292	- -
Health/medical education programs, appropriation	S 1222	237	182	210
Private, Idaho, national guard incentive payments	H 53	322	147	268
Savings account, nonqualified withdrawal, income tax	S 1036	46	55	81
Savings account, tax deduction, deadlines	S 1036	46	55	81
University of Idaho, appropriation, Agricultural Research	S 1220	236	182	210
University of Idaho, appropriation, special programs	S 1223	311	182	214
COMMERCE				
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	H 301	349	265	302
Electronic commerce/technology, legislative study committee	HCR 31	(A)	199	313
Rail service preservation program, plan	H 269	348	186	293
Rail transportation impact, state economy	HCR 17	(A)	127	225
COMMERCIAL TRANSACTIONS				
Dishonored check fees, small claims court only	S 1007	22	36	72
Loan finance charge, maximum rate	S 1080	- -	85	- -
COMMISSIONS				
Basin Environmental Improvement Project committee created	H 256	371	226	268
Blind/Visually Impaired, membership amended	S 1161	- -	115	- -
Fire protection commissioners, member terms	H 193	109	150	240
Pea/lentil, establish tax	H 210	298	160	306
Public Utilities, employ pipeline safety specialist	H 188	108	147	239
Wheat, maximum tax rate	H 170	105	127	243
COMMITTEES				
Carbon Sequestration Advisory Committee, powers/duties	S 1064	- -	78	194
Clean Water Act programs, investigate primacy	SCR 111	- -	106	- -
Community colleges, legislative study	HCR 34	- -	292	- -
Disabled persons, unemployment rate, legislative study	HCR 19	- -	121	- -
Drug court coordinating committee authorized	S 1171	337	130	175
Education standards, hindrances, legislative study	SCR 106	- -	98	117
Electric utility restructuring, legislative study	HCR 2	(A)	48	57
Electronic commerce/technology, legislative study	HCR 31	(A)	199	313
Electronic transmission taxation, legislative study	HCR 9	- -	121	- -
Geographical names, replace "squaw," committee	SCR 105	- -	87	99
Millennium Income Fund, legislative study	HCR 18	- -	147	- -

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
COMMITTEES (Continued)				
Natural resources, legislative study	HCR 6	(A)	52	57
Oversight, limited-English proficiency program	S 1195	- -	168	221
Oversight, state funded substance abuse treatment	S 1257	362	233	266
Personal property tax, legislative study	HCR 33	- -	246	- -
Physical Therapist Advisory Committee established	S 1086	197	91	151
Prison incarceration alternative, legislative study	HCR 23	- -	214	- -
Real property assessment method, legislative study	HCR 10	- -	121	- -
School facilities funding, legislative study	SCR 114	- -	170	275
School readiness, legislative study	SCR 107	- -	104	117
Telecommunications regulation, legislative study	HCR 7	- -	147	- -
Trauma care advisory committee created	S 1145	66	109	144
COMMITTEES, SENATE				
See also: SENATE INDEX, STANDING COMMITTEE ASSIGNMENTS				
Special Committees, Chairman Appointments:				
Lincoln Day (February 12, 2001)			47	
Lunch Room			47	
Memorial Service (February 19, 2001)			47	
Standing, Assignments			2	2
Standing, Assignments, Changes:				
Agricultural Affairs Committee: Senator Goedde, Vice Chairman			71	
Agricultural Affairs Committee: Senator Deide, Chairman			117	
Senator Sims, Committee Assignments			117	
Education Committee: Senator Williams, Vice Chairman			124	
COMMODITIES				
Dealer, delivery contracts, lien duration	S 1260	363	275	303
COMPACTS				
Emergency Management Assistance Compact	H 49	140	117	260
Nursing Board, authority, interstate compacts	H 4	76	131	237
COMPUTERS				
See ELECTRONIC TECHNOLOGY				
CONCURRENCE, in Senate Bills Amended in the House				
S 1057, As Amended in the House			327	
S 1199, As Amended in the House			327	
CONFLICTS OF INTEREST, DISCLOSURE				
See also EXCUSED FROM VOTING				
H 256, as amended, Senator Lodge			268	268
CONDEMNATION				
See EMINENT DOMAIN				
CONSERVATION				
Billingsley Creek/Fisher Lake, acquire property	S 1250	- -	220	- -
Billingsley Creek/Fisher Lake, acquire property	SCR 116	(A)	244	274
Energy, public buildings, savings contracts authorized	H 251	213	163	255
Great Western Trail, Idaho portion designated	HCR 20	- -	121	- -
Natural resources, legislative study committee	HCR 6	(A)	52	57
Owyhee Canyonlands national monument, oppose	SJM 102	(A)	75	90
Species Conservation Office, appropriation	H 337	276	271	315
Wolves, remove from Idaho	HJM 5	(A)	183	322
CONSTITUTIONAL AMENDMENTS				
School districts, incur debt, 60% assent required	SJR 101	- -	104	157
CONSTRUCTION				
Manufactured home installation, Idaho standard	H 131	96	169	243
Manufactured home installer, license required	S 1130	- -	103	144
Materialmen's liens, competing claims, equal footing	H 132	152	140	260
Materialmen's liens, includes supplying equipment	H 132	152	140	260
Public works projects, 15% Idaho apprentices	S 1126	- -	102	- -

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
CONSUMERS				
Abandoned vehicles, maximum storage costs	S 1097	- -	94	- -
Auto dealer license, emergency suspension, public harm	S 1101	- -	95	- -
Auto dealer, satisfy liens within ten days	S 1100	190	95	151
Consumer Protection Fund, appropriation	S 1205	228	177	204
Consumer Protection Fund, appropriation	H 94	4	68	92
Consumer Protection Fund, transfer of excess funds	H 218	61	131	196
Consumer's Advocate Division created, public utilities	S 1163	- -	115	- -
Emergency medical services, enforce, Attorney General	H 198	110	169	241
Legal service expense plans, exempt from regulation	S 1026	- -	48	- -
Loan finance charge, maximum rate	S 1080	- -	85	- -
Municipal electric system, unfair charges, recourse	H 142	29	124	152
Public utility franchise fees, maximum increase	S 1201	- -	173	- -
Real estate sales, representation confirmation amended	H 155	251	146	270
Telemarketers, obtain consent, every charge to account	H 144	315	131	229
CONTRACTORS				
Highway construction bids, subcontractors not named	S 1138	- -	108	- -
Public works, license board membership	H 305	301	226	306
Public works, licensing bureau added	H 129	150	169	258
Public works, licensing, Building Safety administrator	H 238	300	226	306
Residential wireman, licensing requirements	H 291	- -	220	- -
Specialty electrical contractor, license required	H 291	- -	220	- -
CONTRACTS				
Loan finance charge, maximum rate	S 1080	- -	85	- -
CONTROLLED SUBSTANCES				
Carisoprodol listing, Pharmacy Board rule rejected	SCR 103	(A)	66	74
Drug court program authorized	S 1171	337	130	175
Drug Pusher Registration Notification Act	S 1150	- -	110	179
Forcible sexual penetration, incapable victim	H 350	- -	246	- -
Illegal use, tenant eviction procedures	S 1119	203	100	150
Pharmacy Board, prescriptions tracking program	H 331	178	214	262
Pharmacy Board, registrant, investigation, notice	H 165	211	169	256
Prescription drugs purchases, multistate compact	HCR 26	(A)	178	213
Ritalin prescriptions, disclose risks/effects	H 213	- -	178	- -
CONTROLLER, STATE				
2000 appropriation reduced	S 1238	340	198	222
Accounts, error corrections, when authorization required	H 217	60	131	196
Appropriation	H 343	319	265	301
Legislative account, quarterly transfers increased	H 372	305	292	304
CORPORATIONS				
Business development, audit reports, when filed	H 26	86	140	243
Business development, out-of-state offices	H 26	86	140	243
Income tax rate reduced	H 275	- -	138	292
Income tax rate reduced	H 377	386	312	317
New employees, income tax credit	H 275	- -	138	292
New employees, income tax credit	H 387	- -	326	- -
New employees, income tax credit, 2001 only	H 377	386	312	317
Private venture capital, income tax credit	H 275	- -	138	292
Shareholders, voting by proxy, acceptable means	H 133	62	117	223
Tax credit, charitable contributions, limit increased	H 80	370	160	318
CORRECTIONS				
Board, rule-making authority, private prison licensing	S 1120	335	101	156
Board, specify training, authority	H 17	16	48	82
Department records, exemptions from disclosure	H 18	180	160	248
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	S 1226	210	183	215

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
CORRECTIONS (Continued)				
Department, appropriation amended	H 318	118	163	239
Department, appropriation, substance abuse treatment programs	S 1257	362	233	266
Juvenile detention/probation training academy fee	H 20	15	48	82
Juvenile, Department, appropriation	S 1244	379	202	228
Juvenile, Department, appropriation, additional	H 93	5	68	97
Juveniles, funds distribution/reporting requirements	H 21	14	48	82
Prison incarceration options, legislative study committee	HCR 23	- -	214	- -
Prisoner records, no access, former custodial agency	H 62	48	68	194
Prisoner records, no disclosure to other prisoners	H 62	48	68	194
Prisoners, propelling bodily fluid prohibited	H 61	33	68	152
COSMETOLOGY				
Electrologists/cosmetologists, licenses	H 29	134	160	261
Instructor/school license requirements amended	H 29	134	160	261
COUNSELING AND COUNSELORS				
License requirement, good moral character	H 14	83	156	242
Marriage/family therapist, license required	S 1039	71	59	133
COUNTIES				
Absentee ballot applications, when due	H 207	- -	199	- -
Absentee ballots, add to precinct returns	H 207	- -	199	- -
Accommodate amateur radio use, emergencies	H 232	316	199	270
Ada, location, principal offices, executive agencies	H 128	183	147	238
Attorney services, needy person, reimbursement	S 1053	287	67	132
Auditor, new construction roll, electricity property	H 310	- -	271	- -
Blaine and Minidoka boundaries redesignated	S 1232	- -	186	- -
Building restrictions, state property, exemption	H 365	259	234	290
Commissioners, authority, provide water/sewer services	H 209	184	169	261
Commissioners, coordinate, U.S. land purchase	H 280	372	169	299
Community guardian board member appointed, commissioners	H 134	97	131	236
Confined animal feeding operation, site suitability	H 211	381	226	293
Dairy farms, animal units, annual report	S 1144	- -	109	217
Domestic septage districts authorized	H 257	175	150	258
Election ballots and tally books, temporary records	H 146	99	131	236
Elections, duplicate registration card deleted	H 146	99	131	236
Highway solicitations, local authorization, one year	S 1199	392	172	247/328
Housing authority commissioners, members, terms	H 352	257	226	289
Housing authority, powers, project loans, liens	H 351	260	226	289
Jails, prisoner medical visit, $5 fee	H 64	50	68	195
Jury selection, definitions, terms corrected	S 1010	28	36	72
Liquor license revocation hearing, venue	H 101	95	118	236
Livestock, nutrient management plans, waste recipients	S 1040	387	62	228
Manufactured home installation permit, Idaho standard	H 131	96	169	243
Offenses on/near county lines, proper venue	S 1047	121	63	122
Option, table/dessert wine sales	S 1068	- -	79	157
Public Employee Retirement System of Idaho, admission, costs waiver	H 40	- -	91	- -
Plats, weed management, acknowledgment certificate	S 1042	- -	62	173
Property over $5,000, sales, highway districts	S 1105	333	95	217
Property transfer certificates, filing, exempt record	S 1154	- -	111	- -
Public right-of-way, abandonment, exclusive procedure	H 268	- -	150	- -
Public right-of-way, records not constructive notice	S 1254	- -	225	293
Public right-of-way, temporary restrictions authorized	H 268	- -	150	- -
Qualified investment, incentive income tax credit	H 377	386	312	317
Recreation districts, maximum tax rate	S 1200	- -	173	255
Self-funded health plans, exempt from registration	H 327	308	214	295
Subdivisions, county/city definitions	S 1198	- -	172	- -

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
COURTS				
See also APPELLATE; JUDGES; JUDICIAL				
Abortion, minors, no self-incrimination	H 340	277	199	269
Adverse possession, prevailing party, attorney fees	S 1159	- -	111	170
Appellate Public Defender, 2000 appropriation reduced	S 1238	340	198	222
Assaults on sports officials, encourage prosecutions	HCR 32	(A)	220	265
Child Protective Act amended	H 185	107	160	248
Coordinated family court services plan	S 1172	338	130	179
Crime accessory, definition, jury term corrected	S 1012	119	37	79
Criminal physical evidence, return provision deleted	H 290	142	155	241
Defendant, felony & misdemeanor, when dismissed	S 1008	23	36	72
Discovery procedures, public records, not supplement	H 151	101	178	249
Dishonored check fees, small claims only	S 1007	22	36	72
Drug court program authorized	S 1171	337	130	175
Electric suppliers, unfair competition immunity	H 142	29	124	152
Garnishment-exempt, college savings program funds	S 1118	288	100	143
Guardian Ad Litem Fund, appropriation	S 1206	229	177	204
Judges, salaries increased	S 1191	309	163	193
Jury selection, definitions, terms corrected	S 1010	28	36	72
Jury, petit jury corrected to trial jury	S 1011	120	36	72
Juvenile detention/probation training academy fee	H 20	15	48	82
Magistrate judges, campaign contributions report	S 1164	291	115	216
Municipal electric system, unfair charges, recourse	H 142	29	124	152
Post-conviction proceedings, needy person, attorney	H 183	160	140	236
Public defender duties, post-conviction relief	S 1044	- -	62	- -
Rape, no statute of limitations	H 290	142	155	241
Search warrant, void after 14 days	H 182	201	140	236
Sex offender register, aggravated offense not exempt	S 1170	194	130	175
Small claims, judgment collection, attorney's fees	H 184	161	183	257
Supreme Court, 2000 appropriation reduced	S 1238	340	198	222
Supreme Court, appropriation	S 1206	229	177	204
Supreme Court, appropriation, additional	S 1267	345	317	320
Supreme Court, appropriation, additional	S 1266	313	316	319
Supreme Court, appropriation, additional	S 1265	344	316	319
Trial court petition, postconviction DNA test	H 242	317	254	304
Uniform Foreign-Money Claims Act	S 1022	329	45	97
Unlawful detainer, illegal controlled substances	S 1119	203	100	150
Venue, offenses committed on/near county lines	S 1047	121	63	122
Violent sexual predator designation, challenges	H 181	200	138	236
Water Resources Department action, proper venue	H 114	31	79	131
CRAIG, HONORABLE LARRY				
Senator, U. S. Senate, Visit (February 23, 2001)			147	
CRAPO, HONORABLE MIKE				
Senator, U. S. Senate, Visit (February 21, 2001)			136	
CREDIT AND CREDITORS				
See DEBTORS AND CREDITORS				
CRIME				
See CRIMINAL OFFENSES & PROCEDURES				
CRIMINAL OFFENSES & PROCEDURES				
Accessories, definition, jury term corrected	S 1012	119	37	79
Assault, police officer, official status, 5 years	H 65	181	131	239
Assaults on sports officials, encourage prosecutions	HCR 32	(A)	220	265
Attorney services, needy person, reimburse county	S 1053	287	67	132
Auto dealer, failure to satisfy liens, misdemeanor	S 1100	190	95	151
Boating safety violations, certain penalties reduced	H 180	159	199	259
Bomb possession, felony, penalties	H 321	256	234	287

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
CRIMINAL OFFENSES & PROCEDURES (Continued)				
Civil rights prosecution, religion not a defense	S 1002	- -	33	- -
Court-martial trial, demand by officer	H 147	153	117	260
Defendant, felony & misdemeanor, when dismissed	S 1008	23	36	72
Drug court program authorized	S 1171	337	130	175
Fines, 10%, peace officer training fund	H 345	179	183	257
Flooding highways, when liable, penalties reduced	S 1140	289	108	194
Forcible sexual penetration, incapable victim	H 350	- -	246	- -
Gambling, games excepted, clarification	S 1233	- -	186	- -
Idaho military members, arrest procedures	H 147	153	117	260
Lottery tickets, theft, felony	S 1194	196	163	200
Offenses, on/near county lines, proper venue	S 1047	121	63	122
Physical evidence, return provision deleted	H 290	142	155	241
Post-conviction proceedings, needy person, attorney	H 183	160	140	236
Prisoners, propelling bodily fluid prohibited	H 61	33	68	152
Public defender duties, post-conviction relief	S 1044	- -	62	- -
Rape, no statute of limitations	H 290	142	155	241
Search warrant, void after 14 days	H 182	201	140	236
Sex offender register, aggravated offense not exempt	S 1170	194	130	175
Sex offender registry, public internet access	S 1192	195	163	194
Sexual assault investigations, peace officer training	H 249	143	155	241
Sexual assault, exam costs, compensation account	H 247	144	155	248
Theft, punishment, technical corrections	H 244	112	147	239
Transporting child in vessel, under influence	H 63	49	91	195
Trial court petition, postconviction DNA test	H 242	317	254	304
Vehicular manslaughter, penalties increased	S 1176	- -	140	192
Violent sexual predator designation, challenges	H 181	200	138	236
Violent sexual predator designation, when served	S 1043	286	62	193
CRIMINALS				
See CRIMINAL OFFENSES & PROCEDURES				
CROPS				
See AGRICULTURE				

-D-

DAY CARE				
Smoking, prohibited when child present	S 1169	- -	121	186
DEAF				
Idaho School for Deaf and Blind, appropriation	S 1247	266	213	235
DEATH				
Homestead/family allowance, exempt property	S 1253	294	225	254
Human remains, disposal, authorized decisionmakers	S 1059	263	68	132
Natural Death Act, terminology corrected	S 1009	27	36	72
Police officers killed on duty, family death benefits	H 246	318	183	267
Traffic accident memorials, consent, next of kin	S 1137	45	108	157
DEBTORS AND CREDITORS				
Annuity benefits, execution-exempt portion increased	S 1032	285	55	86
College savings program funds, garnishment exempt	S 1118	288	100	143
Dishonored check fees, small claims court only	S 1007	22	36	72
Loan finance charge, maximum rate	S 1080	- -	85	- -
Partnership assets, assignees continuing business	S 1052	63	67	133
Real property, one year redemption period	S 1153	193	110	148
Retirement, spouse's community property interest	S 1118	288	100	143
Small claims, judgment collection, attorney's fees	H 184	161	183	257
Structured settlements, transfers, UCC applicability	H 237	299	146	229
UCC, new secured transactions chapter	H 205	208	146	229

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
DEPARTMENT OF AGRICULTURE				
See AGRICULTURE, DEPARTMENT OF				
DEPARTMENT OF HEALTH AND WELFARE				
See HEALTH AND WELFARE, DEPARTMENT OF				
DISABLED				
Abuse, Aging Commission, disclosures to police	H 8	79	127	235
Aged/Disabled Waiver, research modifications	SCR 110	(A)	106	154
Community guardian board member appointed, commissioners	H 134	97	131	236
Dependent care, gainful employment, tax credit	H 275	- -	138	292
Disability, definition, parental circumstances	S 1073	- -	84	133
Driver's license, permanent disability notation	S 1077	332	85	216
Health & Welfare Department, appropriation	S 1212	- -	178	205
Honorably discharged veterans, government employment	H 322	214	178	259
Household dependents, tax deduction/payment increased	H 275	- -	138	292
Parental fitness, adaptive equipment considered	S 1074	- -	84	134
Parking privileges, requirements, violations, penalties	S 1102	- -	95	- -
Person, Fish & Game license, Railroad Board definition	H 177	158	138	258
Property tax relief, eligible claimants, requirements	H 150	69	131	223
Property tax, income, funeral expenses deducted	H 299	325	203	318
Unemployment rate, legislative study committee	HCR 19	- -	121	- -
Veterans, fee waiver, Parks & Recreation Board	S 1162	43	115	148
Workers, Medicaid buy-in program, develop	SCR 108	(A)	105	117
DISCLOSURE, CONFLICTS OF INTEREST				
See also VOTING, EXCUSED FROM				
H 256, as amended, Senator Lodge			268	
DISEASES				
Bovine Spongiform Encephalopathy, import moratorium	SJM 107	(A)	251	274
Breast/cervical cancer treatment, payment	S 1168	205	121	179
Cervidae wasting disease, program supervision	S 1128	- -	102	- -
Foot and Mouth disease, support import moratorium	SJM 109	(A)	251	274
Hepatitis, tuberculosis, occupational diseases	H 225	212	183	262
Prostate cancer awareness month, September	HCR 5	(A)	48	62
DISSENTING REPORT				
Dissenting Reasons and Conclusions Reports				
John E. Burns: Idaho Fish and Game Commission				
[Pursuant to Senate Rule 21(B), Senator Stennett]			50	
DISTRICT COURT				
See COURTS				
DISTRICTS				
See also SCHOOL DISTRICTS; PORT DISTRICTS				
Auditorium, elections, campaign contribution reports	S 1179	- -	140	- -
Auditorium, taxes, elections, campaign reporting	H 353	258	214	269
Domestic septage, authorized	H 257	175	150	258
Fire protection commissioners, member terms	H 193	109	150	240
Highway, commissioner elections, alternative terms	S 1107	- -	96	306
Highway, commissioner powers not superseded	S 1104	- -	95	216
Highway, commissioner salary increased	S 1078	44	85	134
Highway, dissolution, election procedures, effect	S 1109	- -	96	- -
Highway, equipment purchase, public auction	S 1103	- -	95	- -
Highway, property over $5,000, sale procedures	S 1105	333	95	217
Highway, publish ordinance summaries	S 1106	334	96	263
Historic, restrictions, exemption, state property	H 365	259	234	290
Irrigation, annexation order, where to record	S 1004	- -	36	- -
Irrigation, boundary change order, where filed	S 1121	192	102	148
Library, capital improvement reserve funds authorized	S 1155	- -	111	151
Recreation, maximum tax rate	H 382	375	326	328
Recreation, petition, maximum tax rate	S 1200	- -	173	255
Taxing, sales tax distributions	H 119	55	117	196
Water management, expenses, maximum, voter approval	H 221	169	173	256
Water, revenue bonds, public/private sale	S 1158	264	111	217

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
DISTURBANCE IN GALLERY AND CHAMBERS (February 19, 2001)			125	
DIVISION OF FINANCIAL MANAGEMENT				
Whitlock, Brian: Administrator				
Appointed by Governor Kempthorne/to State Affairs			40	
Committee Report			49	
Confirmed by Senate				51
DIVORCE				
See DOMESTIC RELATIONS				
DOCTORS				
See PHYSICIANS AND SURGEONS				
DOMESTIC RELATIONS				
Child custody, factors to be considered	S 1073	- -	84	133
Community/separate property, income characterization	S 1030	- -	55	- -
Coordinated family court services plan	S 1172	338	130	179
Inheritance, intestate, spouse/child/parent, shares	S 1033	330	55	86
Marriage/family therapist, license required	S 1039	71	59	133
DRIVERS				
Disabled parking privileges, violations, penalties	S 1102	- -	95	- -
Financial responsibility proof, insurance only	S 1017	74	43	133
License fees increased	H 47	347	178	255
License fees increased, emergency medical services	S 1095	- -	94	134
License fees, distribution, emergency medical services	H 47	347	178	255
License plates, special, Capitol Commission	S 1075	281	84	133
License, eligibility, reinstatement, other jurisdictions	H 215	168	131	259
License, notation, driver's permanent disability	S 1077	332	85	216
License, suspension, financial responsibility, 3 years	S 1017	74	43	133
Over 55 years, 10% discount, auto insurance	S 1093	- -	94	- -
Safety restraints required, all vehicle occupants	S 1094	- -	94	217
Safety restraints use, driver's responsibility	S 1094	- -	94	217
School speed zones, violations, penalties	S 1089	- -	91	174
Seasonal licenses, certain agricultural employees	S 1017	74	43	133
Vehicular manslaughter, penalties increased	S 1176	- -	140	192
Vessels, operating under influence, arrest authority	H 245	113	169	249
DROUGHTS				
Water rights/uses, temporary changes allowed	S 1003	- -	36	- -
DRUGS				
See CONTROLLED SUBSTANCES				

-E-

EASEMENTS				
Public right-of-way, records not constructive notice	S 1254	- -	225	293
Public, abandonment, exclusive procedure	H 268	- -	150	- -
Public, temporary restrictions by commissioners	H 268	- -	150	- -
EASTERN IDAHO TECHNICAL COLLEGE				
See COLLEGES AND UNIVERSITIES				
ECONOMIC DEVELOPMENT				
Port districts, industrial/economic development powers	S 1069	189	79	152
Rail service preservation program, plan	H 269	348	186	293

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
EDUCATION				
See also COLLEGES AND UNIVERSITIES; VOCATIONAL EDUCATION				
Achievement standards, hindrances, legislative study	SCR 106	- -	98	117
Board, 2000 appropriations reduced	S 1238	340	198	222
Board, appropriation, additional	S 1221	310	182	210
Board, appropriation, additional, endowment land exchange	S 1269	364	317	320
Board, appropriation, additional, Historical Society	H 178	59	121	195
Board, appropriation, additional, Idaho Promise Scholarship	S 1034	17	55	69
Board, appropriation, colleges and universities	H 330	314	265	295
Board, appropriation, community college support	S 1196	391	172	200
Board, appropriation, health education programs	S 1222	237	182	210
Board, appropriation, Historical Society	S 1248	293	213	235
Board, appropriation, Idaho School for Deaf and Blind	S 1247	266	213	235
Board, appropriation, Public Broadcasting System	S 1228	306	183	215
Board, appropriation, special programs	S 1223	311	182	214
Board, appropriation, State Library Board	S 1246	265	213	235
Board, appropriation, teacher training	S 1261	341	287	303
Board, appropriation, Vocational Rehabilitation Division	S 1243	312	202	227
Board, disapproval of school charter revision, appeal	S 1132	65	107	174
Board, endowment lands, property exchange	H 348	351	199	304
Board, monitor PBS programming, repealed	S 1001	- -	20	- -
Board, review, charter school effectiveness	S 1038	188	59	169
Board, rules, publish, school report, unsafe conditions	S 1110	- -	100	156
Character, public schools, George Washington	HCR 1	(A)	147	185
Charter schools, use virtual distance/on-line learning	H 317	302	169	255
Community colleges, legislative study committee	HCR 34	- -	292	- -
Corrections Board, authority, specify training	H 17	16	48	82
Department, advance payments to charter schools, when	H 278	114	183	243
Department, appropriation	H 376	320	298	305
Department, appropriation, additional	H 125	25	79	121
Department, school librarian program, funding	S 1135	- -	108	- -
Individualized computer instruction, ongoing	H 316	255	186	270
Limited-English proficiency early intervention program	S 1195	- -	168	221
Prekindergarten programs, funding support	S 1027	- -	48	- -
Prekindergarten readiness programs, reimbursement	S 1117	- -	100	174
Prekindergarten, minimum school age 3 years	S 1027	- -	48	- -
Prekindergarten, minimum school age 3 years	S 1028	- -	48	194
Professional-Technical Education, appropriation	S 1227	360	183	215
Reading assessments, report/evaluation/intervention	S 1116	390	100	228
School facility support fund, payments, purposes	S 1070	- -	83	197
School readiness, legislative study committee	SCR 107	- -	104	117
Sex, schools, abstinence only safe method	H 277	- -	214	- -
Sex, schools, content determined locally	H 277	- -	214	- -
State achievement standards, certain rules rejected	HCR 27	(A)	160	186
Summer school, juvenile detention pupils, funding	H 292	252	186	269
EDUCATION, STATE BOARD OF				
Manning, General Darrell V.: Member				
Appointed by Governor Kempthorne/to Education			30	
Committee Report			54	
Confirmed by Senate				57
Hall, Blake: Member				
Appointed by Governor Kempthorne/to Education			30	
Committee Report			54	
Confirmed by Senate				59

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
ELDERLY				
See SENIOR CITIZENS				
ELECTION, ATTACHES				
See ATTACHES, ELECTION OF				
See also INDEX SECTION III				
ELECTION, CERTIFICATE OF				
See also SUBSTITUTE SENATORS				
Senators			1	
Senators, Extraordinary Session			6	
ELECTION, SENATE OFFICERS				
Robert L. Geddes, President Pro Tempore (December 7, 2000)			1	
Jeannine Wood, Secretary of the Senate (December 7, 2000)			1	
ELECTIONS				
Absentee ballot applications, when due	H 207	- -	199	- -
Absentee ballots, add to precinct returns	H 207	- -	199	- -
Auditorium district, campaign contribution reports	S 1179	- -	140	- -
Auditorium district, campaign contribution reports	H 353	258	214	269
County records, temporary, ballots, tally books	H 146	99	131	236
County, precinct committeeman office, separate ballot	H 206	272	163	248
Duplicate registration card deleted	H 146	99	131	236
Electoral college system, remain unchanged	HJM 1	(A)	127	146
Fire protection commissioners, member terms	H 193	109	150	240
Highway district commissioners, alternative terms	S 1107	- -	96	306
Highway district dissolutions, procedures, effect	S 1109	- -	96	- -
Persuasive poll, advocate election or defeat	H 175	106	163	241
Presidential electors, vote, candidates, most votes	H 346	- -	199	- -
Recreation districts, maximum tax rate	H 382	375	326	328
Recreation districts, maximum tax rate	S 1200	- -	173	255
School districts, incur debt, 60% assent required	SJR 101	- -	104	157
School trustee zone boundaries, county precincts	H 190	- -	160	- -
School trustee zone changes, voter approval deleted	H 191	163	160	263
School trustees/maintenance levies, dates	H 189	- -	160	- -
Voter registration, absent electors' polling place	H 146	99	131	236
Voting machines, certification standards, documentation	H 206	272	163	248
Write-in candidate names, must be written	H 206	272	163	248
ELECTRIC POWER				
Electric utility restructuring consultant, appropriation	H 54	91	58	240
Electric utility restructuring, legislative study committee	HCR 2	(A)	48	57
Electricity generation, new construction property roll	H 310	- -	271	- -
Energy cost recovery bonds, issuance, application	S 1255	380	226	266
Idaho Electricity Authority established	S 1249	- -	213	- -
Suppliers, active supervision by Public Utilities Commission	H 142	29	124	152
ELECTRICITY AND ELECTRICIANS				
Residential wireman, license requirements	H 291	- -	220	- -
Specialty electrical contractor, license requirements	H 291	- -	220	- -
ELECTRONIC TECHNOLOGY				
Architect seal, electronic documents, application	H 32	88	117	250
Electronic commerce/technology, legislative study committee	HCR 31	(A)	199	313
Electronic funds transfer, income tax, not required	H 148	100	150	250
Electronic transmission tax, legislative study committee	HCR 9	- -	121	- -
Sex offender registry, public internet access	S 1192	195	163	194
State purchasing/bidding requirements amended	S 1025	36	46	81
Students, individualized instruction, credits	H 316	255	186	270
EMERGENCIES				
Emergency Management Assistance Compact	H 49	140	117	260
Medical services account, increase driver fees	S 1095	- -	94	134
Medical services, enforcement, Attorney General	H 198	110	169	241

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
EMERGENCY FUND, GOVERNOR'S				
Letter from Governor Dirk Kempthorne			20	
EMINENT DOMAIN				
Highway use, Transportation Department, rules of procedure	S 1076	- -	84	- -
Private property rights affected, federal policy	HJM 6	(A)	131	159
EMPLOYEES, SENATE				
Compensation	SR 101	(A)	41	42
Election and Oath of Office			19	19
List of			19	
Additional			37/69	
List of (2nd Term Pages)			137	
EMPLOYERS AND EMPLOYEES				
Agricultural laborers, minimum wage, specific exemptions	H 71	70	86	178
Agricultural, minimum wage, piece rate, records	S 1029	- -	48	- -
Brand Board employees, classified employees	S 1046	38	63	92
Brand inspector/supervisors, nonclassified employees	S 1046	38	63	92
Employee withholding, refund limitations amended	H 120	56	117	196
Employer withholding tax, monthly thresholds deleted	H 357	- -	246	- -
Firefighters, pension options, contributions	H 371	327	292	304
Government, disabled veterans, honorably discharged	H 322	214	178	259
Government, tort claims arising before retirement	S 1231	- -	186	- -
Lottery winnings, refund limitations amended	H 120	56	117	196
Maternity benefits discontinued, ongoing pregnancy	S 1087	- -	91	- -
New employees, all businesses, 2001 only, tax credit	H 377	386	312	317
New employees, income tax credit	H 387	- -	326	- -
New employees, income tax credit	H 275	- -	138	292
New natural resource employees, tax credit after 2001	H 377	386	312	317
Public Employee Retirement System, payment commutation level	H 41	138	104	261
Public Employee Retirement System, records, information to (ex)spouses	H 39	90	91	242
Public Employee Retirement System, employee contribution, refund, when	H 41	138	104	261
Public Employee Retirement System, supplemental plan, contributions	H 38	89	91	242
Police officers killed on duty, family death benefits	H 246	318	183	267
Public Utilities Commission, employ pipeline safety specialist	H 188	108	147	239
Public works projects, 15% Idaho apprentices	S 1126	- -	102	- -
Railroad employees on trains, minimum number	S 1108	- -	96	- -
State employee meal allowance, IRS maximum	H 36	13	68	93
State employees, salary increase	HCR 12	- -	104	- -
State government, criminal investigator training	S 1081	- -	85	- -
State, employee appeal, choose representation	S 1084	- -	86	- -
Teacher evaluation criteria added	S 1061	- -	74	169
Teachers, full-time contracts, minimum/maximum days	S 1115	- -	100	- -
Unemployment, disabled persons, legislative study com	HCR 19	- -	121	- -
EMPLOYMENT SECURITY LAW				
Department request, separation information, deadline deleted	S 1020	37	44	69
Federal advance interest tax, levy, discretionary	S 1021	32	44	97
Reed Act distributions, requirements extended	S 1021	32	44	97
Taxable wage rates, year 2002, schedule II	S 1019	18	44	56
Unemployment benefits, additional, winter, lights/heat	S 1125	- -	102	- -
Unemployment benefits, separation info, no deadline	S 1020	37	44	69
Workforce development training, tax extended	S 1018	19	44	56
ENDOWMENT FUND INVESTMENT BOARD				
Buffington, M. Dean: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			297	
Committee Report			309	
Confirmed by Senate				310

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
ENDOWMENT FUND INVESTMENT BOARD (Continued)				
Gee, Gavin: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120
Hallett, Dr. Nick: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120
Taylor, R. John: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			149	
Confirmed by Senate				154
ENERGY				
See also ELECTRIC POWER				
Savings performance contracts, public buildings	H 251	213	163	255
ENGINEERS				
Business entity, organizational filing, Board approval	H 24	247	138	268/271
Nonfinal documents to be clearly marked	H 24	247	138	268/271
Professional Board, appropriation	H 82	8	63	81
Professional services, exempt, state bidding process	H 231	(V)	186	302
ENVIRONMENT				
Basin Environmental Improvement Act	H 256	371	226	268
Carbon sequestration, advisory committee, powers/duties	S 1064	- -	78	194
Catastrophic wildfires, preventive strategy requested	SJM 104	(A)	88	115
Clean Water Act programs, investigate primacy	SCR 111	- -	106	- -
Comprehensive water plan, Dworshak operation, approved	S 1055	124	67	147
Confined animal feeding operation, site suitability	H 211	381	226	293
Confined animal feeding operations, plan approval	S 1148	- -	109	165
Dairy farms, valid water permit required	S 1066	- -	78	- -
Environmental Quality Department, 2000 appropriation reduced	S 1238	340	198	222
Environmental Quality Department, appropriation	S 1245	361	202	227
Federal lands, Idaho management, pilot projects	SJM 105	(A)	106	136
Livestock waste, dairy farm, disclose contracts	S 1065	- -	78	- -
Natural resources, legislative study committee	HCR 6	(A)	52	57
Outstanding resource waters, designation procedures	S 1088	- -	91	- -
Owyhee Canyonlands national monument, oppose	SJM 102	(A)	75	90
Radioactive waste, disposal, fees, rules	H 192	297	226	295
Responsible agency, change references, new DEQ	H 164	103	127	235
Roadless area regulations, request moratorium	SJM 103	(A)	87	114
St. Maries, support creosote cleanup	HCR 24	(A)	150	233
Swine/poultry facilities, construction, regulation	H 339	350	178	288
ENVIRONMENTAL QUALITY, BOARD OF				
Agidius, Paul C.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			29	
Committee Report			70	
Confirmed by Senate				73
Calabretta, Marti A.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
Chisholm, Donald A.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
ENVIRONMENTAL QUALITY, BOARD OF (Continued)				
Cloonan, Joan M.: Member				
Appointed by Governor Kempthorne/to Resources & Environment . .			28	
Committee Report			70	
Confirmed by Senate				74
McLaughlin, Marguerite P.: Member				
Appointed by Governor Kempthorne/to Resources & Environment . .			28	
Committee Report			70	
Confirmed by Senate				74
MacMillan, Dr. Randy J.: Member				
Appointed by Governor Kempthorne/to Resources & Environment . .			28	
Committee Report			113	
Confirmed by Senate				120
Purdy, Nick: Member				
Appointed by Governor Kempthorne/to Resources & Environment . .			27	
Committee Report			70	
Confirmed by Senate				74
ENVIRONMENTAL QUALITY, DEPARTMENT OF				
Allred, Stephen: Director				
Appointed by Governor Kempthorne/to Resources & Environment . .			27	
Committee Report			70	
Confirmed by Senate				73
ESTATES				
Beneficiary property, capital gains, holding period	H 110	321	104	317
Homestead/family allowance, exempt property	S 1253	294	225	254
Homestead/family allowance, exempt property, increase	S 1062	- -	74	- -
Intestate succession, spouse/child/parent, shares	S 1033	330	55	86
Tax apportionment, absent instrument to contrary	S 1031	262	55	86
Uniform Principal & Income Act (new)	S 1023	261	46	121
EXAMINERS, STATE BOARD OF				
Appropriation, additional	S 1175	215	140	166
State employee meal allowance, IRS maximum	H 36	13	68	93
EXCUSED FROM VOTING				
H 256, as amended: Senator Lodge			268	268
H 309: Senators requested to be excused (March 22, 2001)				
Pursuant to Senate Rule 39(A) and				
Mason's Manual Sections 521 & 522:				
Senator Danielson			288	
Senator Keough			288	
Senator Sorensen			288	
Senator Schroeder			288	
Senator Lodge			288	
Senator Sims			288	
Senator Dunklin			288	
Senator Stennett			289	
Senator Whitworth			289	
Senator Boatright			289	
Senator Deide			289	
Senator Goedde			289	
EXTRAORDINARY SESSION				
Friday, December 8, 2000, convened at 10 a.m.			5	

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
-F-				
FARMS AND FARMING				
See AGRICULTURE				
FEES				
Attorney, award, county equalization board appeal	S 1049	- -	63	- -
Attorney, postjudgment, collecting small claims	H 184	161	183	257
Attorney, prevailing party, adverse possession	S 1159	- -	111	170
Crematory license, increased	H 30	135	118	256
Development impact, exemption, public schools	S 1099	- -	95	- -
Driver's license, increased, emergency medical services	S 1095	- -	94	134
Insurance Department, arson account, annual continuation fee	H 25	85	168	248
Juvenile detention/probation training academy	H 20	15	48	82
Medical visit, $5, nonindigent prisoners	H 64	50	68	195
Morticians/funeral homes/directors license, increase	H 33	136	160	257
Motor vehicle trip permits, increased	H 270	176	163	256
Nursing home administrators, license fee increase	H 5	77	150	237
Parks/Recreation, waiver, disabled veterans	S 1162	43	115	148
Podiatrists, license fee increased	H 15	26	79	124
Private ponds, permit fee deleted	S 1056	125	68	192
Public utility franchise, maximum increase	S 1201	- -	173	- -
Radioactive waste, disposal, fees, rules	H 192	297	226	295
Real estate license, fee increase	S 1050	122	64	132
Residential wireman license	H 291	- -	220	- -
Social work, license fee increase	H 7	78	160	248
Vehicles 8,001-60,000 lbs, registration fees amended	S 1173	- -	130	187
Vehicles over 60,000 lbs, quarterly registration fees	H 364	353	266	311
Vehicles, excess weight, temporary permits, penalties	H 369	355	298	311
FINANCE				
Attorney General, legal services, fees	H 218	61	131	196
Bank holding company exam cost assessment	H 34	137	140	259
Business development corp, audit reports	H 26	86	140	243
Business development corp, out-of-state offices	H 26	86	140	243
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	H 334	274	265	302
Department, approval, financial holding company	H 34	137	140	259
Financial Management Division, appropriation	H 335	275	271	302
FINES				
10%, deposit, peace officer training fund	H 345	179	183	257
Boating safety violations, certain penalties reduced	H 180	159	199	259
Domestic Cervidae, violations, civil penalties	S 1143	128	109	151
Failure to wear safety restraint, fine increased	S 1094	- -	94	217
Fertilizer act, violations, fine increased	H 75	147	131	258
Quarantine laws, violations, penalty increased	H 76	148	131	257
School speed zones, violations, penalties	S 1089	- -	91	174
Tobacco sales, minors, penalties reduced	S 1048	39	63	131
Tobacco sales, minors, penalties reduced	S 1035	- -	55	- -
Vehicular manslaughter, penalties increased	S 1176	- -	140	192
FIRE AND FIREFIGHTERS				
Catastrophic wildfires, preventive strategy requested	SJM 104	(A)	88	115
Fire and wildlife management, collaboration needed	HJM 8	(A)	169	220
Fire protection commissioners, member terms	H 193	109	150	240
Fire Suppression Deficiency Fund, appropriation	H 69	10	58	80
Firefighter retirement, pension options, contributions	H 371	327	292	304

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
FISCHER, BRYAN				
Chaplain, Community Church of the Valley, Boise			18	
FISH AND GAME				
Big game depredation claims, deductible waiver	H 224	172	155	249
Bighorn sheep tags, proceeds distribution	H 222	170	173	261
Craters of the Moon monument area, support hunting	HJM 4	(A)	155	177
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	S 1237	292	198	222
Emergency season, affected landowner, free tags	H 223	171	155	249
Fire and wildlife management, collaboration needed	HJM 8	(A)	169	220
Game tag, senior license, age restriction deleted	H 42	139	63	261
Licenses, disabled person, Railroad Board definition	H 177	158	138	258
Nursing home facility fishing permit	H 43	206	63	249
Outfitters, nonresident licensees, report deleted	H 176	271	121	229
Private ponds, permit fee deleted	S 1056	125	68	192
Wildlife import/export, permits, fees, exceptions	S 1149	- -	110	- -
Wolves, remove from Idaho	HJM 5	(A)	183	322
FISH AND GAME COMMISSION				
Burns, John E.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			32	
Committee Report			50	
Dissenting Reasons/Conclusions Report from Minority Member [Pursuant to Senate Rule 21(B), Senator Stennett]			50	
Confirmed by Senate				53
Wood, Dr. Frederick L., III: Member				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			51	
Confirmed by Senate				53
FISHING				
See FISH AND GAME				
FLAG CEREMONY				
Presentation of Senate flag to Idaho National Guard Honor Guard			9	
Idaho National Guard Honor Guard lowering flag at *Sine Die:*				
Presentation to President of the Senate, Jack Riggs			331	
"Here We Have Idaho," performed by Bob Keenan			9	
FOOD				
Agriculture Department, develop services, sanitation/safety	H 73	146	127	256
Cattle, beef/feed imports, support moratorium	SJM 107	(A)	251	274
Disparagement, impugns product safety	S 1005	20	36	69
Grocery tax credit increased	H 377	386	312	317
Importing meat products, standards, labeling	SJM 108	(A)	251	274
Organic certified producers, annual list, distribution	S 1142	75	109	194
Organic food advisory council, membership amended	S 1142	75	109	194
FORESTS AND FORESTRY				
See also LOGGING AND LUMBER				
Catastrophic wildfires, preventive strategy requested	SJM 104	(A)	88	115
FUCHS, DANIEL				
Appointment, Member, Health & Welfare, Board Of				
Appointed by Governor Kempthorne/to Health & Welfare			30	
Committee Report			119	
Confirmed by Senate				124
FUELS				
Carrier, Tax Commission may require reports	H 167	104	127	240
Fuel tax exemption, special user vehicles	H 167	104	127	240
Fuel tax exemption, vehicles unlicensed for highways	H 167	104	127	240
Pipeline terminal, Tax Commission may require reports	H 167	104	127	240

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
FUNDS				
See also ENDOWMENT FUND				
See also ACCOUNTS				
Carbon Sequestration Assessment Fund created	S 1064	- -	78	194
Catastrophic Health Care Cost Fund, appropriation	S 1188	221	162	193
Commodity indemnity fund, assessments, claims	H 366	304	254	303
Comprehensive primary/preventive care fund created	S 1072	- -	84	- -
Endowment, Investment Board, appropriation, Land Commission	S 1197	224	172	203
Fire Suppression Deficiency Fund, appropriation	H 69	10	58	80
Idaho Art in Public Places Fund created	S 1082	- -	85	156
Idaho Electricity Authority Fund established	S 1249	- -	213	- -
Juvenile Corrections fund created	H 20	15	48	82
Library capital improvement reserve funds authorized	S 1155	- -	111	151
Millennium Income Fund, legislative study committee	HCR 18	- -	147	- -
Peace officer training, 10% fines deposit	H 345	179	183	257
Permanent endowment, gains, losses	H 307	254	178	269
Primary/Preventive Care Grant Fund created	S 1183	- -	155	- -
Public School Income Fund, transfer, funds	S 1070	- -	83	197
Rail Service Preservation Program Fund created	H 269	348	186	293
School facilities, annual reduction of bond levy	S 1071	- -	83	- -
School Facility Lottery Fund established	S 1131	- -	107	- -
School Facility Support Fund created	S 1070	- -	83	197
School Safety/Health Revolving Loan repealed	S 1113	- -	100	- -
School Safety/Health Revolving Loan/Grant Fund	H 315	326	178	295
State aeronautics fund, interest earned	H 67	94	68	240
State general fund budget limit increased	H 282	(V)	220	305
Tax Relief Fund created	H 380	- -	328	- -
Veterans Cemetery Maintenance, burial benefits	H 141	199	131	239
FUNERALS				
Authorized decisionmakers, if no prearranged plan	S 1059	263	68	132
Establishments/directors, license fee increased	H 33	136	160	257
Expenses deducted, income determination, property tax	H 299	325	203	318
Licenses, annual renewal/cancellation/reinstatement	H 33	136	160	257

-G-

GAMBLING				
See also LOTTERY				
Game exceptions, clarification	S 1233	- -	186	- -
Horse races, eight per day	S 1090	72	91	150
Horse races, previous year, live race days	S 1090	72	91	150
State-tribal gaming compacts, legislative approval	S 1178	(V)	140	192
Tribal gaming devices, compacts, ratification	S 1211	- -	177	300
GAME				
See FISH and GAME				
GAS				
See FUELS				
GEDDES, SENATOR ROBERT L.				
President Pro Tempore, Election of (December 7, 2000)			1	
GEE, GAVIN				
Appointment, Member: Endowment Fund Investment Board				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
GOVERNMENT				
Accommodate amateur radio use, emergencies	H 232	316	199	270
Adjutant general, duties, gubernatorial inauguration	H 52	248	117	270
Bond bank authority created	S 1174	130	130	179
Brand Board employees, classified employees	S 1046	38	63	92
Brand inspector/supervisors, nonclassified employees	S 1046	38	63	92
Buildings, art in public places	S 1082	- -	85	156
Certain professional services, exempt from bidding	H 231	(V)	186	302
Classified employee, appeal, choose representation	S 1084	- -	86	- -
Criminal investigator training, personnel rule	S 1081	- -	85	- -
Employment, disabled veterans, honorably discharged	H 322	214	178	259
Environmental agency, change references, new DEQ	H 164	103	127	235
Executive agencies, principal offices, Ada County	H 128	183	147	238
Highway construction bids, subcontractors not named	S 1138	- -	108	- -
Idaho Electricity Authority established	S 1249	- -	213	- -
Permanent endowment funds, accounting, gains/losses	H 307	254	178	269
Public Employee Retirement System, payment commutation level, rule	H 41	138	104	261
Public Employee Retirement System, contribution, error, refund, when	H 41	138	104	261
Public Employee Retirement System, political subdivision, waiver	H 40	- -	91	- -
Public Employee Retirement System, supplemental, voluntary	H 38	89	91	242
Property, 50 year lease, Building Authority	S 1024	34	46	69
Public works projects, 15% Idaho apprentices	S 1126	- -	102	- -
State acquisitions, open market, when	S 1025	36	46	81
State employee meal allowance, IRS maximum	H 36	13	68	93
State employees, salary increase	HCR 12	- -	104	- -
State purchasing requirements, electronic technology	S 1025	36	46	81
State, expenditure limit increased	H 282	(V)	220	305
Tribal gaming devices, compacts, ratification	S 1211	- -	177	300
U.S. land purchase, coordinate, county commissioners	H 280	372	169	299
GOVERNOR				
Appointments: See GUBERNATORIAL APPOINTMENTS See also: LIEUTENANT GOVERNOR, OFFICE OF				
Veto Messages: See VETO MESSAGES				
Budget Address; Governor Dirk Kempthorne, Message by	HCR 4	(A)	20	21
Certificate and Letter of Appointment (February 6, 2001)				
Acting Senator Judy Boyle Bartlett, District 9			77	
Oath of Office			77	
Certificate and Letter of Appointment (February 13, 2001)			114	
Acting Senator Judy Boyle Bartlett, District 9			114	
Oath of Office			114	
Certificate and Letter of Appointment (February 13, 2001)			113	
Senator Kathy Sims, District 4			113	
Oath of Office			114	
Emergency Fund, letter from Governor			20	
.. Executive agencies, principal offices, Ada County	H 128	183	147	238
Extraordinary Session, December 8, 2000, Governor's Proclamation			5	
Extraordinary Session, December 8, 2000, Governor's Message			5	
Inauguration, duties of militia adjutant general	H 52	248	117	270
Lieutenant, appropriation	H 313	117	160	238
Office of, 2000 appropriation reduced	S 1238	340	198	222
Office of, appropriation	S 1225	239	183	215
Office of, appropriation, additional, Military Division	H 66	1	53	60
Office of, appropriation, Blind/Visually Impaired Commission	S 1241	307	202	227
Office of, appropriation, Commission on Aging	S 1190	223	162	193
Office of, appropriation, Financial Management Division	H 335	275	271	302
Office of, appropriation, Human Resources Division	H 302	115	155	238

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
GOVERNOR (Continued)				
Office of, appropriation, Human Rights Commission	H 336	303	271	302
Office of, appropriation, Military Division	S 1209	232	177	205
Office of, appropriation, Public Employee Retirement System of Idaho	H 304	116	155	238
Office of, appropriation, Species Conservation Office	H 337	276	271	315
Office of, appropriation, State Liquor Dispensary	H 303	177	155	238
Office of, appropriation, Women's Commission	S 1180	216	154	191
State of the State Address; Governor Dirk Kempthorne, Message by	HCR 3	(A)	9	10
GUARDIANS				
Community board members, appointed by commissioners	H 134	97	131	236
Guardian Ad Litem Fund, appropriation	S 1206	229	177	204
GUBERNATORIAL APPOINTMENTS				
AERONAUTICS ADVISORY BOARD				
Patrick, Scott W.: Member				
Appointed by Governor Kempthorne/to Transportation			31	
Committee Report/Letter			123	
Confirmed by Senate				129
BLIND AND VISUALLY IMPAIRED, COMMISSION FOR THE				
Hand, Dave: Member				
Appointed by Governor Kempthorne/to Health & Welfare			35	
Committee Report			66	
Confirmed by Senate				71
Milhollin, Dianne S.: Member				
Appointed by Governor Kempthorne/to Health & Welfare			35	
Committee Report			66	
Confirmed by Senate				71
Ryan, David L.: Member				
Appointed by Governor Kempthorne/to Health & Welfare			36	
Committee Report			66	
Confirmed by Senate				71
BOARD OF CORRECTION				
Board, Dwight V.: Member				
Appointed by Governor Kempthorne/to Judiciary & Rules			311	
Committee Report			313	
Confirmed by Senate				314
DIVISION OF FINANCIAL MANAGEMENT				
Whitlock, Brian: Administrator				
Appointed by Governor Kempthorne/to State Affairs			40	
Committee Report			49	
Confirmed by Senate				51
EDUCATION, BOARD OF				
Manning, General Darrell V.: Member				
Appointed by Governor Kempthorne/to Education			30	
Committee Report			54	
Confirmed by Senate				57
Hall, Blake: Member				
Appointed by Governor Kempthorne/to Education			30	
Committee Report			54	
Confirmed by Senate				59
ENDOWMENT FUND INVESTMENT BOARD				
Buffington, M. Dean: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			297	
Committee Report			309	
Confirmed by Senate				310

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)				
Gee, Gavin: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120
Hallett, Dr. Nick: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120
Taylor, R. John: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			149	
Confirmed by Senate				154
ENVIRONMENTAL QUALITY, BOARD OF				
Agidius, Paul C.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			29	
Committee Report			70	
Confirmed by Senate				73
Calabretta, Marti A.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
Chisholm, Donald A.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
Cloonan, Joan M.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
McLaughlin, Marguerite P.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
MacMillan, Dr. Randy J.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			113	
Confirmed by Senate				120
Purdy, Nick: Member				
Appointed by Governor Kempthorne/to Resources & Environment			27	
Committee Report			70	
Confirmed by Senate				74
ENVIRONMENTAL QUALITY, DEPARTMENT OF				
Allred, Stephen: Director				
Appointed by Governor Kempthorne/to Resources & Environment			27	
Committee Report			70	
Confirmed by Senate				73
FISH AND GAME COMMISSION				
Burns, John E.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			32	
Committee Report			50	
Dissenting Reasons/Conclusions Report from Minority Member [Pursuant to Senate Rule 21(B), Senator Stennett]			50	
Confirmed by Senate				53
Wood, Dr. Frederick L., III: Member				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			51	
Confirmed by Senate				53

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)				
HAZARDOUS WASTE FACILITY SITING LICENSE APPLICATION REVIEW PANEL				
Kunze, Jay F.: Member				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70
Schaefer, Suzanne B: Member				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70
VonLindern, Mark P.: Member				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70
HEALTH AND WELFARE, BOARD OF				
Fuchs, Daniel: Member				
Appointed by Governor Kempthorne/to Health & Welfare			30	
Committee Report			119	
Confirmed by Senate				124
HUMAN RIGHTS COMMISSION				
Baker, Vernon: Member				
Appointed by Governor Kempthorne/to State Affairs			145	
Committee Report			245	
Confirmed by Senate				254
Twiggs, Sandra: Member				
Appointed by Governor Kempthorne/to State Affairs			77	
Committee Report			129	
Confirmed by Senate				137
IDAHO PERSONNEL COMMISSION				
Miller, Donald B.: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120
LIEUTENANT GOVERNOR, OFFICE OF				
Riggs, Jack: Lt. Governor (January 23, 2001)				
Appointed by Governor Kempthorne/to State Affairs			51	
Committee Report			55	
Confirmed by Senate				61
Confirmation Ceremony and Oath of Office			62	
NORTHWEST POWER PLANNING COUNCIL				
Kempton, Jim D.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			40	
Confirmed by Senate				43
OFFICE OF SPECIES CONSERVATION				
Caswell, Jim: Administrator				
Appointed by Governor Kempthorne/to Resources & Environment			32	
Committee Report			40	
Confirmed by Senate				45
OUTFITTERS AND GUIDES LICENSING BOARD				
Judge, Will: Member				
Appointed by Governor Kempthorne/to Resources & Environment			30	
Committee Report			162	
Confirmed by Senate				168

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)				
PARK AND RECREATION BOARD				
Lombard, Ernest J.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			128	
Confirmed by Senate				137
PUBLIC EMPLOYEES RETIREMENT SYSTEM BOARD				
Johnson, Dennis L.: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			30	
Committee Report			116	
Confirmed by Senate				120
PUBLIC UTILITIES COMMISSION				
Hansen, Dennis S.: Member				
Appointed by Governor Kempthorne/to State Affairs			42	
Committee Report			51	
Confirmed by Senate				53
SEXUAL OFFENDER'S CLASSIFICATION BOARD				
Hearn, Thomas J.: Member				
Appointed by Governor Kempthorne/to Judiciary & Rules			32	
Committee Report			50	
Confirmed by Senate				52
Sunderland, Moscelene: Member				
Appointed by Governor Kempthorne/to Judiciary & Rules			32	
Committee Report			50	
Confirmed by Senate				52
SOIL CONSERVATION COMMISSION				
Whittom, Bill: Member				
Appointed by Governor Kempthorne/to Agricultural Affairs			246	
Committee Report			315	
Confirmed by Senate				315
TAX APPEALS, BOARD OF				
Cobbs, Lyle R.: Member				
Appointed by Governor Kempthorne/to Local Government & Taxation			31	
Committee Report			61	
Confirmed by Senate				64
Kinghorn, David E., Member				
Appointed by Governor Kempthorne/to Local Government & Taxation			139	
Committee Report			253	
Confirmed by Senate				265
TAX COMMISSION, IDAHO STATE				
Haws, Severina Sam: Member				
Appointed by Governor Kempthorne/to Local Government & Taxation			33	
Committee Report			61	
Confirmed by Senate				64
Hammond, DuWayne D.: Member				
Appointed by Governor Kempthorne/to Local Government & Taxation			246	
Committee Report			264	
Confirmed by Senate				274
TRANSPORTATION, BOARD OF				
McHugh, John W.: Member				
Appointed by Governor Kempthorne/to Transportation			185	
Committee Report			264	
Confirmed by Senate				275
GUESTS				
See VISITORS				

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
-H-				
HALL, BLAKE				
Appointment, Member: Idaho State Board of Education				
Appointed by Governor Kempthorne/to Education			30	
Committee Report			54	
Confirmed by Senate				59
HALLETT, DR. NICK				
Appointment, Member: Endowment Fund Investment Board				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120
HAMMOND, DuWAYNE D.				
Appointment, Member: Tax Commission, Idaho State				
Appointed by Governor Kempthorne/to Local Government & Taxation			246	
Committee Report			264	
Confirmed by Senate				274
HAND, DAVE				
Appointment, Member: Blind and Visually Impaired, Commission for the				
Appointed by Governor Kempthorne/to Health & Welfare			35	
Committee Report			66	
Confirmed by Senate				71
HANSEN, DENNIS S.				
Appointment, Member: Public Utilities Commission				
Appointed by Governor Kempthorne/to State Affairs			42	
Committee Report			51	
Confirmed by Senate				53
HAWS, SEVERINA SAM				
Appointment, Member: Tax Commission, Idaho State				
Appointed by Governor Kempthorne/to Local Government & Taxation			33	
Committee Report			61	
Confirmed by Senate				64
HAZARDOUS SUBSTANCES				
Emergency Response Fund, appropriation	H 66	1	53	60
Radioactive waste, disposal, fees, rules	H 192	297	226	295
St. Maries, support creosote cleanup	HCR 24	(A)	150	233
HAZARDOUS WASTE FACILITY SITING LICENSE APPLICATION REVIEW PANEL				
Kunze, Jay F.: Member				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70
Schaefer, Suzanne B: Member				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70
VonLindern, Mark P.: Member				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
HEALTH				
Abortion, save woman's health, payments denied	H 309	273	178	289
Catastrophic Health Care Cost Fund, appropriation	S 1188	221	162	193
Comprehensive primary/preventive care grant program	S 1072	- -	84	- -
Education programs, appropriation, Education Board	S 1222	237	182	210
Insurance costs, income tax deduction	H 253	- -	169	- -
Insurance costs, income tax deduction	H 377	386	312	317
Long-term care insurance, income tax deduction	H 312	384	220	318
Maternity benefits continued, no replacement coverage	S 1166	129	120	174
Primary/Preventive Care Grant program established	S 1183	- -	155	- -
Prostate cancer awareness month, September	HCR 5	(A)	48	62
Public Health Services, Health & Welfare Department, appropriation	S 1215	- -	182	209
Public Health Trust Fund, 2000 appropriation reduced	S 1238	340	198	222
Public Health Trust Fund, appropriation	S 1217	233	182	209
Public, Health & Welfare Department, appropriation, additional	S 1272	366	322	324
Radioactive waste, disposal, fees, rules	H 192	297	226	295
Self-funded county plans, exempt from registration	H 327	308	214	295
Smoking, public places, where prohibited	S 1169	- -	121	186
HEALTH AND WELFARE				
Abandoned child registry, exception, safe haven	S 1147	358	109	179
Abandoned children, safe haven, emergency custody	S 1037	357	58	80
Aged/Disabled Waiver, research modifications	SCR 110	(A)	106	154
Board, rulemaking, youths 18-21, continued care	H 60	93	178	249
Comprehensive primary/preventive care grant program	S 1072	- -	84	- -
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation, additional, Independent Com/Councils	S 1271	365	322	324
Department, appropriation, additional, Indirect Support Services	S 1271	365	322	324
Department, appropriation, additional, Public Health Services	S 1215	- -	182	209
Department, appropriation, additional, Self-Reliance Programs	S 1275	369	323	325
Department, appropriation, Family/Community Services	S 1273	367	323	325
Department, appropriation, Family/Community Services	S 1212	- -	178	205
Department, appropriation, Independent Commission and Councils	S 1213	- -	178	209
Department, appropriation, Indirect Support Services	S 1213	- -	178	209
Department, appropriation, Medical Assistance Services	S 1214	- -	182	- -
Department, appropriation, Medical Assistance Services	S 1270	- -	318	321
Department, appropriation, Medical Assistance Services	S 1274	368	323	325
Department, appropriation, Self-Reliance Programs	S 1216	- -	182	209
Department, investigations, emergency medical services	H 198	110	169	241
Department, X-ray machines, regulation, licensing	H 198	110	169	241
Disabled workers, Medicaid buy-in program, develop	SCR 108	(A)	105	117
Emergency medical services, statutes redesignated	H 198	110	169	241
Environment, change references, new DEQ	H 164	103	127	235
Hard-to-place child, guardian, subsidies	H 58	92	160	240
Medical assistance, payments, breast/cervical cancer	S 1168	205	121	179
Nursing facilities, deemed status, accrediting survey	SCR 109	(A)	105	129
Prescription drugs purchases, multistate compact	HCR 26	(A)	178	213
Primary/Preventive Care Grant program established	S 1183	- -	155	- -
Substance abuse treatment programs, appropriation	S 1257	362	233	266
Tobacco programs, appropriation, Millennium Income Fund	S 1230	241	186	216
Tobacco sales to minors, penalties reduced	S 1048	39	63	131
Tobacco sales to minors, penalties reduced	S 1035	- -	55	- -
Tobacco sales, age verification requirement deleted	S 1048	39	63	131
Tobacco sales, age verification requirement deleted	S 1035	- -	55	- -
Tobacco sales, number of Department inspections	S 1048	39	63	131
Trauma care advisory committee created	S 1145	66	109	144
X-ray shoe fitting device, prohibition repealed	H 198	110	169	241

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
HEALTH AND WELFARE, STATE BOARD OF				
Fuchs, Daniel, Member				
Appointed by Governor Kempthorne/to Health & Welfare			30	
Committee Report			119	
Confirmed by Senate				124
HEARN, THOMAS J.				
Appointment, Member: Sexual Offender's Classification Board				
Appointed by Governor Kempthorne/to Judiciary & Rules			32	
Committee Report			50	
Confirmed by Senate				52
HIGHER EDUCATION				
See COLLEGES AND UNIVERSITIES				
HIGHWAYS				
Abandoned vehicles disposition, low-value, $750	S 1092	- -	94	- -
Abandoned vehicles, maximum storage costs	S 1097	- -	94	- -
Commissioners, equipment purchase, public auction	S 1103	- -	95	- -
District commissioners, alternative elections	S 1107	- -	96	306
District commissioners, powers not superseded	S 1104	- -	95	216
District commissioners, salary increased	S 1078	44	85	134
District ordinances, publish summaries	S 1106	334	96	263
District property over $5,000, sale procedures	S 1105	333	95	217
Districts, dissolution, election, procedures, effect	S 1109	- -	96	- -
Flooding highways, when liable, penalties reduced	S 1140	289	108	194
Fuel tax exemption, special user vehicles, vehicles unlicensed	H 167	104	127	240
Fuels carrier, Tax Commission may require reports	H 167	104	127	240
Highway construction bids, subcontractors not named	S 1138	- -	108	- -
Multistate Highway Transportation Agreement amended	H 216	- -	146	- -
Pipeline terminal, Tax Commission may require reports	H 167	104	127	240
Property condemnation, adopt rules, procedures	S 1076	- -	84	- -
Public right-of-way, records not constructive notice	S 1254	- -	225	293
Solicitations, local authorization, one year	S 1199	392	172	247/328
Traffic accident memorials, consent, next of kin	S 1137	45	108	157
Transportation Department, appropriation	S 1184	218	160	200
Trip permits, fees/hours increased	H 270	176	163	256
U.S. Hwy 95, Stu Dopf Memorial Highway designated	H 359	352	254	312
Vehicles over 4 axles, speed limit, weight deleted	S 1177	- -	140	187
HISTORICAL SOCIETY				
Appropriation	S 1248	293	213	235
Appropriation, additional	H 178	59	121	195
HOMES				
Housing authority commissioners, members, terms	H 352	257	226	289
Housing authority powers, project loans, liens	H 351	260	226	289
Low-income, property tax exemption	S 1160	- -	111	- -
Low-income, speculative value, tax exemption	H 320	- -	220	- -
Manufactured home installation, Idaho standard	H 131	96	169	243
Manufactured, garage/carport, zoning requirements	H 154	102	146	243
Manufactured, installer, license required	S 1130	- -	103	144
Veterans, definition, discharge, honorable conditions	H 140	198	131	239
Veterans, national guard members deleted	H 140	198	131	239
Veterans, war service not required	H 140	198	131	239
HORSE RACING				
See RACING				
HOSPITALS				
Mentally ill patients, restraints, written policy	S 1210	339	177	235
Patient treatment orders, authentication	S 1146	67	109	147
Reimbursement, skilled care, Medicare costs	H 10	68	127	218

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
HUMAN RIGHTS				
Commission, appropriation	H 336	303	271	302
Commission, geographical names, replace "squaw"	SCR 105	- -	87	99
HUMAN RIGHTS, COMMISSION ON				
Baker, Vernon, Member				
Appointed by Governor Kempthorne/to State Affairs			145	
Committee Report			245	
Confirmed by Senate				254
Twiggs, Sandra: Member				
Appointed by Governor Kempthorne/to State Affairs			77	
Committee Report			129	
Confirmed by Senate				137
HUNTING				
See FISH AND GAME				

-I-

IDAHO NATIONAL GUARD, HONOR GUARD				
Presentation of Senate flag/raised above Senate Dome			9	
Idaho National Guard Honor Guard lowering flag at *Sine Die:*				
Presentation to President of the Senate, Jack Riggs			331	
IDAHO PARK AND RECREATION BOARD				
See PARK AND RECREATION BOARD				
IDAHO PERSONNEL COMMISSION				
Miller, Donald B.: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120
IDAHO STATE BAR				
See IDAHO JUDICIAL COUNCIL				
IDAHO STATE TAX COMMISSION				
See: TAX COMMISSION, IDAHO STATE				
IDAHO STATE UNIVERSITY				
See COLLEGES AND UNIVERSITIES				
INCOME TAX				
See TAX AND TAXATION, INCOME				
INDIANS				
See NATIVE AMERICANS				
INDUSTRIAL COMMISSION				
Appropriation	S 1234	242	198	221
Appropriation, additional	S 1165	41	120	143
Appropriation, commissioner salaries	H 374	280	298	308
Commissioners, salary increased	H 306	253	178	268
Crime victims compensation records, when disclosed	S 1045	- -	62	92
Occupational diseases, hepatitis, tuberculosis	H 225	212	183	262
Unemployment benefits, additional, winter, lights/heat	S 1125	- -	102	- -
Victims compensation, sexual assault exam costs	H 247	144	155	248
Workforce development training, tax extended	S 1018	19	44	56
INHERITANCE				
See ESTATES				

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
INSURANCE				
Annuity benefits, execution-exempt portion increased	S 1032	285	55	86
Arson/fire/fraud account, annual continuation fee	H 25	85	168	248
Auto, 10% discount, drivers over 55 years	S 1093	- -	94	- -
Crop revenue protection insurer, certification	H 281	- -	234	- -
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	S 1181	217	154	191
Department, appropriation, additional	H 83	7	63	81
Department, certain temporary rules not approved	SCR 117	(A)	272	298
Domestic reciprocal insurer investments, maximum	H 233	174	169	260
Drivers, only financial responsibility proof	S 1017	74	43	133
Examination expenses, payment provisions amended	H 25	85	168	248
Filing/application fees, refund provisions deleted	H 25	85	168	248
Guaranty Assn accounts consolidated	H 161	155	186	262
Health, costs, income tax deduction	H 253	- -	169	- -
Health, costs, income tax deduction	H 377	386	312	317
Insurer-producer records, exempt from disclosure	H 35	296	178	255
Legal service expense plans, no insurance regulation	S 1026	- -	48	- -
Legal service expense plans, no insurance regulation	S 1127	127	102	174
License holders, required recordkeeping	H 186	162	178	256
Long-term care, income tax deduction	H 312	384	220	318
Maternity benefits continued, no replacement coverage	S 1166	129	120	174
Maternity benefits discontinued, ongoing pregnancy	S 1087	- -	91	- -
Personal information disclosure, federal standards	S 1124	- -	102	- -
Producer and consultant licensing provisions added	H 35	296	178	255
Proof, motor carriers, farm/logging/mines	S 1136	- -	108	- -
Rating organization, license, annual renewal	H 25	85	168	248
Self-funded county health, exempt from registration	H 327	308	214	295
Tax exemption, certain insurers, "domestic" removed	H 201	111	160	241
Vehicle collision damage, nonpayment, treble damages	S 1054	- -	67	- -
Wholesale producer fees, disclosure	H 156	154	220	262
INTERNET				
See ELECTRONIC TECHNOLOGY				
INVESTMENTS				
Broadband equipment, income tax credit	H 377	386	312	317
Broadband equipment, income tax credit	H 275	- -	138	292
Capital gains deduction, agriculture/timber/mines	H 379	- -	312	- -
Capital gains income tax deduction increased	H 88	- -	326	- -
Capital gains income tax deduction, 80%, 2001 only	H 87	323	326	330
City funds, A-rated corporations	S 1091	42	91	134
City funds, reverse repurchase agreements	S 1091	42	91	134
College savings account, tax deduction, deadlines	S 1036	46	55	81
Domestic reciprocal insurer investments, maximum	H 233	174	169	260
Income, community/separate property, characterization	S 1030	- -	55	- -
Permanent endowment funds, separate accounting	H 307	254	178	269
Private venture capital, income tax credit	H 275	- -	138	292
Qualified, incentive income tax credit	H 377	386	312	317
Uniform Principal & Income Act (new)	S 1023	261	46	121
Venture capital risk tax credits allowed	H 300	- -	203	- -
IRRIGATION				
Agricultural land assessment, irrigation buy-back	S 1256	- -	226	286
City system, annual costs, meeting deadline	H 308	186	178	257
District annexation order, where to record	S 1004	- -	36	- -
District boundary change order, where filed	S 1121	192	102	148
Drought conditions, water rights, temporary changes	S 1122	126	102	179
Drought, water rights, temporary changes allowed	S 1003	- -	36	- -
Flooding highways, when liable, penalties reduced	S 1140	289	108	194

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
-J-				
JOHNSON, DENNIS L.				
Appointment, Member: Public Employees Retirement System Board				
Appointed by Governor Kempthorne/to Commerce & Human Resources			30	
Committee Report			116	
Confirmed by Senate				120
JOINT RULES				
Senate Rules and Joint Senate and House, permanent rules, adopted			1	1
JOINT SESSIONS				
Governor's Budget Message	HCR 4	(A)	20	21
Governor's State of the State Message	HCR 3	(A)	9	10
JUDGE, WILL				
Appointment, Member: Outfitters and Guides Licensing Board				
Appointed by Governor Kempthorne/to Resources & Environment			30	
Committee Report			162	
Confirmed by Senate				168
JUDGES				
See also COURTS				
Magistrate, campaign contributions report	S 1164	291	115	216
Salaries increased	S 1191	309	163	193
Search warrant, void after 14 days	H 182	201	140	236
JUDGMENTS				
Annuity benefits, execution-exempt portion increased	S 1032	285	55	86
Small claims, collecting, postjudgment attorney's fees	H 184	161	183	257
Uniform Foreign-Money Claims Act	S 1022	329	45	97
JUDICIARY, STATE OF				
Chief Justice Linda Copple Trout, Message by			37	
JURIES				
Crime accessory, definition, jury term corrected	S 1012	119	37	79
Definitions, terminology corrected	S 1010	28	36	72
Petit, corrected to trial jury	S 1011	120	36	72
JUVENILES				
Abortion, court proceedings, no self-incrimination	H 340	277	199	269
Coordinated family court services plan	S 1172	338	130	179
Corrections Department, appropriation	S 1244	379	202	228
Corrections Department, appropriation, additional	H 93	5	68	97
Detention pupils, summer school program funding	H 292	252	186	269
Detention/probation training academy fee	H 20	15	48	82
Health & Welfare continued care, 18-21 year olds	H 60	93	178	249
In custody, funds, distribution/reporting requirements	H 21	14	48	82
Tobacco sales to minors, penalties reduced	S 1048	39	63	131
Tobacco sales to minors, penalties reduced	S 1035	- -	55	- -
Tobacco sales, age verification requirement deleted	S 1048	39	63	131
-K-				
KEENAN, BOB				
Flag Ceremony, sang: “Here We Have Idaho”			9	
KEMPTON, JIM D.				
Appointment, Member: Northwest Power Planning Council				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			40	
Confirmed by Senate				43

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
KINGHORN, DAVID E.				
Appointment, Member: Idaho Board of Tax Appeals				
Appointed by Governor Kempthorne/to Local Government & Taxation			139	
Committee Report			253	
Confirmed by Senate				265
KUNZE, JAY F.				
Appointment, Member: Hazardous Waste Facility Siting License Application Review Panel				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70

-L-

LABOR				
Agricultural laborers, minimum wage, specific exemptions	H 71	70	86	178
Agricultural, piece rate, minimum wage, records	S 1029	- -	48	- -
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	S 1236	244	198	222
Department, appropriation, additional	S 1268	346	317	320
Department, Idaho Rural Partnership, reorganization	S 1268	346	317	320
Federal advance interest tax, levy, discretionary	S 1021	32	44	97
Reed Act distributions, requirements extended	S 1021	32	44	97
Unemployment benefits, separation info, no deadline	S 1020	37	44	69
Unemployment, disabled persons, legislative study com	HCR 19	- -	121	- -
Unemployment, wage rates, year 2002, schedule II	S 1019	18	44	56
Workforce development training, tax extended	S 1018	19	44	56
LAKES				
Coeur d'Alene, Basin Environmental Improvement Act	H 256	371	226	268
LAND USE				
City annexation procedures, voluntary & involuntary	S 1151	- -	110	- -
City annexation procedures, with/without consent	S 1167	- -	120	254
Confined animal feeding operation, site suitability	H 211	381	226	293
Manufactured home, garage/carport, zoning requirements	H 154	102	146	243
Plats, weed management, acknowledgment certificate	S 1042	- -	62	173
State-owned property, local restrictions, exemption	H 365	259	234	290
Subdivisions, county/city definitions	S 1198	- -	172	- -
LANDLORDS & TENANTS				
Tenant eviction, illegal controlled substances	S 1119	203	100	150
LANDS				
Catastrophic wildfires, preventive strategy requested	SJM 104	(A)	88	115
Commission, appropriation, Endowment Fund Investment Board	S 1197	224	172	203
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	S 1207	230	177	204
Department, appropriation, Fire Suppression Deficiency Fund	H 69	10	58	80
Department, fire/wildlife management, collaboration needed	HJM 8	(A)	169	220
Department, geographical names, replace "squaw," committee	SCR 105	- -	87	99
Endowment, exchange, Education Board, appropriation, additional	S 1269	364	317	320
Endowment, property exchange, Education Board	H 348	351	199	304
Federal, Idaho management, pilot projects	SJM 105	(A)	106	136
Great Western Trail, Idaho portion designated	HCR 20	- -	121	- -
Owyhee Canyonlands national monument, oppose	SJM 102	(A)	75	90
Permanent endowment funds, accounting, gains/losses	H 307	254	178	269

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
LANDS (Continued)				
Public right-of-way, abandonment, exclusive procedure	H 268	- -	150	- -
Public right-of-way, records not constructive notice	S 1254	- -	225	293
Public right-of-way, temporary restrictions authorized	H 268	- -	150	- -
Roadless area regulations, request moratorium	SJM 103	(A)	87	114
U.S. purchase, coordinate, county commissioners	H 280	372	169	299
LANDSCAPE ARCHITECTS				
Professional services, exempt, state bidding process	H 231	(V)	186	302
LAW ENFORCEMENT				
Adult abuse, Aging Commission, disclose names	H 8	79	127	235
Alcohol/restaurant, police rules rejected	HCR 11	(A)	91	120
Assaults on sports officials, encourage prosecutions	HCR 32	(A)	220	265
Corrections Department records, disclosure exemptions	H 18	180	160	248
Drug Pusher Registration Notification Act	S 1150	- -	110	179
Idaho State Police, appropriation	S 1242	378	202	227
Idaho State Police, appropriation amended	H 95	3	68	93
Liquor license applicant, criminal history check	S 1014	284	40	193
Officers killed on duty, family death benefits	H 246	318	183	267
Search warrant, void after 14 days	H 182	201	140	236
LAWYERS				
See ATTORNEYS				
LAY ON THE TABLE				
S 1211: Unanimous Consent Request by Senator Noh (Not granted)			234	
LEASES				
Port district property, financial guaranty	H 196	165	160	258
Real property, city conveyances, terms, procedures	S 1057	331	68	122/327
State property, Building Authority, 50 years	S 1024	34	46	69
Tenant eviction, illegal controlled substances	S 1119	203	100	150
LEGISLATIVE ADVISORS				
See also LOBBYISTS & LOBBYING				
List of Registered Lobbyists			20	
LEGISLATIVE COUNCIL				
2000 appropriation reduced	S 1238	340	198	222
Appropriation	S 1219	235	182	210
LEGISLATORS				
See LEGISLATURE				
LEGISLATURE				
Ada County courthouse building, remodel	SCR 115	- -	171	181
Administrative fee rules, approval, exceptions	SCR 117	(A)	272	298
Administrative rules, approval/rejection extended	H 338	187	178	258
House/Senate daily journals, printing agreement	HCR 14	(A)	117	136
House/Senate permanent journals, printing agreement	HCR 15	(A)	117	137
Legislative bills, printing agreement	HCR 13	(A)	117	136
Legislative office building, construction authorized	SCR 112	- -	118	- -
Oversight committee, substance abuse treatment	S 1257	362	233	266
Session laws, distribution list, Secretary of State	H 100	51	68	195
Session laws, printing contract	HCR 16	(A)	117	137
Session laws, property stamp requirement deleted	H 100	51	68	195
State-tribal gaming compacts, legislative approval	S 1178	(V)	140	192
LEVIES				
See TAX & TAXATION, PROPERTY				
LEWIS CLARK STATE COLLEGE				
See COLLEGES & UNIVERSITIES				
LIABILITY				
Dishonored check fees, small claims court only	S 1007	22	36	72
Food disparagement, impugns product safety	S 1005	20	36	69
Vehicle collision damage, nonpayment, treble damages	S 1054	- -	67	- -

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
LIBRARIANS & LIBRARIES				
Capital improvement reserve funds authorized	S 1155	- -	111	151
LiLI database, appropriation	S 1182	359	155	199
School librarians, employment, funding	S 1135	- -	108	- -
State Library Board, appropriation	S 1246	265	213	235
LICENSES				
Aircraft registration period, prior year	H 124	182	121	256
Alcohol catering permit, unlicensed premises only	S 1013	- -	40	- -
Alcohol, renewal months to be designated	S 1015	30	41	56
Architect seals, electronic documents, application	H 32	88	117	250
Athlete agents, certification, regulation	S 1063	202	78	134
Auto dealers, emergency suspension, public harm	S 1101	- -	95	- -
Barber school teachers, licensing requirements	H 28	133	160	262
Barbers/barber-stylists, licensing requirements	H 28	133	160	262
Bighorn sheep tags, proceeds distribution	H 222	170	173	261
Chiropractic interns, temporary permits	H 9	80	150	237
Cosmetologist/electrologist/instructor, requirements	H 29	134	160	261
Counselors, license requirement, moral character	H 14	83	156	242
Crematory, fee increased	H 30	135	118	256
Dairy farm, new/expanding, permit requirements	S 1067	388	79	227
Domestic Cervidae possession, license required	S 1128	- -	102	- -
Driver's, fee distribution, emergency medical services	H 47	347	178	255
Driver's, fee increase, emergency medical services	S 1095	- -	94	134
Driver's, fee increased	H 47	347	178	255
Driver's, permanent disability notation	S 1077	332	85	216
Driver's, reinstatement eligibility, time	H 215	168	131	259
Driver's, seasonal, certain agricultural employees	S 1017	74	43	133
Driver's, suspension, financial responsibility, 3 years	S 1017	74	43	133
Fish & Game, disabled person, Railroad Board definition	H 177	158	138	258
Hunting tag, senior license, age restriction deleted	H 42	139	63	261
Insurance Department, rating organization, annual renewal	H 25	85	168	248
Insurance license holders, required recordkeeping	H 186	162	178	256
Insurance producer & consultant, provisions added	H 35	296	178	255
Liquor, fingerprint-based criminal history check	S 1014	284	40	193
Liquor, revocation hearing, county of violation	H 101	95	118	236
Manufactured home installer, license required	S 1130	- -	103	144
Marriage/family therapist, license required	S 1039	71	59	133
Mining license tax reduced	H 174	207	155	250
Morticians/funeral homes/directors, annual renewal	H 33	136	160	257
Morticians/funeral homes/directors, fee increased	H 33	136	160	257
Motor vehicle dealers, salvage pool purchases	S 1098	- -	95	- -
Nurse Licensure Compact (multistate) enacted	H 4	76	131	237
Nursing home administrators, fee increase	H 5	77	150	237
Nursing home facility fishing permit	H 43	206	63	249
Nursing home, administrator designees, permits	H 5	77	150	237
Outfitters, exceptions amended	H 176	271	121	229
Outfitters/guides, license year, issue date	H 176	271	121	229
Pesticide dealers, obtain applicator license	H 70	249	131	268
Physical therapists, new licensing provisions	S 1086	197	91	151
Podiatrists, license by endorsement, requirements	H 15	26	79	124
Podiatrists, license fee increased	H 15	26	79	124
Private prisons, Corrections Department license required	S 1120	335	101	156
Professional bds, notice, Pharmacy Board, investigations	H 165	211	169	256
Psychologists, non-Idaho, endorsement requirements	H 11	81	150	237
Psychologists, senior, license requirements	H 11	81	150	237
Public works contractor, Building Safety administrator	H 238	300	226	306

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
LICENSES (Continued)				
Public works contractors, board membership amended	H 305	301	226	306
Racing licensee, previous year, live race days	S 1090	72	91	150
Racing, eight races per day	S 1090	72	91	150
Real estate license laws amended	S 1051	123	64	169
Real estate, fee increase	S 1050	122	64	132
Residential care administrator, interstate deleted	H 12	24	63	122
Residential wireman, Building Safety license required	H 291	- -	220	- -
Securities dealer application, fingerprints not required	H 23	131	183	260
Securities dealer registration, suspension, NASD/NASDR	H 22	84	183	243
Securities dealer, exam waiver removed	H 23	131	183	260
Securities registration fee, not over $500	H 23	131	183	260
Social work, certified family homes	H 212	167	169	255
Social work, fee increase	H 7	78	160	248
Vehicles, excess weight, temporary permits, penalties	H 369	355	298	311
Veterinary medicine, requirements	H 90	149	169	257
Weigh masters, felon prohibition removed	H 72	145	127	255
Wildlife import/export, permits, fees, exceptions	S 1149	- -	110	- -
LIENS				
Aircraft improvement, claims/recording/releases	S 1083	- -	86	174
Auto dealer, satisfy liens within ten days	S 1100	190	95	151
Commodity dealer, delivery contracts, lien duration	S 1260	363	275	303
Materialmen's, competing claims, equal footing	H 132	152	140	260
Materialmen's, includes supplying equipment	H 132	152	140	260
UCC, new secured transactions chapter	H 205	208	146	229
Veterans, Medicaid, support property lien exemption	HJM 7	(A)	163	185
LIEUTENANT GOVERNOR, OFFICE OF				
Riggs, Jack: Lt. Governor (January 23, 2001)				
Appointed by Governor Kempthorne/to State Affairs			51	
Committee Report			55	
Confirmed by Senate				61
Confirmation Ceremony & Oath of Office			62	
Received Flag that had flown over Senate During Session			331	
2000 appropriation reduced	S 1238	340	198	222
Appropriation, additional	S 1263	343	298	312
Appropriation, expenses	H 313	117	160	238
Compensation, when President of the Senate	S 1259	269	275	303
LINCOLN DAY				
Committee, Senator Brandt, Chairman			47	
Lincoln Day Service (February 12, 2001)			104	
LIQUOR				
See also BEER; WINE				
See also LIQUOR DISPENSARY				
Alcohol control/restaurants, Police rules rejected	HCR 11	(A)	91	120
Boats, operating under influence, arrest authority	H 245	113	169	249
Catering permit, unlicensed premises only	S 1013	- -	40	- -
Dispensary, State, appropriation	H 303	177	155	238
Forcible sexual penetration, incapable victim	H 350	- -	246	- -
License revocation hearing, county of violation	H 101	95	118	236
License, fingerprint-based criminal history check	S 1014	284	40	193
License, renewal months to be designated	S 1015	30	41	56
Under influence, boat, transport child, misdemeanor	H 63	49	91	195
LITERACY				
Read Across Idaho Day declared	SR 102	(A)	98	117
LITIGATION				
Snake River basin adjudication, facilitate, water rental	H 383	394	326	329

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
LIVESTOCK				
Agriculture Department, odor management plans	H 262	383	254	299
Cattle, beef/feed imports, support moratorium	SJM 107	(A)	251	274
Certificated/for slaughter, Brand Board assessment $1	S 1141	- -	108	- -
Cloven-hoofed animals/products, import moratorium	SJM 109	(A)	251	274
Confined animal feeding operations, plan approval	S 1148	- -	109	165
Dairy farm, new/expanding, permit requirements	S 1067	388	79	227
Dairy farms, animal units, annual report	S 1144	- -	109	217
Dairy farms, valid water permit required	S 1066	- -	78	- -
Dairy, waste recipients, nutrient management plans	S 1040	387	62	228
Importing meat products, standards, labeling	SJM 108	(A)	251	274
Organic certification, animal health care standards	S 1142	75	109	194
Swine/poultry facilities, construction, regulation	H 339	350	178	288
Waste, dairy farms, disclose contracts	S 1065	- -	78	- -
LOANS				
Finance charge, maximum rate	S 1080	- -	85	- -
Housing authority, powers, project loans, liens	H 351	260	226	289
School Safety/Health Revolving Loan repealed	S 1113	- -	100	- -
School Safety/Health Revolving Loan/Grant Fund	H 315	326	178	295
LOBBYING & LOBBYISTS				
List of Registered Lobbyists			20	
LOGGING & LUMBER				
Canadian lumber subsidies, end unfair practices	SJM 106	(A)	211	225
Property, capital gains, 100% deduction	H 386	- -	326	- -
Property, capital gains, 100% deduction	H 379	- -	312	- -
LOMBARD, ERNEST J.				
Appointment, Member: Park & Recreation Board				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			128	
Confirmed by Senate				137
LOTTERY				
Dividends, School Facility Lottery Fund	S 1131	- -	107	- -
Dividends, School Facility Support Fund	S 1070	- -	83	197
Lottery Commission, appropriation	S 1203	226	177	204
School facility lottery fund established	S 1134	- -	107	- -
Security investigations, operators & vendors	S 1194	196	163	200
Tickets, theft, felony, value of loss	S 1194	196	163	200
Winnings, income tax refund limitations amended	H 120	56	117	196
LUMBER				
See LOGGING & LUMBER				
LUNCHROOM				
Special Committee: Senator Lodge, Chairman			47	

-M-

MANNING, GENERAL DARRELL V.				
Appointment, Member: Education, State Board of				
Appointed by Governor Kempthorne/to Education			30	
Committee Report			54	
Confirmed by Senate				57

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
McHUGH, JOHN W.				
Appointment, Member: Idaho Transportation Board				
Appointed by Governor Kempthorne/to Transportation			185	
Committee Report			264	
Confirmed by Senate				275
McLAUGHLIN, MARGUERITE P.				
Appointment, Member: Board of Environmental Quality				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			70	
Confirmed by Senate				74
MacMILLAN, DR. RANDY J.				
Appointment, Member: Board of Environmental Quality				
Appointed by Governor Kempthorne/to Resources & Environment			28	
Committee Report			113	
Confirmed by Senate				120
MEDICAL				
Abortion, save woman's health, payments denied	H 309	273	178	289
Assistance payments, breast/cervical cancer treatment	S 1168	205	121	179
Assistance Services, Health & Welfare Department, appropriation	S 1274	368	323	325
Assistance Services, Health & Welfare Department, appropriation	S 1214	- -	182	- -
Chiropractic interns, temporary permits	H 9	80	150	237
Comprehensive primary/preventive care grant program	S 1072	- -	84	- -
Emergency medical services, investigations/enforcement	H 198	110	169	241
Emergency medical services, statutes redesignated	H 198	110	169	241
Emergency services, driver's license fee distribution	H 47	347	178	255
Health insurance costs, income tax deduction	H 253	- -	169	- -
Health/medical education programs, appropriation	S 1222	237	182	210
Insurance costs, income tax deduction	H 377	386	312	317
Long-term care insurance, income tax deduction	H 312	384	220	318
Medicaid, transportation reimbursement, excess claims	H 2	47	127	196
Medicine Board, appropriation, additional	S 1189	222	162	193
Mentally ill patients, restraints, written policy	S 1210	339	177	235
Patient, treatment orders, authentication	S 1146	67	109	147
Physical therapists, new licensing provisions	S 1086	197	91	151
Podiatrists, license fee increased	H 15	26	79	124
Prescription drugs purchases, multistate compact	HCR 26	(A)	178	213
Primary/Preventive Care Grant program established	S 1183	- -	155	- -
Prisoner, medical visit, $5 fee	H 64	50	68	195
Ritalin prescriptions, disclose risks/effects	H 213	- -	178	- -
Self-funded county plans, exempt from registration	H 327	308	214	295
Special needs trust/injury compensation, UCC exempt	H 237	299	146	229
Trauma care advisory committee created	S 1145	66	109	144
X-ray machines, regulation/licensing/prohibitions	H 198	110	169	241
X-ray shoe fitting device, prohibition repealed	H 198	110	169	241
MEDICAL ASSISTANCE				
See also PUBLIC ASSISTANCE; MEDICARE & MEDICAID.				
MEDICARE & MEDICAID				
Aged/Disabled Waiver, research modifications	SCR 110	(A)	106	154
Disabled workers, Medicaid buy-in program, develop	SCR 108	(A)	105	117
Lien exemption, veterans in Medicaid program	HJM 7	(A)	163	185
Skilled care reimbursement, veterans/state hospital	H 10	68	127	218
Transportation reimbursement, excess claims	H 2	47	127	196

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
MEMORIAL SERVICE				
Special Committee: Senator Goedde, Chairman				
Memorial Service for Senators (February 19, 2001)				
Senator Glenn E. Bandelin			126	126
Senator Warren H. Brown			126	126
Senator Donald W. Samuelson			126	126
Senator James F. Stoicheff			127	127
Senator Grant L. Young			127	127
MEMORIALS				
American WWII prisoners, Japan, redress wrongs	HJM 9	(A)	173	198
Canadian lumber subsidies, end unfair practices	SJM 106	(A)	211	225
Catastrophic wildfires, preventive strategy requested	SJM 104	(A)	88	115
Cattle, beef/feed imports, support moratorium	SJM 107	(A)	251	274
Cloven-hoofed animals/products, import moratorium	SJM 109	(A)	251	274
Craters of the Moon monument area, support hunting	HJM 4	(A)	155	177
Electoral college system, remain unchanged	HJM 1	(A)	127	146
Federal lands, Idaho management, pilot projects	SJM 105	(A)	106	136
Fire & wildlife management, collaboration needed	HJM 8	(A)	169	220
Importing meat products, standards, labeling	SJM 108	(A)	251	274
Owyhee Canyonlands national monument, oppose	SJM 102	(A)	75	90
Pioneer railroad route, restore service	HJM 2	(A)	146	172
Potato producers, Agricultural Risk Protection Act	SJM 101	(A)	35	40
President Bush's tax relief plan, endorse	HJM 10	(A)	199	233
Private property rights, federal policy	HJM 6	(A)	131	159
Roadless area regulations, request moratorium	SJM 103	(A)	87	114
Traffic accident memorials, consent, next of kin	S 1137	45	108	157
Veterans, Medicaid, exemption, property liens	HJM 7	(A)	163	185
Wolves, remove from Idaho	HJM 5	(A)	183	322
MENTAL HEALTH				
Health & Welfare Department, appropriation	S 1212	- -	178	205
MENTAL ILLNESS				
Patients, physical restraints, written policy	S 1210	339	177	235
MILHOLLIN, DIANNE S.				
Appointment, Member: Blind & Visually Impaired, Commission for the				
Appointed by Governor Kempthorne/to Health & Welfare			35	
Committee Report			66	
Confirmed by Senate				71
MILITARY & MILITIA				
Adjutant general, duties, gubernatorial inauguration	H 52	248	117	270
Adjutant general, qualifications amended	H 50	141	117	263
American WWII prisoners, Japan, redress wrongs	HJM 9	(A)	173	198
Court-martial trial, in lieu of nonjudicial punishment	H 147	153	117	260
Division, appropriation	S 1209	232	177	205
Division, appropriation, additional	H 66	1	53	60
Emergency Management Assistance Compact	H 49	140	117	260
Idaho military members, arrest procedures	H 147	153	117	260
Incentive payments, Idaho private college students	H 53	322	147	268
Retirement, active duty service, purchase, reduced 1%	S 1129	- -	103	- -
Veterans benefits, officers, application assistance	S 1079	- -	85	- -
Veterans homes, national guard members deleted	H 140	198	131	239
Veterans homes, war service not required	H 140	198	131	239
Veterans Services administrator, power/authority	H 140	198	131	239
Veterans State Cemetery, criteria, burial funds	H 141	199	131	239
Veterans, definition, discharge, honorable conditions	H 140	198	131	239

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
MILLER, DONALD B.				
Appointment, Member: Idaho Personnel Commission				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			116	
Confirmed by Senate				120
MINES & MINING				
2001 real property tax, income tax credit (Received/not introduced in Senate)	H 381	- -	- -	- -
License tax reduced, 1%	H 174	207	155	250
Property, capital gains, 100% deduction	H 386	- -	326	- -
Property, capital gains, 100% deduction	H 379	- -	312	- -
MINORITIES				
Hispanic Cultural Center Fund, appropriation	H 301	349	265	302
National Freedom Day, slavery abolition	SCR 101	(A)	45	71
MINORITY REPORT				
Fish & Game Commissioner, Gubernatorial Appointment				
Dissenting Reasons/Conclusions Report from Minority Member				
[Pursuant to Senate Rule 21(B), Senator Stennett]			50	
MINORS				
See JUVENILES; CHILDREN				
MORTICIANS				
License, fee increased, annual renewal	H 33	136	160	257
MOTOR CARRIERS				
Carriers, proof of insurance, farm/logging/mines	S 1136			
MOTOR VEHICLES				
60,000+ lbs, quarterly registration fees	H 214	185	131	242
60,000+ lbs, quarterly registration fees	H 364	353	266	311
8,001-60,000 lbs, registration fees	S 1173	- -	130	187
Abandoned, disposition, low-value, $750	S 1092	- -	94	- -
Abandoned, maximum storage costs, untimely notice	S 1097	- -	94	- -
All-terrain, outside state use, sales tax exemption	S 1096	- -	94	135
Certain vehicles, tax exemption, use outside state	H 367	354	271	303
Certificate of title records, retain 20 years	S 1016	73	43	133
Collision property damage, nonpayment, treble damages	S 1054	- -	67	- -
Dealer license, emergency suspension, public harm	S 1101	- -	95	- -
Dealer license, permit salvage pool purchases	S 1098	- -	95	- -
Disabled parking privileges, violations, penalties	S 1102	- -	95	- -
Driver's license fees increased	H 47	347	178	255
Driver's license fees, emergency medical services	H 47	347	178	255
Driver's license, permanent disability notation	S 1077	332	85	216
Driver's license, reinstatement eligibility time	H 215	168	131	259
Excess gross weight, temporary permits, penalties	H 369	355	298	311
Fuel tax exemption, special user vehicles	H 167	104	127	240
Fuel tax exemption, vehicles unlicensed for highways	H 167	104	127	240
Insurance, 10% discount, drivers over 55 years	S 1093	- -	94	- -
Insurance, only financial responsibility proof	S 1017	74	43	133
License plates, special, Capitol Commission	S 1075	281	84	133
License, suspension, financial responsibility, 3 years	S 1017	74	43	133
Licensed dealer, satisfy liens within ten days	S 1100	190	95	151
Moped definition amended	S 1016	73	43	133
Over 4 axles, speed limit, weight deleted	S 1177	- -	140	187
Personally owned, use tax exemption	H 122	57	117	196
Safety restraints required, all vehicle occupants	S 1094	- -	94	217
Safety restraints use, driver's responsibility	S 1094	- -	94	217
Salvage certificates, not applicable to vessels	S 1016	73	43	133
Salvage pool sales, licensed purchasers only	S 1098	- -	95	- -
School speed zones, penalties	S 1089	- -	91	174

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
MOTOR VEHICLES (Continued)				
Seasonal licenses, certain agricultural employees	S 1017	74	43	133
Special plates, fee distribution amended	S 1016	73	43	133
Special plates, manufacture year up to 1974	S 1016	73	43	133
Special plates, revenues, highway account	S 1016	73	43	133
Trip permits, fees/hours increased	H 270	176	163	256
Vehicular manslaughter, penalties increased	S 1176	- -	140	192
Vessels, operating under influence, arrest authority	H 245	113	169	249
MUSEUMS				
Natural History, appropriation, Education Board	S 1223	311	182	214
Purchases/admissions, sales tax exemption	H 138	- -	169	- -

-*N*-

NATIONAL GUARD				
Presentation of State flag to Idaho National Guard Honor Guard			9	
Idaho National Guard Honor Guard lowering flag at *Sine Die:*				
Presentation to President of the Senate, Jack Riggs			331	
NATIVE AMERICANS				
Geographical names, replace "squaw," committee	SCR 105	- -	87	99
Nez Perce claims, legislative study committee	HCR 6	(A)	52	57
State-tribal gaming compacts, legislative approval	S 1178	(V)	140	175
Tribal gaming devices, compacts, ratification	S 1211	- -	177	300
NATURAL RESOURCES				
See ENVIRONMENT; CONSERVATION; WATER				
NEWSPAPERS				
Highway district ordinances, publish summaries	S 1106	334	96	263
Journalist Stu Dopf, U.S. Hwy 95, memorial designated	H 359	352	254	312
Publication, school reports, unsafe conditions	S 1110	- -	100	156
NORTHWEST POWER PLANNING COUNCIL				
Kempton, Jim D.: Member				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			40	
Confirmed by Senate				43
NUCLEAR WASTES				
See WASTES; HAZARDOUS SUBSTANCES				
NURSERIES				
Stock, land taxed as agricultural	H 55	12	52	80
NURSING & NURSES				
Board, authority, enter into interstate compacts	H 4	76	131	237
Board, report investigations to compact parties	H 4	76	131	237
Facilities, deemed status, accrediting survey	SCR 109	(A)	105	129
Medical visit, prisoner, $5 fee	H 64	50	68	195
Nurse Licensure Compact (multistate) enacted	H 4	76	131	237
NURSING HOMES				
Administrator designees, vacant positions, permits	H 5	77	150	237
Administrators, license fee increase	H 5	77	150	237
Nursing home facility fishing permit authorized	H 43	206	63	249
Residential care license, interstate reference deleted	H 12	24	63	122

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
-O-				
OATH OF OFFICE				
Administered:				
Senators, Organizational Session			1	
Senators, Extraordinary Session			6	
President Pro Tempore, Senator Robert L. Geddes (December 7, 2000)			1	
Secretary of the Senate, Jeannine Wood (December 7, 2000)			1	
Attaches & Pages: Election & Oath of Office			19	
List of			19	
Additional Attaches: Election & Oath of Office			37/69	
List of (2nd Term Pages) and Oath of Office			137	
OCCUPATIONAL LICENSES BUREAU				
Appropriation, additional	S 1262	342	292	305
Appropriation, additional	H 82	8	63	81
Crematory license fee increased	H 30	135	118	256
Marriage/family therapist, authority	S 1039	71	59	133
OFFICE OF SPECIES CONSERVATION				
Caswell, Jim: Administrator				
Appointed by Governor Kempthorne/to Resources & Environment			32	
Committee Report			40	
Confirmed by Senate				45
OLYMPICS				
Dave Nielsen, track coach, commend	HCR 8	(A)	71	83
Stacy Dragila, gold medalist, commend	HCR 8	(A)	71	83
ORDINANCES				
City, adopt national codes, one copy on file	H 162	156	160	250
ORGANIZATIONAL SESSION				
Thursday, December 7, 2000 at 9 a.m.			1	
OTTER, C. L. "BUTCH"				
Lt. Governor & President of the Senate: Recognition & farewell			8	
OTTER, HONORABLE C. L. "BUTCH"				
Representative, U. S. Congress, Visit (February 23, 2001)			147	
OUTFITTERS & GUIDES				
Board, certain temporary rules not approved	SCR 117	(A)	272	298
Definition, exceptions amended	H 176	271	121	229
License year, from date of issue	H 176	271	121	229
Nonresident licensee, report requirement deleted	H 176	271	121	229
OUTFITTERS & GUIDES LICENSING BOARD				
Judge, Will: Member				
Appointed by Governor Kempthorne/to Resources & Environment			30	
Committee Report			162	
Confirmed by Senate				168
-P-				
PAGES OF THE SENATE				
See ATTACHES				
See INDEX SECTION III				
Sworn in, First Session (January 10, 2001)			19	
Sworn in, Second Session (February 21, 2001)			137	
PARDONS & PAROLE				
Parole options, legislative study committee	HCR 23	- -	214	- -

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
PARENTS				
At-home parent, income tax credit	H 275	- -	138	292
Child Protective Act amended	H 185	107	160	248
Fitness, disability adaptive equipment considered	S 1074	- -	84	134
Fitness, factors to be considered	S 1073	- -	84	133
Income tax credit, privately schooled children	H 311	- -	226	- -
Maternity benefits discontinued, ongoing pregnancy	S 1087	- -	91	- -
Safe haven information, exempt, Health & Welfare registry	S 1147	358	109	179
Safe haven, abandoned child, claim of rights	S 1037	357	58	80
PARK & RECREATION BOARD				
Lombard, Ernest J., Member: Appointment				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			128	
Confirmed by Senate				137
PARKS & RECREATION				
Board, waive fees, disabled veterans	S 1162	43	115	148
Billingsley Creek/Fisher Lake, acquire property	S 1250	- -	220	- -
Billingsley Creek/Fisher Lake, acquire property	SCR 116	(A)	244	274
Craters of the Moon monument area, support hunting	HJM 4	(A)	155	177
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	S 1185	376	160	193
Great Western Trail Association, recognize efforts	HCR 35	(A)	266	310
Great Western Trail, Idaho portion designated	HCR 20	- -	121	- -
Park Land Trust Fund, appropriation	S 1250	- -	220	- -
PARTNERSHIPS				
Asset distribution, assignees continuing business	S 1052	63	67	133
PATRICK, SCOTT W.				
Appointment, Member: Aeronautics Advisory Board				
Appointed by Government Kempthorne/to Transportation			31	
Committee Report			123	
Confirmed by Senate				129
PAY				
See SALARIES; WAGES				
PEACE OFFICERS				
See POLICE OFFICERS				
PERMITS				
See LICENSES				
PERSONNEL COMMISSION				
See IDAHO PERSONNEL COMMISSION				
PETITIONS				
See REFERENDUMS				
PESTS & PESTICIDES				
Appropriation, Pest Control Deficiency Fund	H 68	11	58	80
Dealers, obtain professional applicator license	H 70	249	131	268
Quarantine laws, violations, penalty increased	H 76	148	131	257
PHARMACIES & PHARMACISTS				
Prescription drugs purchases, multistate compact	HCR 26	(A)	178	213
Prescriptions, blank forms, requirements	H 331	178	214	262
Prescriptions, filing, tracking program	H 331	178	214	262
Registrant, investigation, notice, professional bds	H 165	211	169	256
Ritalin prescriptions, disclose risks/effects	H 213	- -	178	- -
Rule rejected, listing of drug Carisoprodol	SCR 103	(A)	66	74
PHYSICIANS & SURGEONS				
Chiropractic interns, temporary permits	H 9	80	150	237
Medical visit, prisoner, $5 fee	H 64	50	68	195
Mentally ill patients, restraints, written policy	S 1210	339	177	235

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
PHYSICIANS & SURGEONS (Continued)				
Podiatrists, license by endorsement, requirements	H 15	26	79	124
Podiatrists, license fee increased	H 15	26	79	124
Prescriptions, blank forms, requirements	H 331	178	214	262
Unlawful abortion, physician penalties, defenses	H 340	277	199	269
PLANNING & ZONING				
Bds, not supersede highway commissioner powers	S 1104	- -	95	216
City annexation procedures, voluntary & involuntary	S 1151	- -	110	- -
City annexation procedures, with/without consent	S 1167	- -	120	254
Development impact fees, exemption, public schools	S 1099	- -	95	- -
Manufactured home, garage/carport, zoning requirements	H 154	102	146	243
Plats, weed management, acknowledgment certificate	S 1042	- -	62	173
State property, local restrictions, exemption	H 365	259	234	290
Subdivisions, county/city definitions	S 1198	- -	172	- -
PLANTS				
Quarantine laws, violations, penalty increased	H 76	148	131	257
PLUMBERS & PLUMBING				
Idaho Plumbing Board, member compensation increased	H 130	151	169	259
POLICE, IDAHO STATE				
2000 appropriation reduced	S 1238	340	198	222
Abandoned vehicles disposition, $750 value	S 1092	- -	94	- -
Abandoned vehicles, maximum storage costs	S 1097	- -	94	- -
Adult abuse, Aging Commission, disclose names	H 8	79	127	235
Alcohol control/restaurants, rules rejected	HCR 11	(A)	91	120
Appropriation	S 1242	378	202	227
Appropriation amended	H 95	3	68	93
Assault upon, official status, 5 years	H 65	181	131	239
James Moulson, untimely death, tribute	SCR 102	(A)	54	59
Officers killed on duty, family death benefits	H 246	318	183	267
Peace officer training fund, 10% fines deposit	H 345	179	183	257
Peace officer training, sexual assault investigations	H 249	143	155	241
Phillip Anderson, untimely death, tribute	SCR 102	(A)	54	59
Physical evidence, return provision deleted	H 290	142	155	241
Search warrant, void after 14 days	H 182	201	140	236
Sex offender registry, public internet access	S 1192	195	163	194
State government, criminal investigator training, rule	S 1081	- -	85	- -
PORT DISTRICTS				
Funding revenue bonds, maximum interest deleted	H 195	164	150	258
Industrial/economic development powers	S 1069	189	79	152
Property lease, financial guaranty	H 196	165	160	258
POWER				
See ELECTRIC POWER				
PRESCRIPTIONS				
Blank forms, requirements	H 331	178	214	262
Filing, tracking program by Pharmacy Board	H 331	178	214	262
Prescription drugs purchases, multistate compact	HCR 26	(A)	178	213
PRESIDENT OF THE SENATE:				
Lt. Gov. C. L. "Butch" Otter, Recognition & farewell			8	
Jack Riggs, Governor appointed (January 23, 2001):				
Lieutenant Governor & President of the Senate			51	
Committee Report			55	
Senate Confirmation				61
Confirmation Ceremony & Oath of Office			62	
PRESIDENT PRO TEMPORE				
Election of Senator Robert L. Geddes (December 7, 2000)			1	

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
PRINTING				
House/Senate daily journals, agreement	HCR 14	(A)	117	136
House/Senate permanent journals, agreement	HCR 15	(A)	117	137
Legislative bills, agreement	HCR 13	(A)	117	136
Session laws, contract	HCR 16	(A)	117	137
PRISONS & PRISONERS				
Corrections Department, appropriation	S 1226	210	183	215
Corrections Department, appropriation amended	H 318	118	163	239
County jail, medical visit, $5 fee	H 64	50	68	195
Juveniles, funds distribution/reporting requirements	H 21	14	48	82
Prison incarceration options, legislative study committee	HCR 23	- -	214	- -
Private prison housing, certain prisoners ineligible	S 1120	335	101	156
Private prisons, licensing requirements	S 1120	335	101	156
Propelling bodily fluid prohibited	H 61	33	68	152
Records of self, no access, former custodial agency	H 62	48	68	194
Records, no access by another prisoner	H 62	48	68	194
Trial court petition, postconviction DNA test	H 242	317	254	304
Violent sexual predator designation, challenges	H 181	200	138	236
PRIVACY				
Personal information disclosure, federal standards	S 1124	- -	102	- -
PROBATE				
See ESTATES				
PROFESSIONAL-TECHNICAL EDUCATION				
Board, 2000 appropriation reduced	S 1238	340	198	222
Board, appropriation	S 1227	360	183	215
PROFESSIONS				
Athlete agents, certification, regulation	S 1063	202	78	134
Chiropractic interns, temporary permits	H 9	80	150	237
Counselors, license requirement, moral character	H 14	83	156	242
Electrologist/cosmetologist/instructor licenses	H 29	134	160	261
Engineers/surveyors, nonfinal documents marked	H 24	247	138	268/271
Hearing aid dealers/fitters board, compensation	H 13	82	131	237
Manufactured home installer, license required	S 1130	- -	103	144
Marriage/family therapist, license required	S 1039	71	59	133
Morticians/funeral directors, license fee increased	H 33	136	160	257
Morticians/funeral directors, license, annual renewal	H 33	136	160	257
Nursing home administrators, fee increase	H 5	77	150	237
Nursing home administrators, vacancies, permits	H 5	77	150	237
Physical therapists, new licensing provisions	S 1086	197	91	151
Podiatrists, license fee increased	H 15	26	79	124
Psychologists, non-Idaho, endorsement requirements	H 11	81	150	237
Psychologists, senior, license requirements	H 11	81	150	237
Real estate license laws amended	S 1051	123	64	169
Real estate license requirements amended	S 1025	36	46	81
Residential wireman, Building Safety license required	H 291	- -	220	- -
Securities dealer application, fingerprints not required	H 23	131	183	260
Securities dealer, exam waiver removed	H 23	131	183	260
Securities dealers, suspension, NASD/NASDR	H 22	84	183	243
Securities registration fee not over $500	H 23	131	183	260
Securities, control person, willful violations	H 22	84	183	243
Social work license, fee increase	H 7	78	160	248
Social work, certified family homes, license required	H 212	167	169	255
Veterinary license/permit requirements	H 90	149	169	257
Veterinary medicine board, authority/duties	H 90	149	169	257

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
PROPERTY				
Adverse possession, written instrument to contrary	S 1156	290	111	216
Agricultural machinery/equipment, tax exemption	H 378	356	312	314
Beneficiaries, capital gains, holding period	H 110	321	104	317
Billingsley Creek/Fisher Lake, acquire property	SCR 116	(A)	244	274
Billingsley Creek/Fisher Lake, acquire property	S 1250	- -	220	- -
Boundaries redesignated, Blaine & Minidoka counties	S 1232	- -	186	- -
City, conveyances, terms, procedures	S 1057	331	68	122/327
Community/separate, income characterization	S 1030	- -	55	- -
Condemnation, highway use, rules of procedure	S 1076	- -	84	- -
Electricity generation, new construction property roll	H 310	- -	271	- -
Great Western Trail Association, recognize efforts	HCR 35	(A)	266	310
Great Western Trail, Idaho portion designated	HCR 20	- -	121	- -
Highway district, over $5,000, sale procedures	S 1105	333	95	217
Homestead/family allowance, exempt property	S 1253	294	225	254
Hunting, emergency season, landowner, free tags	H 223	171	155	249
Improvements, owner-occupied, when, tax exemption	H 202	166	160	261
Inheritance, homestead/family allowances increased	S 1062	- -	74	- -
Intestate succession, spouse/child/parent, shares	S 1033	330	55	86
Low-income housing, property tax exemption	S 1160	- -	111	- -
Materialmen's liens, competing claims, equal footing, supplying	H 132	152	140	260
Personal property tax, legislative study committee	HCR 33	- -	246	- -
Port district, lease, financial guaranty	H 196	165	160	258
Private, rights, effect of federal policy	HJM 6	(A)	131	159
Public right-of-way, records not constructive notice	S 1254	- -	225	293
Real, adverse possession, prevailing party, fees	S 1159	- -	111	170
Real, assessment method, legislative study committee	HCR 10	- -	121	- -
Real, foreclosure, one year redemption period	S 1153	193	110	148
Sale/disposal, school district trustees	S 1111	191	100	187
State, 50-year lease, Building Authority	S 1024	34	46	69
State, local restrictions, exemption	H 365	259	234	290
Transfer certificates, county assessor, exempt records	S 1154	- -	111	- -
U.S. purchase, coordinate, county commissioners	H 280	372	169	299
Vehicle collision damage, nonpayment, treble damages	S 1054	- -	67	- -
PROPERTY TAX				
See TAX & TAXATION, PROPERTY				
PROSECUTING ATTORNEYS				
See ATTORNEYS				
PSYCHOLOGISTS				
Non-Idaho, endorsement requirements	H 11	81	150	237
Psychologists, senior, license requirements	H 11	81	150	237
PUBLIC ASSISTANCE				
Abortion, save woman's health, payments denied	H 309	273	178	289
Attorney services, needy person, reimburse county	S 1053	287	67	132
Breast/cervical cancer treatment, payment	S 1168	205	121	179
Disabled workers, Medicaid buy-in program, develop	SCR 108	(A)	105	117
Housing authority powers, project loans, liens	H 351	260	226	289
Low-income housing, speculative value, tax exemption	H 320	- -	220	- -
Medicaid, transportation reimbursement, excess claims	H 2	47	127	196
Medical Assistance, Health & Welfare Department, appropriation	S 1214	- -	182	- -
Medicare reimbursement, veterans/state hospital south	H 10	68	127	218
Needy person, attorney, post-conviction proceedings	H 183	160	140	236
Property tax, income, funeral expenses deducted	H 299	325	203	318
Special needs trust, exempt, Uniform Commercial Code	H 237	299	146	229
Unemployment benefits, winter, lights/heat	S 1125	- -	102	- -
Veterans, benefit application assistance, officers	S 1123	- -	102	- -
Veterans, benefit application assistance, officers	S 1079	- -	85	- -

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
PUBLIC BROADCASTING				
Education Board, appropriation	S 1228	306	183	215
Education Board, monitor programming, repealed	S 1001	- -	20	- -
PUBLIC EMPLOYEE RETIREMENT SYSTEM				
See RETIREMENT				
PUBLIC EMPLOYEES				
See EMPLOYERS & EMPLOYEES; GOVERNMENT				
PUBLIC EMPLOYEES RETIREMENT SYSTEM BOARD				
Johnson, Dennis L.: Member				
Appointed by Governor Kempthorne/to Commerce & Human Resources			30	
Committee Report			116	
Confirmed by Senate				120
PUBLIC RECORDS				
See RECORDS				
PUBLIC UTILITIES				
See UTILITIES				
PUBLIC UTILITIES COMMISSION				
Hansen, Dennis S.: Member				
Appointed by Governor Kempthorne/to State Affairs			42	
Committee Report			51	
Confirmed by Senate				53
PUBLIC WORKS				
Contractor licensing bureau, Self-Governing Agencies	H 129	150	169	258
Contractor licensing, Building Safety administrator	H 238	300	226	306
Contractors license board membership amended	H 305	301	226	306
Division, appropriation	H 373	374	328	328
Projects over $2 million, 15% Idaho apprentices	S 1126	- -	102	- -
PUBLICATIONS				
Highway district ordinances, publish summaries	S 1106	334	96	263
Newspapers, school reports, unsafe conditions	S 1110	- -	100	156
PURCHASING				
Certain professional services, exempt, bidding process	H 231	(V)	186	302
Highway commissioners, equipment, public auction	S 1103	- -	95	- -
State bidding requirements, electronic technology	S 1025	36	46	81
State, acquisitions in open market, when	S 1025	36	46	81
PURDY, NICK				
Appointment, Member: Board of Environmental Quality				
Appointed by Governor Kempthorne/to Resources & Environment			27	
Committee Report			70	
Confirmed by Senate				74

-R-

RACING				
Licensee, previous year, live race days	S 1090	72	91	150
Races per day, increased to eight	S 1090	72	91	150
RADIO				
Emergency Communications Preservation Act	H 232	316	199	270
RAILROADS				
Assess rail transportation impact, state economy	HCR 17	(A)	127	225
Crossing Protection Fund, public safety awareness	S 1139	- -	108	187
Employees on trains, minimum number	S 1108	- -	96	- -
Pioneer railroad route, restore service	HJM 2	(A)	146	172
Rail service preservation program, plan	H 269	348	186	293

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
RALSTIN, MONTIE				
Acting Chaplain (February 26, 27, 28, & March 1, 2001)			148	
Acting Chaplain (March 30, 2001)			326	
REAL ESTATE				
Adverse possession, written instrument to contrary	S 1156	290	111	216
Appraiser Board, adopt rules for trainees	H 27	132	118	261
Buyer/seller, representation confirmation amended	H 155	251	146	270
Domestic reciprocal insurer investments, maximum	H 233	174	169	260
Idaho real estate license laws amended	S 1051	123	64	169
Improvements, owner-occupied, when, tax exemption	H 202	166	160	261
License fee increase	S 1050	122	64	132
Seller disclosure, noxious weeds	S 1041	- -	62	- -
REAL PROPERTY				
See PROPERTY				
RECONSIDERATION OF VOTES				
H 24, as amended:				
First Vote (Failed)				268
Notice Given, Senator Ipsen (March 23, 2001)			270	
Motion to Reconsider, Moved by Senator Frasure, Prevailed				270
Reconsidered Vote (Passed)				271
H 356:				
(Senator Hawkins)				
First Vote (Passed)				295
Motion to Reconsider, Notice Given, Senator Hawkins			295	
Reconsideration granted by unanimous consent				298
H 356 referred to the Fourteenth Order of Business				298
RECORDERS				
Adverse possession, written instrument to contrary	S 1156	290	111	216
Irrigation district annexation order, where to record	S 1004	- -	36	- -
Irrigation district boundary change order, where filed	S 1121	192	102	148
RECORDS				
Agricultural piece rate workers, requirements	S 1029	- -	48	- -
Convicted drug pushers, registration required	S 1150	- -	110	179
Corrections Department, disclosure exemptions	H 18	180	160	248
County election ballots/tally books, temporary records	H 146	99	131	236
Crime victims compensation, when disclosed	S 1045	- -	62	92
Dairy farm reports, disclosure, when exempt	S 1144	- -	109	217
Health & Welfare Department, x-ray machines	H 198	110	169	241
Hospital, patient treatment orders, authentication	S 1146	67	109	147
Insurance license holders, recordkeeping	H 186	162	178	256
Insurer-producer records, exempt from disclosure	H 35	296	178	255
Motor vehicle title, retain 20 years	S 1016	73	43	133
Nursing Board, report investigations to compact parties	H 4	76	131	237
Public Employee Retirement System, information released to (ex)spouses	H 39	90	91	242
Prisoner records by another prisoner, no disclosure	H 62	48	68	194
Prisoner, no access from former custodial agency	H 62	48	68	194
Property transfer certificates, disclosure exemption	S 1154	- -	111	- -
Public, not supplement to discovery procedures	H 151	101	178	249
Sex offender register, aggravated offense not exempt	S 1170	194	130	175
Utility, affiliate company, Public Utilities Commission records inspection	H 347	385	234	314
RECREATION				
See PARKS & RECREATION				
RELIGION				
Free exercise, not defense, civil rights action	S 1002	- -	33	- -

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
RENTERS				
See LANDLORDS & TENANTS				
RESIDENTIAL CARE FACILITIES				
See NURSING HOMES				
RESIGNATION FROM SENATE				
Senator Jack Riggs, upon confirmation as Lt. Governor			60	
RESOLUTIONS				
Read Across Idaho Day declared	SR 102	(A)	98	117
Senate employee compensation	SR 101	(A)	41	42
RESOLUTIONS, CONCURRENT				
Ada County courthouse building, remodel	SCR 115	- -	171	181
Administrative fee rules, approval, exceptions	SCR 117	(A)	272	298
Administrative temporary rules approved	SCR 118	(A)	273	298
Aged/Disabled Waiver, research modifications	SCR 110	(A)	106	154
Alcohol/restaurant, police rules rejected	HCR 11	(A)	91	120
Assaults on sports officials, encourage prosecutions	HCR 32	(A)	220	265
Assess rail transportation impact, state economy	HCR 1	(A)	147	185
Billingsley Creek/Fisher Lake, acquire property	SCR 116	(A)	244	274
Capitol Commission restoration plan approved	HCR 21	(A)	138	159
Cattle feeding operations, certain rules rejected	HCR 25	(A)	138	220
Character education, schools, George Washington	HCR 1	(A)	147	185
Clean Water Act programs, investigate primacy	SCR 111	- -	106	- -
Community colleges, legislative study committee	HCR 34	- -	292	- -
Dave Nielsen, track coach, commend	HCR 8	(A)	71	83
Disabled persons, unemployment, legislative study committee	HCR 19	- -	121	- -
Disabled workers, Medicaid buy-in program, develop	SCR 108	(A)	105	117
Education Board, achievement standards, rules rejected	HCR 27	(A)	160	186
Education standards, legislative study committee	SCR 106	- -	98	117
Electric utility restructuring, legislative study committee	HCR 2	(A)	48	57
Electronic commerce/technology, legislative study committee	HCR 31	(A)	199	313
Electronic transmission tax, legislative study committee	HCR 9	- -	121	- -
Geographical place names, replace "squaw," committee	SCR 105	- -	87	99
Governor, Budget address	HCR 4	(A)	20	21
Governor, State of the State address	HCR 3	(A)	9	10
Great Western Trail Association, recognize efforts	HCR 35	(A)	266	310
Great Western Trail, Idaho portion designated	HCR 20	- -	121	- -
House/Senate daily journals, printing agreement	HCR 14	(A)	117	136
House/Senate permanent journals, printing agreement	HCR 15	(A)	117	137
Juneteenth National Freedom Day, slavery abolished	SCR 101	(A)	45	71
Legislative bills, printing agreement	HCR 13	(A)	117	136
Legislative office building, construction authorized	SCR 112	- -	118	- -
Millennium Income Fund, legislative study committee	HCR 18	- -	147	- -
Natural resources, legislative study com	HCR 6	A)	52	57
Nursing facilities, deemed status, accrediting survey	SCR 109	(A)	105	129
Personal property tax, legislative study committee	HCR 33	- -	246	- -
Pharmacy Board, Carisoprodol rule rejected	SCR 103	(A)	66	74
Police officer, late James Moulson, tribute	SCR 102	(A)	54	59
Police officer, late Phillip Anderson, tribute	SCR 102	(A)	54	59
Prescription drugs purchases, multistate compact	HCR 26	(A)	178	213
Prison incarceration options, legislative study committee	HCR 23	- -	214	- -
Prostate cancer awareness month, September	HCR 5	(A)	48	62
Real property assessment, legislative study committee	HCR 10	- -	121	- -
School facilities funding, legislative study committee	SCR 114	- -	170	275
School readiness, legislative study committee	SCR 107	- -	104	117
Session laws, printing contract	HCR 16	(A)	117	137
St. Maries, support creosote cleanup	HCR 24	(A)	150	233
Stacy Dragila, Olympic gold medalist, commend	HCR 8	(A)	71	83
State employees, salary increase	HCR 12	- -	104	- -
Tax Commission, approve rule, dishonored check fee	SCR 104	(A)	76	90
Telecommunications regulation, legislative study committee	HCR 7	- -	147	- -
Vocational Rehabilitation appeals, rule rejected	HCR 28	- -	160	- -
Water Resources Department, new building authorized	SCR 113	- -	166	176

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
RESOLUTIONS, JOINT				
School districts, incur debt, 60% assent required	SJR 101	- -	104	157
RETIREMENT				
See also PUBLIC EMPLOYEES RETIREMENT SYSTEM of IDAHO (PERSI)				
Account, spouse's community property interest	S 1118	288	100	143
Active duty service, purchase, reduced 1%	S 1129	- -	103	- -
Firefighters, pension options, contributions	H 371	327	292	304
Public Employee Retirement System, information released to (ex)spouses	H 39	90	91	242
Public Employee Retirement System of Idaho, 2000 appropriation reduced	S 1238	340	198	222
Public Employee Retirement System of Idaho, appropriation	H 304	116	155	238
Public Employee Retirement System, contributions, refund, when	H 41	138	104	261
Public Employee Retirement System, payment commutation level, rule	H 41	138	104	261
Public Employee Retirement System, political subdivision admitted	H 40	- -	91	- -
Public Employee Retirement System, supplemental plan, contributions	H 38	89	91	242
REVENUE & TAXATION				
See TAX & TAXATION				
RIGGS, SENATOR JACK				
Lieutenant Governor, Office of (January 23, 2001)				
Resignation from Senate, upon confirmation as Lt. Governor			60	
Appointed by Governor Kempthorne/to State Affairs			51	
Committee Report			55	
Confirmed by Senate				61
Confirmation Ceremony & Oath of Office			62	
RIGHT-OF-WAY				
See EASEMENTS				
RIVERS				
Lemhi, minimum stream flow, rental committee	H 358	373	246	288
Snake, basin adjudication, facilitate, water rental	H 383	394	326	329
RULES				
Administrative fee rules, approval, exceptions	SCR 117	(A)	272	298
Administrative temporary rules approved	SCR 118	(A)	273	298
Administrative, approval/rejection extended	H 338	187	178	258
Agriculture, cattle feeding operations, rules rejected	HCR 25	(A)	138	220
Education Board, achievement standards, rules rejected	HCR 27	(A)	160	186
Insurance, personal information, federal standards	S 1124	- -	102	- -
Personnel, criminal investigator training	S 1081	- -	85	- -
Pharmacy Board, drug Carisoprodol, rule rejected	SCR 103	(A)	66	74
Police, alcohol control/restaurants, rules rejected	HCR 11	(A)	91	120
Tax Commission, dishonored check fee, approved	SCR 104	(A)	76	90
Transportation Department, condemnation procedures	S 1076	- -	84	- -
Vocational Rehabilitation appeals, rule rejected	HCR 28	- -	160	- -
RULES OF THE SENATE				
Senate & Joint Senate & House Rules, permanent rules, adopted:				
Extraordinary Session			6	
First Regular Session			1	
RYAN, DAVID L.				
Appointment, Member: Blind & Visually Impaired, Commission for the				
Appointed by Governor Kempthorne/to Health & Welfare			36	
Committee Report			66	
Confirmed by Senate				71

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
-S-				
SAFETY				
Food disparagement, impugns product safety	S 1005	20	36	69
Food, Agriculture Department, develop services, sanitation	H 73	146	127	256
Public safety awareness, railroad crossing funds	S 1139	- -	108	187
Safety restraints required, all vehicle occupants	S 1094	- -	94	217
Safety restraints use, driver's responsibility	S 1094	- -	94	217
School report, unsafe conditions, newspaper publication	S 1110	- -	100	156
School Safety/Health Revolving Loan repealed	S 1113	- -	100	- -
Transporting child in vessel under influence	H 63	49	91	195
SALARIES				
See also WAGES				
Attaches, Senate	SR 101	(A)	41	42
SALES				
Auto dealer licenses, emergency suspension, public harm	S 1101	- -	95	- -
Bonds, electronic bidding	S 1158	264	111	217
Bonds, private sale defined, notice	S 1158	264	111	217
Certain vehicles, tax exemption, use outside state	H 367	354	271	303
County property, procedures, highway districts deleted	S 1105	333	95	217
Entrusting, definition, technical corrections	S 1006	21	36	71
Motor vehicle dealers, salvage pool purchases	S 1098	- -	95	- -
Property, value, disposal, school trustees	S 1111	191	100	187
Real estate, representation confirmation amended	H 155	251	146	270
Real estate, seller disclosure, noxious weeds	S 1041	- -	62	- -
Real property, city conveyances, terms, procedures	S 1057	331	68	122/327
Structured settlements, transfers, UCC applicability	H 237	299	146	229
Table/dessert wines, county option	S 1068	- -	79	157
Telemarketer, authorization required, every charge	H 144	315	131	229
UCC, new secured transactions chapter	H 205	208	146	229
Uniform Foreign-Money Claims Act	S 1022	329	45	97
SALES TAX				
See TAX & TAXATION, SALES				
SAMUELSON, DONALD W.				
Memorial Service (February 19, 2001)			126	126
SCHAEFER, SUZANNE B.				
Appointment, Member: Hazardous Waste Facility Siting License Application Review Panel				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70
SCHOLARSHIPS				
Idaho private colleges, national guard incentives	H 53	322	147	268
SCHOOL BOARDS				
See SCHOOL DISTRICTS--Trustees				
SCHOOL DISTRICTS				
Appropriation, distribution, purposes	S 1112	- -	100	- -
Authority, lease property	S 1134	- -	107	- -
Bond levy, annual reduction, school facilities fund	S 1071	- -	83	- -
Bonds, issuance, any time after election	S 1157	336	111	217
Bonds, sale, public or private	S 1157	336	111	217
Building Authority, secure financing, school projects	S 1134	- -	107	- -
Classroom supplies, allocate funds	S 1182	359	155	199
Construction projects, state matching funds	S 1134	- -	107	- -
Development impact fees, exemption	S 1099	- -	95	- -

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
SCHOOL DISTRICTS (Continued)				
Disadvantaged school district building account	S 1131	- -	107	- -
Full-time contracts, minimum/maximum days	S 1115	- -	100	- -
Incur debt, election, 60% assent required	SJR 101	- -	104	157
Individualized computer instruction, ongoing	H 316	255	186	270
Limited-English proficiency early intervention program	S 1195	- -	168	221
New/conversion charter schools, admission preference	H 294	209	183	259
Prekindergarten program, age 3 minimum	S 1027	- -	48	- -
Prekindergarten program, age 3 minimum	S 1028	- -	48	194
Prekindergarten program, funding support	S 1027	- -	48	- -
Prekindergarten readiness programs, reimbursement	S 1117	- -	100	174
Property, value, sale/disposal	S 1111	191	100	187
Reading assessments, report/evaluation/intervention	S 1116	390	100	228
Report, unsafe conditions, newspaper publication	S 1110	- -	100	156
Safe facilities, state grants	H 315	326	178	295
Salary schedules, development	S 1114	389	100	228
Salary-based apportionment, non-compliance deduction	S 1115	- -	100	- -
School facility lottery fund established	S 1131	- -	107	- -
School facility lottery fund established	S 1134	- -	107	- -
School facility support funds, allocation	S 1070	- -	83	197
School levies, maximum rate reduced	H 284	- -	246	- -
School librarians, employment, funding	S 1135	- -	108	- -
School Safety/Health Revolving Loan repealed	S 1113	- -	100	- -
Sex education, abstinence only safe method	H 277	- -	214	- -
Sex education, content determined locally	H 277	- -	214	- -
Staff base salary, multiplier increased	S 1182	359	155	199
Staff development activities, appropriate days	S 1133	204	107	175
Summer program, juvenile detention pupils, funding	H 292	252	186	269
Teacher base salaries increased	S 1114	389	100	228
Teacher evaluation criteria added	S 1061	- -	74	169
Trustee elections/maintenance levies, dates	H 189	- -	160	- -
Trustee zone boundaries, county precincts	H 190	- -	160	- -
Trustee zone changes, following decennial census	H 191	163	160	263
Trustee zone changes, voter approval deleted	H 191	163	160	263
SCHOOLS				
Character education, influence of George Washington	HCR 1	(A)	147	185
Charter, apportionment, advance payment, when	H 278	114	183	243
Charter, audit reporting requirements	S 1060	64	68	132
Charter, effectiveness, Education Board review	S 1038	188	59	169
Charter, new/conversion, admission preference	H 294	209	183	259
Charter, revision not approved, appeal procedure	S 1132	65	107	174
Charter, use virtual distance/on-line learning	H 317	302	169	255
Classroom supplies, allocate funds	S 1182	359	155	199
Cosmetology, instructor/school license requirements	H 29	134	160	261
Education Board, achievement standards, rules rejected	HCR 27	(A)	160	186
Idaho School for Deaf & Blind, appropriation	S 1247	266	213	235
Prekindergarten program, age 3 minimum	S 1027	- -	48	- -
Prekindergarten, minimum school age 3 years	S 1028	- -	48	194
Private, donations to students, tax credit	H 311	- -	226	- -
Public, appropriation	S 1182	359	155	199
Safe facilities, state grants	H 315	326	178	295
Safe/Drug-Free Schools program, appropriation, intent	S 1182	359	155	199
School facilities funding, legislative study committee	SCR 114	- -	170	275
Smoking, prohibited on school property	S 1169	- -	121	186
Speed zones, violations, penalties	S 1089	- -	91	174

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
SEALS				
Architects, electronic documents, application	H 32	88	117	250
SEAT ASSIGNMENTS				
Senate Chamber Seats			1	
SECRETARY OF STATE				
Certificate of Election			1	
Extraordinary Session, December 8, 2000, Certification			6	
List of Registered Lobbyists			20	
SECRETARY OF STATE - LEGISLATION				
2000 appropriation reduced	S 1238	340	198	222
Appropriation	S 1224	238	183	215
Arts Commission, appropriation, additional	H 84	6	63	81
Commission on the Arts, appropriation	S 1229	240	186	216
Distribution list, printed session laws	H 100	51	68	195
Engineers/surveyors, organizational filing, Board approval	H 24	247	138	268/271
Session laws, property stamp requirement deleted	H 100	51	68	195
UCC, new secured transactions chapter	H 205	208	146	229
SECRETARY OF THE SENATE				
Jeannine Wood, Elected (December 7, 2000 - 2-yr. term)			1	
SECURED TRANSACTIONS				
Auto dealer, satisfy liens within ten days	S 1100	190	95	151
Structured settlements, transfers, UCC applicability	H 237	299	146	229
UCC, new chapter	H 205	208	146	229
SECURITIES				
Broker-dealer application, fingerprints not required	H 23	131	183	260
Broker-dealer registration, exam waiver removed	H 23	131	183	260
Control person, willful violations, discipline	H 22	84	183	243
Dealers, suspension by NASD or NASDR	H 22	84	183	243
Interstate Commerce Commission, registration exemption removed	H 23	131	183	260
Registration fee not to exceed $500	H 23	131	183	260
SELF-GOVERNING AGENCIES				
Building Safety, public works contractor licensing	H 129	150	169	258
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation, additional	H 82	8	63	81
Department, appropriation, additional, Building Safety Division	S 1085	35	90	131
Department, appropriation, additional, Examiners Board	S 1175	215	140	166
Department, appropriation, additional, Medicine Board	S 1189	222	162	193
Department, appropriation, additional, Occupational Licenses Bureau	S 1262	342	292	305
Department, appropriation, additional, Veterans Services Division	S 1258	295	233	266
Department, appropriation, Building Safety Division	S 1218	234	182	209
Department, appropriation, Lottery Commission	S 1203	226	177	204
Department, appropriation, regulatory boards	S 1202	225	177	204
Department, appropriation, Veterans Services Division	S 1235	243	198	222
Real Estate Appraiser Board, rules, trainees	H 27	132	118	261
SENATE				
See also Seat Assignments, Committee Assignments				
See also Elections, Senate Officers				
See also Rules, Adoption				
Acting Senator Bartlett, Appointed to District 9			77/114	
Attaches, compensation	SR 101	(A)	41	42
Employee compensation	SR 101	(A)	41	42
Extraordinary Session, Friday, December 8, 2000			5	
Oath of Office, Senators			1	
Organizational Session, Thursday, December 7, 2000			1	
President Pro Tempore, Robert L. Geddes (December 7, 2000)			1	
President, compensation of Lieutenant Governor	S 1259	269	275	303

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
SENATOR JACK RIGGS				
Lieutenant Governor, Office of (January 23, 2001)				
Resignation from Senate, District 4, upon confirmation as Lt. Governor			60	
Appointed by Governor Kempthorne/to State Affairs			51	
Committee Report			55	
Confirmed by Senate				61
Confirmation Ceremony & Oath of Office			62	
SENATOR KATHY SIMS				
District 4 Senator				
Appointed by Governor Kempthorne to Replace Senator Riggs, (February 12, 2001)			113	
Certificate of Appointment			113	
Oath of Office			114	
SENIOR CITIZENS				
Abuse, Aging Commission, disclosures to police	H 8	79	127	235
Commission on Aging, director now administrator	H 31	87	117	242
Dependent care, gainful employment, tax credit	H 275	- -	138	292
Household dependents, tax deduction/payments increased	H 275	- -	138	292
Hunting, tag, senior license, age restriction deleted		261	276	139
Nursing home facility fishing permit	H 43	206	63	249
Over 55 years, 10% discount, auto insurance	S 1093	- -	94	- -
Property tax relief, eligible claimants, requirements	H 150	69	131	223
Property tax, income, funeral expenses deducted	H 299	325	203	318
SESSION LAWS				
Distribution list, printed session laws	H 100	51	68	195
State property stamp requirement deleted	H 100	51	68	195
SEWAGE				
Domestic septage districts authorized	H 257	175	150	258
SEX				
Education, schools, abstinence only safe method	H 277	- -	214	- -
Education, schools, content determined locally	H 277	- -	214	- -
Sex offender registry, public internet access	S 1192	195	163	194
Sexual assault investigations, peace officer training	H 249	143	155	241
Violent sexual predator designation, when served	S 1043	286	62	193
SEXUAL OFFENDER'S CLASSIFICATION BOARD				
Hearn, Thomas J.: Member				
Appointed by Governor Kempthorne/to Judiciary & Rules			32	
Committee Report			50	
Confirmed by Senate				52
Sunderland, Moscelene: Member				
Appointed by Governor Kempthorne/to Judiciary & Rules			32	
Committee Report			50	
Confirmed by Senate				52
SHERIFFS				
Jails, prisoner medical visit, $5 fee	H 64	50	68	195
Sex offender registry, public internet access	S 1192	195	163	194
Violent sexual predator designation, when served	S 1043	286	62	193
SIMPSON, HONORABLE MIKE				
Representative, U. S. Congress, Visit (February 21, 2001)			136	
SIMS, SENATOR KATHY				
Appointed to Replace Lt. Gov. Riggs, District 4 (February 13, 2001)			113	
Certificate of Appointment			113	
Oath of Office			114	
SINE DIE ADJOURNMENT				
Organizational Session: Thursday, December 7, 2000, at 4:45 p.m.			3	
Extraordinary Session: Friday, December 8, 2000, at 1:30 p.m.			8	
First Regular Session:				
(82nd Legislative Day) Friday, March 30, 2001, at 3:40 p.m.			333	

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
SOCIAL WORK				
License required, certified family homes	H 212	167	169	255
License, fee increase	H 7	78	160	248
SOIL				
Conservation Commission, appropriation	S 1208	231	177	204
Soil & Plant Amendment Act added	H 74	250	131	267
SOIL CONSERVATION COMMISSION				
Whittom, Bill: Member				
Appointed by Governor Kempthorne/to Agricultural Affairs			246	
Committee Report			315	
Confirmed by Senate				315
SPECIAL COMMITTEES:				
Lincoln Day (Senator Brandt)			47	
Lunchroom (Senator Lodge)			47	
Memorial: (Senator Goedde)			47	
SPONSORS, SENATE & HOUSE BILLS				
See: SENATE INDEX, XV				
SPORTS				
See ATHLETICS				
STANDING COMMITTEES				
See also: SENATE INDEX, Standing Committee Assignments				
Assignments			2	2
Assignments, Changes				
Agricultural Affairs Committee: Senator Goedde, Vice Chairman			71	
Agricultural Affairs Committee: Senator Deide, Chairman			117	
Senator Sims, Committee Assignments			117	
Education Committee: Senator Williams, Vice Chairman			124	
STATE OF THE JUDICIARY MESSAGE				
Chief Justice Linda Copple Trout			37	
STATE OF THE STATE ADDRESS				
Governor Dirk Kempthorne			10	
STOICHEFF, JAMES F.				
Memorial Service (February 19, 2001)			126	
STUDENTS				127
Admission preference, new/conversion charter schools	H 294	209	183	259
Chiropractic interns, temporary permits	H 9	80	150	237
Habitual truants, notify prosecutor	H 326	- -	220	307
Idaho private colleges, national guard incentives	H 53	322	147	268
Idaho Promise Scholarship, appropriation, additional	S 1034	17	55	69
Prekindergarten program, age 3 minimum	S 1028	- -	48	194
Prekindergarten program, age 3 minimum	S 1027	- -	48	- -
Prekindergarten programs, funding support	S 1027	- -	48	- -
Privately schooled, donations, tax credit	H 311	- -	226	- -
Sex education, abstinence only safe method	H 277	- -	214	- -
Sex education, content determined locally	H 277	- -	214	- -
Student-athletes, agent registration required	S 1063	202	78	134
STUDIES				
Community colleges, legislative committee	HCR 34	- -	292	- -
Disabled persons, unemployment, legislative committee	HCR 19	- -	121	- -
Education standards, hindrances, legislative committee	SCR 106	- -	98	117
Electric utility restructuring, legislative committee	HCR 2	(A)	48	57
Electronic commerce/technology, legislative committee	HCR 31	(A)	199	313
Electronic transmission taxation, legislative committee	HCR 9	- -	121	- -
Galloway dam, Water Resources feasibility study	H 179	- –	163	- -
Millennium Income Fund, legislative committee	HCR 18	- -	147	- -
Natural resources, legislative committee	HCR 6	(A)	52	57

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
STUDIES (Continued)				
Personal property tax, legislative committee	HCR 33	- -	246	- -
Prison incarceration alternative, legislative committee	HCR 23	- -	214	- -
Real property, assessment method, legislative committee	HCR 10	- -	121	- -
School facilities funding, legislative committee	SCR 114	- -	170	275
School readiness, legislative committee	SCR 107	- -	104	117
Telecommunications regulation, legislative committee	HCR 7	- -	147	- -
SUBSTANCE ABUSE				
Drug court program authorized	S 1171	337	130	175
Health & Welfare Department, appropriation	S 1212	- -	178	205
Treatment programs, appropriation	S 1257	362	233	266
Treatment, special legislative oversight committee	S 1257	362	233	266
SUBSTITUTE SENATOR				
Judy Boyle Bartlett (Temporary Replacement for Senator Branch, District 9)				
Certificate of Appointment (Effective February 6, 2001)			77	
Oath of Office			77	
Certificate of Appointment (Effective February 13, 2001)			114	
Oath of Office			114	
SUNDERLAND, MOSCELENE				
Appointment, Member: Sexual Offender's Classification Board				
Appointed by Governor Kempthorne/to Judiciary & Rules			32	
Committee Report			50	
Confirmed by Senate				52
SUPREME COURT				
See also COURTS, JUDICIARY				
SURVEYING & SURVEYORS				
Business entity, organizational filing, board approval	H 24	247	138	268/271
Nonfinal documents to be clearly marked	H 24	247	138	268/271
Professional Board, appropriation	H 82	8	63	81
Professional services, exempt, state bidding process	H 231	(V)	186	302

-T-

TAYLOR, R. JOHN				
Appointment, Member: Idaho Endowment Fund Investment Board				
Appointed by Governor Kempthorne/to Commerce & Human Resources			29	
Committee Report			149	
Confirmed by Senate				154
TAX AND TAXATION				
Appeals Board, appropriation	S 1251	267	220	247
Cigarette/tobacco taxes, overpayment refunds, method	H 109	52	104	195
Commission rule, dishonored check fee, approve rule	SCR 104	(A)	76	90
Commission, appropriation	S 1252	268	220	247
Commission, appropriation amended	H 126	2	79	97
Commission, appropriation, commissioner salaries	H 374	280	298	308
Commissioners, salary increased	H 356	279	234	295/308
Department, 2000 appropriation reduced	S 1238	340	198	222
Electronically filed returns, tax credit	H 112	54	104	196
Employer withholding, monthly thresholds deleted	H 357	- -	246	- -
Estate, apportionment absent instrument to contrary	S 1031	262	55	86
Federal advance interest tax, levy, discretionary	S 1021	32	44	97
Fuel tax exemption, special user vehicles	H 167	104	127	240

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
TAX AND TAXATION (Continued)				
Fuel tax exemption, vehicles unlicensed for highways	H 167	104	127	240
Fuels carrier, Tax Commission may require reports	H 167	104	127	240
Imported cigarettes, documentation deleted	S 1058	40	68	92
Imported cigarettes, violations, definition amended	S 1058	40	68	92
Mining license tax reduced	H 174	207	155	250
Peas/lentils, amount of assessment	H 210	298	160	306
Pipeline terminal, Tax Commission may require reports	H 167	104	127	240
Property transfer certificates, filing, exempt records	S 1154	- -	111	- -
Reed Act distributions, requirements extended	S 1021	32	44	97
Tax deed, one year redemption period	S 1153	193	110	148
Tax Relief Fund created	H 380	- -	328	- -
Use tax, exemption, personal motor vehicles	H 122	57	117	196
Wheat Commission, maximum tax rate	H 170	105	127	243
Workforce development training, tax extended	S 1018	19	44	56
TAX AND TAXATION, INCOME				
Capital gains, holding period, beneficiary property	H 110	321	104	317
Capital gains, holding period, exchanged property	H 110	321	104	317
Corporate/franchise, rate reduced	H 275	- -	138	292
Credit, 2001 mining real property tax (Received/not introduced in Senate)	H 381	- -	- -	- -
Credit, all new employees, 2001 only	H 377	386	312	317
Credit, at-home parent	H 275	- -	138	292
Credit, broadband equipment	H 275	- -	138	292
Credit, capital investment, broadband equipment	H 377	386	312	317
Credit, charitable contributions, limit increased	H 80	370	160	318
Credit, charities, Big Brothers/Big Sisters program	H 298	- -	173	- -
Credit, contributions, Gem Youth services	H 149	157	169	257
Credit, dependent care services, gainful employment	H 275	- -	138	292
Credit, donations, privately schooled students	H 311	- -	226	- -
Credit, groceries, increased	H 275	- -	138	292
Credit, groceries, increased	H 377	386	312	317
Credit, groceries, progressive increase	H 387	- -	326	- -
Credit, incentive, investment	H 275	- -	138	292
Credit, incentive, qualified investments	H 377	386	312	317
Credit, new employees	H 275	- -	138	292
Credit, new employees	H 387	- -	326	- -
Credit, new natural resource employees, after 2001	H 377	386	312	317
Credit, one-time, farm equipment tax	H 275	- -	138	292
Credit, private venture capital company	H 275	- -	138	292
Credit, rehabilitation charity, recognized accreditation	H 252	382	178	270
Credit, research activities	H 377	386	312	317
Credit, research activities	H 275	- -	138	292
Credit, school choice	H 311	- -	226	- -
Credit, venture capital risk	H 300	- -	203	- -
Deduction limit, capital gain net income	H 110	321	104	317
Deduction, capital gains, 100% deductible	H 275	- -	138	292
Deduction, capital gains, 100% deductible	H 88	- -	326	- -
Deduction, capital gains, 80%, 2001 only	H 87	323	326	330
Deduction, capital gains, agriculture/timber/mines	H 379	- -	312	- -
Deduction, capital gains, agriculture/timber/mines	H 386	- -	326	- -
Deduction, college savings, contribution deadlines	S 1036	46	55	81
Deduction, health insurance costs	H 253	- -	169	- -
Deduction, health insurance costs	H 377	386	312	317
Deduction, long-term care insurance	H 312	384	220	318
Deduction/payments, disabled/elderly, increased	H 275	- -	138	292
Deductions & credits, technical corrections	H 121	270	117	299

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
TAX AND TAXATION, INCOME (Continued)				
Electronic funds transfer not required	H 148	100	150	250
Employee withholding, refund limitations amended	H 120	56	117	196
Individual, rate reduced	H 275	- -	138	292
Internal Revenue Code, references amended	H 160	58	117	196
Lottery winnings, refund limitations amended	H 120	56	117	196
Nonqualified withdrawals, college savings, taxable	S 1036	46	55	81
President Bush's tax relief plan, endorse	HJM 10	(A)	199	233
Rate reduced	H 377	386	312	317
Rebate, individuals, 1999 tax year	H 275	- -	138	292
Rebate, individuals, 1999 tax year	H 385	- -	326	- -
Time extension, estimated payments, $50 exemption	H 111	53	104	195
TAX AND TAXATION, PROPERTY				
Agricultural land assessment, irrigation buy-back	S 1256	- -	226	286
Agricultural land, produce nursery stock	H 55	12	52	80
Auditorium districts, maximum tax rates	H 353	258	214	269
Circuit breaker, eligible claimants, requirements	H 150	69	131	223
Electronic transmission tax, legislative study committee	HCR 9	- -	121	- -
Equalization Board appeal, when fees awarded	S 1049	- -	63	- -
Exemption, agricultural machinery/equipment	H 378	356	312	314
Exemption, low-income housing	S 1160	- -	111	- -
Exemption, owner-occupied, Jan. 1- April 15	H 202	166	160	261
Exemption, residential improvements, 5% ownership	H 150	69	131	223
Exemption, speculative value, low-income housing	H 320	- -	220	- -
Mining real property, income tax credit (Received/not introduced in Senate)	H 381	- -	- -	- -
New construction roll, electricity generation property	H 310	- -	271	- -
Personal property tax, legislative study committee	HCR 33	- -	246	- -
Recreation districts, maximum tax rate	H 382	375	326	328
Recreation districts, maximum tax rate	S 1200	- -	173	255
School bond levy, annual reduction, facilities fund	S 1071	- -	83	- -
Schools, property tax replacement formula amended	H 284	- -	246	- -
TAX AND TAXATION, SALES				
Distribution, installment sales	H 119	55	117	196
Exemption, aircraft replacement materials	H 143	98	131	237
Exemption, certain vehicles, outside state use	S 1096	- -	94	135
Exemption, food sales, in 2003	H 387	- -	326	- -
Exemption, museum purchases/admissions		- -	169	- -
Exemption, vessels/ATV/snowmobiles, use outside state	H 367	354	271	303
Retailer returns, provide sales per county	H 319			
Schools, property tax replacement formula amended	H 284	- -	246	- -
TAX APPEALS, IDAHO BOARD OF				
Cobbs, Lyle: Member				
Appointed by Governor Kempthorne/to Local Government &. Taxation			31	
Committee Report			61	
Confirmed by Senate				64
Kinghorn, David E.: Member				
Appointed by Governor Kempthorne/to Local Government &. Taxation			139	
Committee Report			253	
Confirmed by Senate				265
TAX COMMISSION, IDAHO STATE				
Hammond, DuWayne D.: Member				
Appointed by Governor Kempthorne/to Local Government &. Taxation			246	
Committee Report			264	
Confirmed by Senate				274
Haws, Severina Sam: Member				
Appointed by Governor Kempthorne/to Local Government &. Taxation			33	
Committee Report			61	
Confirmed by Senate				64

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
TEACHERS & TEACHING				
Base salaries increased	S 1114	389	100	228
Character education, influence of George Washington	HCR 1	(A)	147	185
Charter schools, use virtual distance/on-line learning	H 317	302	169	255
Classroom supplies, allocate funds	S 1182	359	155	199
Cosmetology, instructors/schools, license requirements	H 29	134	160	261
Education Board, achievement standards, rules rejected	HCR 27	(A)	160	186
Education Board, appropriation, teacher training	S 1261	341	287	303
Electrology/esthetics/nail classes, licenses	H 29	134	160	261
Evaluation criteria added	S 1061	- -	74	169
Full-time contracts, minimum/maximum days	S 1115	- -	100	- -
Instructional base salary multiplier increased	S 1182	359	155	199
Prekindergarten readiness programs, reimbursement	S 1117	- -	100	174
Salary schedules developed by districts	S 1114	389	100	228
Salary-based apportionment, non-compliance deduction	S 1115	- -	100	- -
Sex education, abstinence only safe method	H 277	- -	214	- -
Sex education, content determined locally	H 277	- -	214	- -
Staff development activities, appropriate days	S 1133	204	107	175
TELECOMMUNICATIONS				
Regulation, legislative study committee	HCR 7	- -	147	- -
TELEVISION				
PBS, Education Board monitor content, repealed	S 1001	- -	20	- -
Public Broadcasting System, appropriation	S 1228	306	183	215
TENANTS				
See LANDLORDS & TENANTS				
TIMBER				
See FORESTRY & FORESTS; LOGGING & LUMBER				
TOBACCO				
Cigarette/tobacco taxes, overpayment refunds, method	H 109	52	104	195
Imported cigarettes, documentation deleted	S 1058	40	68	92
Imported cigarettes, violations, definition amended	S 1058	40	68	92
Millennium Income Fund, appropriation, various programs	S 1230	241	186	216
Millennium Income Fund, legislative study committee	HCR 18	- -	147	- -
Sales to minors, penalties reduced	S 1035	- -	55	- -
Sales to minors, penalties reduced	S 1048	39	63	131
Sales, age verification requirement deleted	S 1048	39	63	131
Sales, age verification requirement deleted	S 1035	- -	55	- -
Sales, number of Health & Welfare Department inspections	S 1048	39	63	131
TORTS				
See CIVIL ACTIONS; LITIGATION				
TRADE				
Canadian lumber subsidies, end unfair practices	SJM 106	(A)	211	225
Cloven-hoofed animals/products, import moratorium	SJM 109	(A)	251	274
Importing meat products, standards, labeling	SJM 108	(A)	251	274
Telemarketers, obtain consent, every charge to account	H 144	315	131	229
TRAINS				
See RAILROADS				
TRANSPORTATION				
Assess rail transportation impact, state economy	HCR 17	(A)	127	225
Board, administer, rail service preservation program	H 269	348	186	293
Costs, reimbursement, excess Medicaid claims	H 2	47	127	196
Department, 2000 appropriation reduced	S 1238	340	198	222
Department, appropriation	S 1184	218	160	200
Department, appropriation, additional	H 81	9	63	81
Department, appropriation, additional, aeronautics	H 375	328	298	305
Department, certain temporary rules not approved	SCR 117	(A)	272	298

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
TRANSPORTATION (Continued)				
Motor carriers, proof of insurance, farm/logging/mines	S 1136	- -	108	- -
Multistate Highway Transportation Agreement amended	H 216	- -	146	- -
Pioneer railroad route, restore service	HJM 2	(A)	146	172
Public safety awareness, railroad crossing funds	S 1139	- -	108	187
Traffic accident memorials, consent, next of kin	S 1137	45	108	157
Trip permits, fees/hours increased	H 270	176	163	256
U.S. Hwy 95, Stu Dopf Memorial Highway designated	H 359	352	254	312
Vehicles 8,001-60,000 lbs, registration fees	S 1173	- -	130	187
Vehicles over 4 axles, speed limit, weight deleted	S 1177	- -	140	187
Vehicles over 60,000 lbs, quarterly registration fees	H 214	185	131	242
Vehicles over 60,000 lbs, quarterly registration fees	H 364	353	266	311
Vehicles, excess weight, temporary permits, penalties	H 369	355	298	311
TRANSPORTATION BOARD				
McHugh, John W.: Member				
Appointed by Governor Kempthorne/to Transportation			185	
Committee Report			264	
Confirmed by Senate				275
TREASURER, STATE				
2000 appropriation reduced	S 1238	340	198	222
Appropriation	S 1187	220	160	192
Bond bank authority created	S 1174	130	130	179
TROUT, CHIEF JUSTICE LINDA COPPLE				
State of the Judiciary Message			37	
TRUCKING & TRUCKS				
See TRANSPORTATION; MOTOR VEHICLES; HIGHWAYS				
TRUSTS				
Beneficiary property, capital gains, holding period	H 110	321	104	317
Estate tax apportionment, absent contrary trust terms	S 1031	262	55	86
Special needs, exempt, Uniform Commercial Code	H 237	299	146	229
Uniform Principal & Income Act (new)	S 1023	261	46	121
TWIGGS, SANDRA				
Appointment, Member: Idaho Commission on Human Rights				
Appointed by Governor Kempthorne/to State Affairs			77	
Committee Report			129	
Confirmed by Senate				137

-U-

UNEMPLOYMENT				
See EMPLOYMENT SECURITY LAW				
UNIFORM COMMERCIAL CODE				
Applicability, structured settlement transfers	H 237	299	146	229
Entrusting, definition, technical corrections	S 1006	21	36	71
Inapplicable, special needs trust/injury compensation	H 237	299	146	229
Secured transactions, new chapter	H 205	208	146	229
UNIFORM LAWS				
City adoption, national codes, one copy on file	H 162	156	160	250
Uniform Athlete Agents Act	S 1063	202	78	134
Uniform Commercial Code -- Secured Transactions	H 205	208	146	229
Uniform Foreign-Money Claims Act	S 1022	329	45	97
UNIVERSITIES				
See COLLEGES & UNIVERSITIES				

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
UTILITIES				
City authority, grant (non)exclusive franchises	S 1152	- -	110	- -
Electric suppliers, active supervision, review contracts	H 142	29	124	152
Electric suppliers, unfair competition immunity	H 142	29	124	152
Electric utility restructuring consultant, appropriation	H 54	91	58	240
Electric utility restructuring, legislative study committee	HCR 2	(A)	48	57
Energy cost recovery bonds, issuance, application	S 1255	380	226	266
Idaho Electricity Authority established	S 1249	- -	213	- -
Lights/heat, winter months, unemployment benefits	S 1125	- -	102	- -
Public Utilities Commission, 2000 appropriation reduced	S 1238	340	198	222
Public Utilities Commission, appropriation	H 341	278	265	296
Public Utilities Commission, appropriation, commissioner salaries	H 374	280	298	308
Public, franchise fees, maximum increase	S 1201	- -	173	- -
Public, provide documents, Consumer's Advocate Division	S 1163	- -	115	- -
Public Utilities Commission, commissioners, salary increased	H 306	253	178	268
Public Utilities Commission, Consumer's Advocate Division created	S 1163	- -	115	- -
Public Utilities Commission, employ pipeline safety specialist	H 188	108	147	239
Public Utilities Commission, records inspection, utility's affiliate company	H 347	385	234	314
Restructuring, natural resources, legislative study	HCR 6	(A)	52	57
Water/sewer services, authority, county commissioners	H 209	184	169	261

-V-

VESSELS				
See BOATS				
VETERANS				
American WWII prisoners, Japan, redress wrongs	HJM 9	(A)	173	198
Definitions amended	H 140	198	131	239
Disabled, fee waiver, Parks & Recreation Board	S 1162	43	115	148
Government employment, honorably discharged/disabled	H 322	214	178	259
Homes, national guard members deleted	H 140	198	131	239
Homes, war service not required	H 140	198	131	239
Medicaid, support property lien exemption	HJM 7	(A)	163	185
Nursing facilities, reimbursed Medicare costs	H 10	68	127	218
Property tax relief, eligible claimants, requirements	H 150	69	131	223
Retirement, active duty service, purchase, reduced 1%	S 1129	- -	103	- -
Service officers, assist with benefit applications	S 1123	- -	102	- -
Service officers, assist with benefits applications	S 1079	- -	85	- -
Services administrator, power/duties amended	H 141	199	131	239
Services administrator, power/duties amended	H 140	198	131	239
Services administrator, U.S. burial/plot allowances	H 141	199	131	239
Services Division, appropriation	S 1235	243	198	222
Services Division, appropriation, additional	S 1258	295	233	266
VETERINARY MEDICINE				
Board, rulemaking/licensing/administrative duties	H 90	149	169	257
Licenses, temporary permits, requirements	H 90	149	169	257
Schools, approved status added	H 90	149	169	257
Technicians, licensed vet, appropriate supervision	H 90	149	169	257
VETO MESSAGES, GOVERNOR'S				
State Tribal Gaming Compacts (S 1178)				332

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
VICTIMS				
Crime Victims Compensation Fund, appropriation	S 1234	242	198	221
Crime victims compensation records, when disclosed	S 1045	- -	62	92
Forcible sexual penetration, incapable victim	H 350	- -	246	- -
Sexual assault, exam costs, compensation account	H 247	144	155	248
VISITORS				
Craig, Honorable Larry, Idaho Senator, U. S. Congress (February 23, 2001)			147	
Crapo, Honorable Mike, Idaho Senator, U. S. Congress (February 21, 2001)			136	
Otter, Honorable C. L. "Butch", Idaho Representative, U. S. Congress (February 23, 2001)			147	
Simpson, Honorable Mike, Idaho Representative, U. S. Congress (February 21, 2001)			136	
Former Senator David Little - Memorial Service, February 19, 2001			126	
Former Senator Dean Summers - Memorial Service, February 19, 2001			126	
Former Senator Walt Yarbrough - Memorial Service, February 19, 2001			126	
VOCATIONAL REHABILITATION				
Division, appropriation	S 1243	312	202	227
Division, client appeals/hearing, rule rejected	HCR 28	- -	160	- -
VONLINDERN, MARK P.				
Appointment, Member: Hazardous Waste Facility Siting License Application Review Panel				
Appointed by Governor Kempthorne/to Health & Welfare			34	
Committee Report			66	
Confirmed by Senate				70
VOTES, RECONSIDERATION OF				
H 24, as amended:				
First Vote (Failed)				268/271
Notice Given, Senator Ipsen (March 23, 2001)			270	
Motion to Reconsider, Moved by Senator Frasure, Prevailed				270
Reconsidered Vote (Passed)				271
H 356:				
First Vote (Passed)				295
Motion to Reconsider, Notice Given, Senator Hawkins			295	
Reconsideration granted by unanimous consent				298
H 356 referred to the Fourteenth Order of Business				298
VOTING, EXCUSED FROM				
H 256, as amended: Senator Lodge			268	268
H 309: Senators requested to be excused (March 22, 2001)				
Pursuant to Senate Rule 39(A) & *Mason's Manual* Sections 521 & 522:				
Senator Danielson				288
Senator Sorensen				288
Senator Schroeder				288
Senator Lodge				288
Senator Sims				288
Senator Dunklin				288
Senator Stennett				289
Senator Whitworth				289
Senator Boatright				289
Senator Deide				289
Senator Goedde				289
Senator Lodge				288
VOTING & VOTERS				
Absentee ballot applications, when due	H 207	- -	199	- -
Absentee ballots, add to precinct returns	H 207	- -	199	- -
County, precinct committeeman office, separate ballot	H 206	272	163	248
Electoral college system, remain unchanged	HJM 1	(A)	127	146

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
VOTING & VOTERS (Continued)				
Persuasive poll, advocate election or defeat	H 175	106	163	241
Presidential electors, vote, candidate, most votes	H 346	- -	199	- -
Recreation districts, election, increase tax rate	H 382	375	326	328
School districts, incur debt, 60% assent required	SJR 101	- -	104	157
School trustees/maintenance levies, election dates	H 189	- -	160	- -
Shareholders, vote by proxy, acceptable means	H 133	62	117	223
Voter registration, absent electors' polling place	H 146	99	131	236
Voting machines, certification standards/documentation	H 206	272	163	248
Water management districts, expenses, voter approval	H 221	169	173	256
Write-in candidate names, must be written	H 206	272	163	248

-W-

WAGES				
Architectural Examiners, member compensation increased	H 226	173	183	262
Highway district commissioners, salary increased	S 1078	44	85	134
Judges, salaries increased	S 1191	309	163	193
Lieutenant Governor, when President of the Senate	S 1259	269	275	303
Minimum, agricultural laborers, specific exemptions	H 71	70	86	178
Minimum, include farm piece rate workers, records	S 1029	- -	48	- -
PUC/Industrial commissioners, salary increased	H 306	253	178	268
School district salary schedules, development	S 1114	389	100	228
School district, base salaries increased	S 1114	389	100	228
Senate employee compensation	SR101	(A)		
State employees, salary increase	HCR 12	- -	104	- -
Tax commissioners, salary increased	H 356	279	234	295/308
WAREHOUSES				
Commodity indemnity fund, assessments, claims	H 366	304	254	303
WASTES				
City authority, grant (non)exclusive franchises	S 1152	- -	110	- -
Domestic septage districts authorized	H 257	175	150	258
Livestock waste recipients, nutrient management plans	S 1040	387	62	228
Radioactive waste, disposal, fees, rules	H 192	297	226	295
WATER				
Basin Environmental Improvement Act	H 256	371	226	268
Billingsley Creek/Fisher Lake, acquire property	SCR 116	(A)	244	274
Billingsley Creek/Fisher Lake, acquire property	S 1250	- -	220	- -
City authority, grant (non)exclusive franchises	S 1152	- -	110	- -
Flooding highways, when liable, penalties reduced	S 1140	289	108	194
Lemhi river, minimum stream flow, rental committee	H 358	373	246	288
Management district expenses, maximum, voter approval	H 221	169	173	256
Natural resources, legislative study committee	HCR 6	(A)	52	57
North fork Clearwater Basin, plan approved	S 1055	124	67	147
Outstanding resource, designation procedures	S 1088	- -	91	- -
Private ponds, permit fee deleted	S 1056	125	68	192
Rental, Snake River basin adjudication, facilitate	H 383	394	326	329
Services provided, authority, county commissioners	H 209	184	169	261
WATER RESOURCES DEPARTMENT				
2000 appropriation reduced	S 1238	340	198	222
Appropriation	S 1239	245	199	223
Clean Water Act programs, investigate primacy	SCR 111	- -	106	- -
Comprehensive water plan, Dworshak operation, approved	S 1055	124	67	147

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
WATER RESOURCES DEPARTMENT (Continued)				
Dairy farms, noncompliance, notice, Agriculture Department	S 1066	- -	78	- -
Department action, judicial review, venue, jurisdiction	H 114	31	79	131
Drought conditions, water rights, temporary changes	S 1122	126	102	179
Drought, water rights, temporary changes allowed	S 1003	- -	36	- -
Galloway dam/reservoir, feasibility study	H 179	- –	163	- -
Lemhi river, minimum stream flow, rental committee	H 358	373	246	288
New office building authorized	SCR 113	- -	166	176
WEEDS				
Noxious, disclosure by real estate seller	S 1041	- -	62	- -
Noxious, management, acknowledgment certificate, plat	S 1042	- -	62	173
WEIGHTS & MEASURES				
Weigh masters, licensing, felon prohibition removed	H 72	145	127	255
WELFARE				
See PUBLIC ASSISTANCE				
WHITLOCK, BRIAN				
Appointment, Administrator: Idaho Division of Financial Management				
Appointed by Governor Kempthorne/to State Affairs			40	
Committee Report			49	
Confirmed by Senate				51
WHITTOM, BILL				
Appointment, Member: Idaho State Soil Conservation Commission				
Appointed by Governor Kempthorne/to Agricultural Affairs			246	
Committee Report			315	
Confirmed by Senate				315
WILDLIFE				
Big game depredation claims, deductible waiver	H 224	172	155	249
Emergency season, affected landowner, free tags	H 223	171	155	249
Import/export, release permits, fees, exceptions	S 1149	- -	110	- -
Management, fire use, collaboration needed	HJM 8	(A)	169	220
Wolves, remove from Idaho	HJM 5	(A)	183	322
WILLS				
Estate tax apportionment, absent contrary will terms	S 1031	262	55	86
Natural Death Act, terminology corrected	S 1009	27	36	72
WINE				
License, fingerprint-based criminal history checks	S 1014	284	40	193
Table or dessert, sales, county option	S 1068	- -	79	157
WOLF				
See WILDLIFE				
WOMEN				
Abortion, save woman's health, payments denied	H 309	273	178	289
Breast/cervical cancer treatment, payment	S 1168	205	121	179
Commission, appropriation	S 1180	216	154	191
Constitution/statutes, interpret, prefer childbirth	H 309	273	178	289
Geographical names, replace "squaw," committee	SCR 105	- -	87	99
Maternity benefits continued, no replacement coverage	S 1166	129	120	174
Maternity benefits discontinued, ongoing pregnancy	S 1087	- -	91	- -
Rape, no statute of limitations	H 290	142	155	241
WOOD, DR. FREDERICK L.				
Appointment, Member: Idaho Fish & Game Commission				
Appointed by Governor Kempthorne/to Resources & Environment			31	
Committee Report			51	
Confirmed by Senate				53

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

	Bill Number	Session Law No.	Intro. Page	Vote Page
WOOD, JEANNINE				
Election, Secretary of the Senate (December 7, 2000)			1	
WORKER'S COMPENSATION				
Occupational diseases, hepatitis, tuberculosis	H 225	212	183	262
Tax exemption, certain insurers, "domestic" removed	H 201	111	160	241
Workforce development training, tax extended	S 1018	19	44	56

-*Y*-

YOUNG, GRANT L.				
Memorial Service (February 19, 2001)			127	127
YOUTH				
See CHILDREN				

-*Z*-

ZONING				
See PLANNING & ZONING				

(A) = Adopted by Senate and House
(V) = Vetoed by Governor

SECTION V

NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition columns cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. House amendments to Senate bills can be found in the House Journal.

Senate Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1001	Schroeder	Education	PUBLIC TELEVISION - Repeals the 2000 Idaho Session Law section relating to review of content on the Idaho Educational Public Broadcasting System.	20	—	27
1002	Schroeder	Judiciary & Rules	RELIGIOUS FREEDOM - Provides that the provisions of Chapter 4, Title 73, *Idaho Code*, relating to the free exercise of religion, do not establish or eliminate a defense to a civil action or criminal prosecution under federal or state civil rights laws.	33	—	33
1003	Resources & Environment	Resources & Environment	WATER RIGHTS - Relates to water rights; allows temporary changes to water rights by transfer or exchange of water during a drought emergency; and adds 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 these temporary changes.	36	—	39
1004	Resources & Environment	Resources & Environment	IRRIGATION DISTRICTS - Requires that an order of the board of directors of an irrigation district that changes the boundaries of an irrigation district, shall be filed in the recorder's office of the county within which the annexed lands are situated.	36	—	39
1005	Judiciary & Rules	Law	AGRICULTURAL FOOD PRODUCTS - Makes a grammatical correction in the law relating to the disparagement of agricultural food products.	36	69	146
1006	Judiciary & Rules	Law	UNIFORM COMMERCIAL CODE - Amends the Uniform Commercial Code to make a technical correction.	36	71	146
1007	Judiciary & Rules	Law	CHECKS - DISHONORED - Clarifies 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.	36	72	146
1008	Judiciary & Rules	Law	DEFENDANT - TRIAL TIME - Provides 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.	36	72	146
1009	Judiciary & Rules	Law	NATURAL DEATH ACT - Relates to the Natural Death Act; provides correct terminology.	36	72	154
1010	Judiciary & Rules	Law	JURY SELECTION - Relates to jury selection; provides correct terminology.	36	72	154

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1011	Judiciary & Rules	Law	JURY SELECTION/SERVICE - Relates to jury selection and service; provides correct terminology and makes technical corrections.	36	72	298
1012	Judiciary & Rules	Law	ACCESSORIES TO CRIME - Relates to the definition of "accessories" to crime; provides correct terminology. . . .	37	79	297
1013	Judiciary & Rules	Judiciary & Rules	ALCOHOL BEVERAGE - CATERING PERMITS - Provides that alcohol beverage catering permittees may serve and sell alcohol only at premises which are not currently licensed to sell alcohol.	40	—	42
1014	Judiciary & Rules	Law	ALCOHOL BEVERAGE LICENSES - Provides 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 distributors' licenses, and winery licenses shall include fingerprint-based criminal history checks; and provides for the submission of fingerprints and fees for such investigations.	40	193	332
			Amended in the Senate	164		
1015	State Affairs	Law	ALCOHOLIC BEVERAGES - Provides for expiration and renewal of liquor by the drink licenses; provides for expiration and renewal of licenses to sell beer at retail; and provides for expiration and renewal of licenses to manufacture, import, bottle, broker, or possess for resale, or to distribute or sell wine.	41	56	168
1016	Transportation	Law	MOTOR VEHICLES - VESSELS - Provides for internal consistency; updating to current practices; and clarifies provisions of motor vehicle and vessel titling laws.	43	133	297
1017	Transportation	Law	MOTOR VEHICLES - Clarifies issuance of seasonal Class B or Class C driver's licenses; provides that medical conditions may be indicated on driver's licenses and identification cards only if requested; specifies the period of time for which proof of financial responsibility is required to be provided to the Idaho Transportation Department following suspension or revocation of driving privileges; and requires proof of financial responsibility for each vehicle registered by any person required to provide such proof.	43	133	297
1018	Commerce & Human Resources	Law	WORKFORCE DEVELOPMENT TRAINING TAX - Relates to employment security law; extends the effective date of the Workforce Development Training Tax to January 1, 2007.	44	56	139
1019	Commerce & Human Resources	Law	EMPLOYMENT SECURITY - Relates to Employment Security Law; provides the taxable wage rates for all covered experience-rated employers for calendar year 2002.	44	56	139
1020	Commerce & Human Resources	Law	UNEMPLOYMENT CLAIMS - Deletes the penalty for employers who fail to provide separation information within ten days of a request from the Department of Labor.	44	69	198

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1021	Commerce & Human Resources	Law	EMPLOYMENT SECURITY LAW - REED ACT - Provides 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 FY 2002; and eliminates 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.	44	97	172
1022	Judiciary & Rules	Law	FOREIGN-MONEY CLAIMS ACT - Provides for foreign-money claims; defines terms; provides scope and variation of the act; provides for determining the money of the claim; provides for determining the amount of the money of certain claims; provides for assertion and defense of a foreign-money claim; provides for judgments and awards; provides for times of money conversion; provides for conversions of money in distribution proceedings; provides for prejudgment and judgment interest; provides for enforcement of judgments; provides for determining the U.S. dollar value of foreign-money claims; provides for the effect of current revalorization; provides for supplementary general principles of law, uniformity of application, and construction; provides a short title; and provides for application.	45	97	333
1023	Judiciary & Rules	Law	UNIFORM PRINCIPAL AND INCOME ACT - Enacts the "Uniform Principal and Income Act."	46	121	331
1024	State Affairs	Law	STATE BUILDING AUTHORITY - Revises the compensation for the commissioners of the State Building Authority; and provides for the leasing of state property to the Idaho State Building Authority.	46	69	176
1025	State Affairs	Law	PURCHASING - STATE - Revises state procurement statutes to permit certain notices to be posted electronically; permits bids to be submitted electronically; removes the vendor registration requirement; and allows vendors to register online to be notified of bid opportunities.	46	81	181
1026	Commerce & Human Resources	Commerce & Human Resources	LEGAL SERVICE EXPENSE PLAN - Defines "legal service expense plan"; exempts legal service expense plans from regulation as insurance; and specifies code provisions applicable to legal service expense plans.	48	—	49
1027	Schroeder & Dunklin	Education	SCHOOLS - PREKINDERGARTEN - Authorizes a pre-kindergarten program and funding support in a manner specified and to the extent of appropriated funds.	48	—	49
1028	Schroeder & Dunklin	Failed in the Senate	SCHOOLS - AGE - Provides the minimum age requirement for attendance of prekindergarten in school districts which conduct prekindergartens.	48	194	194
			Amended in the Senate	164		
1029	Schroeder, Ingram, Stennett, Whitworth, & Dunklin	Commerce & Human Resources	AGRICULTURAL LABOR - Provides for application of the minimum wage law to agricultural workers and provides recordkeeping requirements for agricultural piece rate workers.	48	—	49

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1030	Judiciary & Rules	Judiciary & Rules	PROPERTY - Provides that income from community property is community property unless otherwise declared; and provides that income from separate property is the separate property of the spouse owning the property.	55	—	57
1031	Judiciary & Rules	Law	ESTATE TAX - Provides references to trusts and other instruments in the apportionment of estate taxes.	55	86	331
1032	Judiciary & Rules	Law	ANNUITY CONTRACTS - Increases the maximum total exemption of benefits due and payable under annuity contracts.	55	86	332
1033	Judiciary & Rules	Law	PROBATE - Relates to the Uniform Probate Code; provides that one-half of the intestate share shall pass to the surviving spouse if a decedent is survived by issue or a parent.	55	86	333
1034	Finance	Law	APPROPRIATIONS - Appropriates $3,000,000 to the State Board of Education for scholarships and grants; and expresses legislative intent regarding student eligibility for the scholarships.	55	69	139
1035	State Affairs	State Affairs	TOBACCO PRODUCTS - SALE TO MINORS - Relates to sale or distribution of tobacco products to a minor; clarifies the conditions which constitute a violation; provides a schedule of penalties for violations; and provides a formula for determination of the number of inspections to be conducted.	55	—	57
1036	Local Government & Taxation	Law	COLLEGE SAVINGS ACCOUNT - Provides that contributions made to college savings accounts on or before April 15, 2001, may be deducted for tax purposes for tax year 2000; provides that an individual can make another contribution during 2001 and claim the deduction according to the limits provided for tax year 2001; and provides that, in the case of an individual, the amount of a nonqualified withdrawal from a college savings account will be added to taxable income.	55	81	253
1037	Health & Welfare	Law	IDAHO SAFE HAVEN ACT - Provides definitions relating to abandoned children; provides for emergency custody; provides requirements and confidentiality; provides immunity from civil and criminal liability; provides certain custodial parents with immunity; provides protective custody; provides for placement; provides for investigations and hearings; provides for termination of relationships; provides for claims of parental rights; provides for certification of registry search; provides a procedure for claim of rights; provides for reports to the Legislature; provides for notification of the registry for claims for certain abandoned children to those registering notice of commencement of proceedings; provides for custody without an order; provides an exception to shelter care proceedings; to limit the rights and powers of guardian *ad litems*; and provides 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.	58	80	333

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1038	Education	Law	CHARTER SCHOOLS - Provides that the State Board of Education shall review the effectiveness of charter schools and report to the Legislature.	59	169	309
			Amended in the Senate	141		
1039	Health & Welfare	Law	MARRIAGE AND FAMILY THERAPISTS - LICENSURE Provides for licensure of marriage and family therapists and exemptions; provides for the Idaho State Licensing Board of Professional Counselors and Marriage and Family Therapists; provides for membership and powers of the Board; provides for endorsement; provides prohibited acts regarding a licensed marriage and family therapist practicing or attempting to offer to practice marriage and family therapy; provides for privilege from disclosure of confidential communications between professional counselors or marriage and family therapists and clients; provides a fee for endorsement; and provides powers and duties of the Bureau of Occupational Licenses.	59	133	291
1040	Agricultural Affairs	Law	DAIRY FARMS - Provides certain requirements for nutrient management plans; and provides that nutrient management plans submitted to the Department of Agriculture by dairy farms shall include certain information.	62	228	333
			Amended in the Senate	191		
			Amended in the Senate	208		
1041	Agricultural Affairs	Agricultural Affairs	REAL PROPERTY - SALE - Requires that sellers disclose the known presence of noxious weeds on real property. . .	62	—	64
1042	Agricultural Affairs	House Agricultural Affairs	NOXIOUS WEEDS - SUBDIVISIONS - Requires the submission of a signed certificate of acknowledgment upon filing of subdivision plats; and provides that titles shall not be invalidated for noncompliance.	62	173	173
			Amended in the Senate	141		
1043	Judiciary & Rules	Law	SEXUAL PREDATORS - NOTICE - Provides 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.	62	193	332
			Amended in the Senate	164		
1044	Judiciary & Rules	Judiciary & Rules	POST-CONVICTION RELIEF PROCEEDINGS - Clarifies the types of post-conviction relief proceedings the state appellate public defender may be appointed to by a court; requires the state appellate public defender to continue representing certain defendants in retrial or re-sentencing; and requires the state appellate public defender to obtain conflict counsel for certain defendants.	62	—	64
1045	Judiciary & Rules	House Judiciary, Rules, & Administration	CRIME VICTIMS - Provides 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 provides procedures.	62	92	92

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1046	Judiciary & Rules	Law	BRAND BOARD - EMPLOYEES - Limits the definition of nonclassified employees of the State Brand Board to the state brand inspector and the district supervisors; provides certain authority to the state brand inspector in relation to the four district supervisors; and provides that the Idaho classified personnel system shall govern the employment of certain employees of the Board.	63	92	198
1047	Judiciary & Rules	Law	INFRACTIONS - VENUE - Provides that if a misdemeanor or infraction is committed in a city located in two counties, the venue is in either county.	63	122	297
1048	State Affairs	Law	TOBACCO PRODUCTS - SALE TO MINORS - Relates to sale or distribution of tobacco products to a minor; clarifies the conditions which constitute a violation; provides a schedule of penalties for violations; and provides a formula for determination of the number of inspections to be conducted.	63	131	198
1049	Local Government & Taxation	Local Government & Taxation	PROPERTY TAX - APPEALS - Relates to property tax; provides for award of attorney's fees and costs to taxpayers in appeals from the county Board of Equalization where the district court determines that the Board of Equalization assessed value is at least fifteen percent more than the value of the property as determined by the court.	63	—	64
1050	Commerce & Human Resources	Law	REAL ESTATE LICENSES - Increases the maximum fee that may be charged for the issuance or renewal of an Idaho real estate license.	64	132	297
1051	Commerce & Human Resources	Law	REAL ESTATE LICENSE LAW - Relates to real estate licenses; revises license requirements; provides that certain expired licenses shall be automatically terminated; provides inactive status; provides for receipt of referral fees; provides for reactivation; provides for notice by licensee of certain changes; provides that licenses must be signed; provides for effective date for applications; revises grounds for denial or nonrenewal; provides that discovery of certain facts may be grounds for termination of license; provides fees; provides that certain prelicense course requirements may be waived or modified; revises continuing education requirements; revises certification; provides for disclosure of fees, notice of course changes, and fee payments by course providers; provides adoption of national standards; provides procedures for wall licenses; provides for the return of certain wall licenses; to prohibit commingling of entrusted moneys; provides that the Commission may approve certain entities as escrow depositories; provides for disbursement of funds; provides for treatment of electronically generated agreements; provides that a broker who terminates association with a sales associate shall notify the Commission; provides that certain records shall be made available; provides that licensees shall report convictions, incompetency declarations, adverse civil judgments, and adverse final administrative actions within twenty days; revises disclosure and writing requirements; and revises duties to clients.	64	169	297
			Amended in the Senate	141		

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1052	Judiciary & Rules	Law	LIMITED PARTNERSHIPS - Provides for treatment of assignees of the assets of limited partnerships.	67	133	274
1053	Judiciary & Rules	Law	ATTORNEY'S FEES - Provides for reimbursement to the county by certain needy persons who have received services of an attorney provided at public expense; and provides that the immediate inability of the needy person to pay the reimbursement shall not alone restrict the court from ordering reimbursement.	67	132	332
1054	Judiciary & Rules	Commerce & Human Resources	MOTOR VEHICLES - COLLISION - Provides for an award of treble damages, attorney's fees, and costs in certain civil actions for property damage resulting from a motor vehicle collision.	67	—	70
1055	Resources & Environment	Law	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.	67	147	297
1056	Resources & Environment	Law	PRIVATE PONDS - Deletes the permit fees for private ponds.	68	192	297
1057	Local Government & Taxation	Law	REAL PROPERTY - CITIES - Provides 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.	68	122	333
			Amended in the House (See House Journal)			
			Concurred in House Amendments	327	327	
1058	Local Government & Taxation	Law	CIGARETTES - Updates a reference to the Internal Revenue Code for purposes of penalties regarding the importation of cigarettes; and deletes the provisions for documentation requirements for imported cigarettes.	68	92	198
1059	Judiciary & Rules	Law	DECEASED - Enumerates persons authorized to control the disposition of the remains of a deceased person if the decedent had not made a prearranged funeral plan; provides 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 provides that such authority shall be returned if the charges are dropped or the person is acquitted; defines terms; provides that certain individuals may permit or perform autopsies under certain circumstances; provides that individuals permitting or performing autopsies shall not be liable unless they have actual notice of certain facts; and provides that physicians may not rely upon oral authorization for the performance of an autopsy if the physician knows the deceased person opposed autopsies.	68	132	331
1060	Education	Law	CHARTER SCHOOLS - Requires public charter schools to prepare and submit audit reports and to file certain reports with the State Department of Education.	71	132	274

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1061	Education	House Education	TEACHER AND PRINCIPAL EFFECTIVENESS - Authorizes criteria to evaluate teacher and principal effectiveness, including classroom management, adherence to district curriculum, parent communication, student progress, and professional conduct.	74	169	169
			Amended in the Senate	141		
1062	Judiciary & Rules	Not Printed	PROBATE CODE - HOMESTEAD ALLOWANCE - Provides application of law to the estate of a decedent who dies domiciled in Idaho; revises the homestead allowance for a decedent's estate; increases the amount of exempt property and provides that the amount shall be in addition to any homestead or homestead allowance; revises the family allowance; increases the living allowance; and revises procedures.	74	—	76
1063	Judiciary & Rules	Law	UNIFORM ATHLETE AGENTS ACT - Provides a short title; defines terms; provides for administration, service of process, and issuance of subpoenas; requires registration for athlete agents; declares certain contracts void; provides requirements of registration forms for agents; provides for issuance, denial, and renewal of certificates of registration; provides for temporary registration; provides for fees; provides for deposit and appropriation of fees; provides a required form of contracts; provides notice to educational institutions; provides for a student-athlete's right to cancel; requires retention of certain records; prohibits certain conduct; provides criminal penalties and civil remedies; provides an administrative penalty; provides uniformity of application and construction; provides for electronic signatures; provides severability; provides authority to the Department of Self-Governing Agencies to administer the athlete agents act; and increases the amount of civil fines the Bureau of Occupational Licenses may collect.	78	134	309
1064	Agricultural Affairs	Failed in the House	CARBON SEQUESTRATION ADVISORY COMMITTEE Provides legislative intent; provides for the creation of the Carbon Sequestration Advisory Committee; provides for membership and compensation of the committee; provides that the Soil Conservation Commission shall provide administrative assistance; provides for powers and duties of the Carbon Sequestration Advisory Committee; provides that the chairman of the Soil Conservation Commission shall prepare reports; provides for powers and duties of the chairman of the Soil Conservation Commission; and creates the Carbon Sequestration Assessment Fund.	78	194	246
			Amended in the Senate	165		
1065	Agricultural Affairs	Agricultural Affairs	DAIRY FARMS - LIVESTOCK WASTE - Provides that a dairy farm owner or operator who enters into an agreement with another person for the receipt of the dairy farm's livestock waste shall state the terms of the agreement and the names and addresses of the parties to the agreement in a written contract, and shall submit the written contract together with a nutrient management plan to the Department of Agriculture.	78	—	83

Senate Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1066	Agricultural Affairs	Agricultural Affairs	DAIRY FARMS - Requires dairy farms to have a permit or license to divert water; provides for written notification by the director of the Department of Water Resources upon the failure of a dairy farm to comply with a permit or license to divert water; and provides that if a dairy farm fails to comply with the permit or license to divert water within ninety days of such notification, the director of the Department or his agent shall revoke the permit authorizing the sale of milk for human consumption.	78	—	83
1067	Agricultural Affairs	Law	DAIRY FARMS - Provides that new or expanding dairy farms shall present a certified letter that the 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.	79	227	333
			Amended in the Senate	205		
1068	State Affairs	House State Affairs	WINE - TABLE/DESSERT - Revises definitions; authorizes the board of county commissioners of each county to permit the sale of table wine and/or dessert wine; provides for the issuance of retail table wine and/or dessert wine licenses; provides that the county commissioners of each county may submit the question of the sale of table wine and/or dessert wine to the electors; provides a form for petition by registered electors demanding the county commissioners submit the question of permitting the sale at retail to the electors; and provides for a form of ballot.	79	157	157
1069	Local Government & Taxation	Law	PORT DISTRICTS - Includes the provision of economic development facilities among the purposes for which port districts are authorized; provides 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 includes industrial and economic development facilities and port properties and facilities within the purposes for which port district revenue bonds may be issued.	79	152	309
1070	Education	House Education	SCHOOL FACILITY SUPPORT FUND - Creates a "School Facility Support Fund"; provides for allocation of money to the fund, including lottery money, school support funds which remain following distributions, and school district employers share of the PERSI extraordinary gains; and governs uses of the moneys in the fund.	83	197	197
			Amended in the Senate	164		
1071	Education	Education	SCHOOL FACILITIES FUND - Provides that school districts shall reduce levies upon receipt of certain state funds; provides for the creation of the "School Facilities Fund"; and provides for payments from the fund to school districts with qualifying bonds.	83	—	90

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1072	Health & Welfare	Health & Welfare	PRIMARY AND PREVENTIVE CARE GRANT PROGRAM - Establishes the Idaho Comprehensive Primary and Preventive Care Grant Program; provides for service grant applications/awards; provides uses of service grant moneys; provides for annual reports; provides for an advisory council; provides for the creation of the Comprehensive Primary and Preventive Care Fund; and provides the duties of the Department of Health and Welfare.	84	—	90
1073	Health & Welfare	House Health & Welfare	PARENTS - DISABLED - Relates to parental rights of individuals with disabilities; prohibits discrimination and, when making evaluations, requires consideration of potential to use adaptive equipment and supportive services.	84	133	133
1074	Health & Welfare	House Health & Welfare	CHILD ABUSE - Relates to child abuse, abandonment, and neglect; prohibits discrimination and requires consideration of a disabled individual's ability to employ adaptive and supportive equipment and services.	84	134	134
1075	Transportation	Law	LICENSE PLATES - CAPITOL COMMISSION - Establishes an Idaho State Capitol Commission license plate program effective January 1, 2002, through December 31, 2006.	84	133	332
1076	Transportation	Transportation	HIGHWAYS - REAL PROPERTY ACQUISITION - Relates to acquisition of real property for a public highway purpose; authorizes and directs the Idaho Transportation Board to promulgate rules to ensure that the interests of the property owner whose real property is being acquired for a public highway purpose are protected, that real property owners are afforded every opportunity to understand the process, including rights and obligations of the property owner and the ITD, and that established time limits for various steps within the process are known and observed by all parties.	84	—	90
1077	Transportation	Law	DRIVER'S LICENSE - DISABLED PERSON - Provides 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.	85	216	333
			Amended in the Senate	187		
1078	Transportation	Law	HIGHWAY DISTRICT COMMISSIONERS - Increases the maximum allowable monthly salaries of countywide highway district commissioners; and increases the daily salary and maximum allowable annual salary of commissioners of all other highway districts.	85	134	246
1079	Commerce & Human Resources	Commerce & Human Resources	VETERANS - Establishes veterans service officers within the Division of Veterans Services; and specifies a minimum number of officers.	85	—	90

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1080	Commerce & Human Resources	Commerce & Human Resources	LOANS - CREDIT SALES - Provides that the rate of finance charge for a loan or credit sale of $1,000 or more shall be that which is agreed upon between the parties to the transaction; provides that for a loan or credit sale under $1,000, the rate of finance charge stated as an annual percentage rate shall not exceed 36% per year; provides that fees and charges are considered interest and are subject to the 36% limitation; and provides an exemption for pawnbrokers.	85	—	90
1081	Commerce & Human Resources	Commerce & Human Resources	STATE AGENCIES - INVESTIGATORS - Requires a personnel system rule governing the employment and training of individuals engaged as investigators.	85	—	90
1082	Commerce & Human Resources	House State Affairs	ART IN PUBLIC PLACES - Provides an exemption from competitive bidding for art acquired, restored, or conserved pursuant to the Idaho Art in Public Places Act; establishes an art in public places program; provides for administration of the program by the Idaho Commission on the Arts; provides a statement of purpose; defines terms; provides for acquisition, restoration, and conservation of art in state buildings under construction, renovation, remodel, or restoration; provides a formula to determine the amount that may be expended on works of art; establishes and provides for administration of a state fund; provides an advisory panel; provides for the use of funds; provides for public education programs; requires authorization for payment to artists; provides for acquisition; provides for maintenance and expenses; and provides limitations. . . . . **Amended in the House (See House Journal)**	85	156	156
1083	Commerce & Human Resources	House Business	AIRCRAFT LIENS - Provides for aircraft improvement liens; provides for the duration of the lien; defines "owner"; provides for claim of lien; provides for sale of the aircraft; provides for priority of aircraft improvement liens; provides for release and discharge of the lien; provides for joinder of actions; and provides for filing fees as costs and attorney's fees. . . . . **Amended in the Senate**	86 141	174	174
1084	Commerce & Human Resources	Commerce & Human Resources	STATE EMPLOYEES - APPEALS - Provides that a classified employee shall be entitled to be represented by a person of the employee's own choosing during the appeal procedure; and provides that a classified employee shall be entitled to be represented by a person of the employee's own choosing during the petition for review procedure.	86	—	90
1085	Finance	Law	APPROPRIATIONS - Appropriates an additional $499,300 to the Division of Building Safety for FY 2001.	90	131	176
1086	Health & Welfare	Law	PHYSICAL THERAPISTS - LICENSURE - Provides 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.	91	151	309
1087	Health & Welfare	Commerce & Human Resources	INSURANCE - Deletes the requirement that an insurance company providing benefits for pregnancy, childbirth, or miscarriage continue such benefits under certain conditions.	91	—	93

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1088	Resources & Environment	Resources & Environment	OUTSTANDING RESOURCE WATER - Provides an annual designation deadline for outstanding resource waters; provides that designations are to be made to the Board of Environmental Quality; provides for designation of water bodies; deletes reference to recommendations by the Board of certain stream segments; provides for initial nominating reports; provides for legislative determination of those water bodies to be included in the director's final nominating report; provides for public notice and comment; provides for determination of outstanding resource waters by the Legislature; and provides that designated agencies shall submit best management practices for certain activities. . .	91	—	93
1089	Judiciary & Rules	House Transportation & Defense	SPEED LIMITS - SCHOOL ZONES - Provides for reduced speed limits in school zones; specifies a penalty for exceeding the posted speed limit in a school zone; and provides for a reduction of the maximum penalty by ordinance of a city council or board of county commissioners.	91	174	174
			Amended in the Senate	143		
1090	State Affairs	Law	HORSE RACES - Increases the number of live horse races per day; and revises the formula governing the minimum requirements for licensure for simulcast pari-mutuel wagering.	91	150	291
1091	Local Government & Taxation	Law	MUNICIPAL CORPORATIONS - INVESTMENTS - Provides additional authorized investments for funds of municipal corporations in specified reverse purchase agreements and A-rating or higher bonds, debentures, or notes.	91	134	232
1092	Transportation	Transportation	ABANDONED VEHICLES - Increases the threshold value for disposition of low-valued abandoned motor vehicles from $200 to $700.	94	—	99
1093	Transportation	Commerce & Human Resources	MOTOR VEHICLE INSURANCE - Reduces to fifty-five years of age the eligibility for an insurance premium reduction when the insured has completed a vehicle accident prevention course.	94	—	123
1094	Transportation	Failed in the Senate	MOTOR VEHICLES - SAFETY RESTRAINTS - Provides that the operator of the motor vehicle is responsible for ensuring that each occupant of the vehicle has a properly-fastened safety restraint; increases the fine for violation of safety restraint use from five dollars to twenty dollars; changes terminology from "safety belts" to "safety restraints"; and provides that failure of a motor vehicle operator to ensure proper usage of restraints shall not be considered evidence of contributory or comparative negligence.	94	217	217
			Amended in the Senate	191		
1095	Transportation	House Transportation & Defense	DRIVER'S LICENSE FEES - Increases fees on driver's licenses; distributes the increase to the Emergency Medical Services III Account; and decreases the allocation to the Highway Distribution Account for fees collected on the eight-year class D driver's license.	94	134	134

Senate Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1096	Transportation	House Revenue & Taxation	SALES TAX - VESSELS/ALL-TERRAIN VEHICLES - Provides 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.	94	135	135
1097	Transportation	Transportation	MOTOR VEHICLES - ABANDONED - Provides that no storage charges in excess of forty-eight hours shall accrue to the registered and legal owner of an abandoned vehicle if such owner did not receive timely notification of a post-storage hearing as required by law; and provides that it is a misdemeanor for a person to remove an abandoned vehicle, unless he has paid in full all the charges and costs authorized to be incurred.	94	—	99
1098	Transportation	Transportation	MOTOR VEHICLES - Provides that a licensed motor vehicle dealer and a full-time licensed motor vehicle salesman employed by a licensed dealer shall be permitted to purchase vehicles at salvage pools; and provides that it is illegal for a licensee to sell vehicles at a salvage pool to anyone not in possession of an Idaho vehicle dealer's license or a license issued to a full-time salesperson employed by an Idaho licensed dealer, or to individuals from another state unless authorized to do business in this state.	95	—	99
1099	Transportation	Local Government & Taxation	SCHOOL DISTRICTS - Provides that a development impact fee ordinance shall exempt public school districts from development impact fees for construction by the school district of any facility used in the educational process. . . .	95	—	99
1100	Transportation	Law	MOTOR VEHICLES - RESALE - Provides 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; provides that no vehicle may be resold until all liens have been satisfied in full; and provides a penalty.	95	151	309
1101	Transportation	Transportation	MOTOR VEHICLE DEALER/SALESMAN - Provides for an emergency suspension of a motor vehicle dealer's or salesman's license.	95	—	161
1102	Transportation	Transportation	PARKING - DISABLED PERSONS - Relates to parking privileges for persons with a disability; specifies requirements for parking spaces and use of parking privileges; and provides enforcement and penalties.	95	—	99
1103	Transportation	Transportation	HIGHWAY DISTRICTS - Exempts certain highway district equipment purchases from the requirement for bids; and provides that a highway district may purchase equipment at a public auction if the highway district board of commissioners has made a finding that the equipment may be purchased at a public auction at a lower price.	95	—	99

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1104	Transportation	House Transportation & Defense	HIGHWAY DISTRICT COMMISSIONERS - Provides that certain powers of highway district commissioners shall not be abrogated or superceded.	95	216	216
			Amended in the Senate	190		
1105	Transportation	Law	HIGHWAY DISTRICTS - Provides 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 $5,000.	95	217	333
			Amended in the Senate	190		
1106	Transportation	Law	COUNTYWIDE HIGHWAY DISTRICTS - Provides 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; provides requirements and procedures.	96	263	333
1107	Transportation	House Transportation & Defense	HIGHWAY DISTRICT COMMISSIONERS - Provides for alternative elections and terms of office for highway district commissioners.	96	306	306
			Amended in the Senate	286		
1108	Transportation	Commerce & Human Resources	TRAINS - EMPLOYEES - Requires railroad corporations operating in Idaho to have a certain number of employees on every freight and passenger train.	96	—	99
1109	Transportation	Transportation	HIGHWAY DISTRICTS - Relates to dissolution of highway districts; provides that certain districts shall not be dissolved by petition; provides that dissolved districts shall be replaced by existing and adjoining county highway systems; provides for procedures for dissolution; provides for a petition and hearings; provides for an election on the question and provides procedures; provides that the title to all moneys belonging to the dissolved district shall be vested in the county highway system; provides that no city shall be entitled to receive any share of the machinery, buildings, or real or personal property of the dissolved district; provides for claims against dissolved districts; provides for powers of the county commissioners wherein the dissolved district was situated; provides the time within which no new proceedings for the dissolution of a district shall be initiated following a failure of dissolution; and provides that highway districts will be deemed dissolved only after the appropriate county highway systems have assumed control and operation of the dissolved district.	96	—	99
1110	Education	House Education	SCHOOL INSPECTIONS - REPORTS - Relates to safe public school facilities; requires publication of a summary of the reports made to the district's board of trustees.	100	156	156
1111	Education	Law	SCHOOL DISTRICTS - PROPERTY - Expands certain authority of the board of trustees of a school district to sell or otherwise dispose of property owned by the district.	100	187	309

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1112	Education	Education	APPROPRIATIONS - Appropriates $60,000 for distribution to school districts through the Average Daily Attendance formula, with moneys to be utilized to pay off bonded indebtedness of school districts.	100	—	112
1113	Education	Education	SCHOOL SAFETY AND HEALTH REVOLVING LOAN FUND - Deletes the School Safety and Health Revolving Loan Fund; and provides that the balance in the fund shall revert to the General Fund.	100	—	186
1114	Education	Law	TEACHERS - SALARIES - Increases the base salary in the school district salary-based apportionment schedule; and adopts requirements for a school district salary schedule. .	100	228	333
			Amended in the Senate	205		
1115	Education	Education	TEACHERS - CONTRACTS - Specifies the number of days which shall constitute a full-time contract for professional personnel of school districts; and imposes a deduction from salary-based apportionment based upon the percentage by which a district fails to implement a full-time contract. . .	100	—	112
1116	Education	Law	STUDENTS - READING - Provides statewide goals for reading evaluations conducted in the public schools; and provides additional assistance to schools which fail to achieve specified goals.	100	228	333
			Amended in the Senate	208		
1117	Education	House Education	PRE-KINDERGARTEN READINESS - Provides a pre-kindergarten readiness program; provides eligibility; provides for reimbursement; and provides reporting.	100	174	174
1118	Judiciary & Rules	Law	INDIVIDUAL RETIREMENT ACCOUNTS - Further defines "employee benefit plan" and further governs community property interest in an individual retirement account.	100	143	332
1119	Judiciary & Rules	Law	TENANTS - MANUFACTURE CONTROLLED SUBSTANCE - Provides 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. .	100	150	309
1120	Judiciary & Rules	Law	PRIVATE PRISONS - Relates to private prisons; revises definitions; provides for written contracts; provides that cities and counties may authorize housing of certain prisoners; prohibits housing of certain prisoners; clarifies requirements and limitations in contracting with private prison contractors; provides for licensing; authorizes housing of certain prisoners subject to review and approval by the Department of Correction; clarifies certain purposes of monitoring; provides for notification of escapes and crimes; provides for reimbursement of costs; provides for recovery of costs of prosecution; and provides for rules.	101	156	333

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1121	Resources & Environment	Law	IRRIGATION DISTRICTS - Requires 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 requires 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.	102	148	309
1122	Resources & Environment	Law	WATER RIGHTS - Allows temporary changes to water rights by transfer or exchange of water during a drought emergency; and provides 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. .	102	179	297
1123	Commerce & Human Resources	Health & Welfare	VETERANS - Establishes veterans service officers within the Division of Veterans Services.	102	—	112
1124	Commerce & Human Resources	Commerce & Human Resources	PERSONAL INFORMATION - DISCLOSURE - Prohibits the disclosure of nonpublic personal information to nonaffiliated third parties; and provides that the director of the Department of Insurance may adopt rules consistent with the Gramm-Leach-Bliley Act of 1999.	102	—	112
1125	Commerce & Human Resources	Commerce & Human Resources	UNEMPLOYMENT COMPENSATION - Provides that, in addition to other benefits, an individual shall receive an additional ten dollars per week for weeks in the months of December 2000 and January, February, March, and December 2001, if the individual was eligible to receive and lawfully received benefits from the Employment Security Fund for one or more of the weeks during those months; and specifies the purpose.	102	—	112
1126	Commerce & Human Resources	Commerce & Human Resources	PUBLIC WORKS PROJECTS - Requires employment of certain Idaho apprentices for particular state public works projects; and authorizes the director of the Department of Administration to modify or waive the requirement under certain circumstances.	102	—	112
1127	Commerce & Human Resources	Law	LEGAL SERVICE EXPENSE PLANS - Defines the term "legal service expense plan"; exempts legal service expense plans from regulation as insurance; and specifies code provisions applicable to legal service expense plans.	102	174	297
			Amended in the Senate	143		

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1128	Commerce & Human Resources	Resources & Environment	DOMESTIC CERVIDAE FARMS - Provides for the supervision of Cervidae chronic wasting disease programs; provides for Cervidae facilities; provides for disease control and genetics; provides for notification and action by the administrator of the Division of Animal Industries; restricts the importing of domestic Cervidae; provides for movement of domestic Cervidae from one premises to another; provides for mandatory Cervid chronic wasting disease monitoring programs and voluntary cervid chronic wasting disease certification program surveillance procedures; provides for tests and investigation; provides for quarantine and depopulation; provides for herd plans; provides for obtaining certified chronic wasting disease Cervid herd status; provides for movement and recognition of monitored chronic wasting disease Cervid herds; provides for inspection of records, licensure, and reporting; provides penalties; and provides for seizure, removal, and disposal of any unlawfully possessed domestic Cervidae.	102	—	112
1129	Commerce & Human Resources	Commerce & Human Resources	PUBLIC EMPLOYEE RETIREMENT SYSTEM - VETERANS - Provides a reduced formula for veterans purchasing membership service in PERSI.	103	—	112
1130	Commerce & Human Resources	House Business	MANUFACTURED HOMES - INSTALLATION - Provides that no manufactured home installer shall engage in business in Idaho without being licensed by the Division of Building Safety; defines "manufactured home installer"; and redefines "manufactured home service company."	103	144	144
1131	Education	Education	DISADVANTAGED SCHOOL DISTRICT BUILDING ACCOUNT - Creates a Disadvantaged School District Building Account to match school district moneys for the purposes of construction of school facilities; and allocates money from the Sales Tax Fund to the account	107	—	112
1132	Education	Law	CHARTER SCHOOLS - Provides for appeal of a decision not to approve a revision of the charter of a charter school. . .	107	174	274
1133	Education	Law	SCHOOLS - STAFF DEVELOPMENT - Provides that the reduction in public school instructional hours, allowed to accommodate staff development activities, shall be on days as deemed appropriate by the local school board.	107	175	309
1134	Education	Education	SCHOOL DISTRICT FACILITY FINANCING - Establishes authority for the Idaho State Building Authority to provide financing for school district bonds through bond sales; and allocates moneys from the sales tax for the School District Building Account.	107	—	112
1135	Education	Education	SCHOOL LIBRARIANS - Requires certain schools to employ certified school librarians; provides for appropriation and for application for funding; provides requirements; and provides an exception for compliance.	108	—	112

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1136	Transportation	Transportation	MOTOR CARRIERS - INSURANCE - Removes certain intrastate motor carriers from the list of motor carriers exempted from the requirement to carry the liability and property damage insurance coverage as specified by rule of the Idaho Transportation Board.	108	—	112
1137	Transportation	Law	TRAFFIC ACCIDENT MEMORIALS - Provides that traffic accident memorials shall not be limited to golden stars; and requires the consent of the next of kin of the deceased prior to placing a traffic accident memorial adjacent to the site of the accident.	108	157	253
1138	Transportation	Transportation	HIGHWAY CONSTRUCTION - Provides that general contractors shall not be required to name subcontractors on bids submitted for certain construction projects.	108	—	112
1139	Transportation	Failed in the House	RAILROAD GRADE CROSSINGS - Provides 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; provides 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 ITD or local authority; and provides the maximum dollar amount that may be provided from the Fund to support public education and safety programs.	108	187	322
1140	Judiciary & Rules	Law	HIGHWAYS - Provides that it is a violation for running water across certain public highways, roads, or streets by flooding or sprinkler irrigation; provides certain conditions for application of the section; provides for infractions and misdemeanors; provides for exceptions; and provides an exception for violations defined in the chapter.	108	194	332
			Amended in the Senate	164		
1141	Agricultural Affairs	Agricultural Affairs	HORSE BOARD - ASSESSMENT - Provides that all horses, mules, and asses issued an annual or seasonal brand inspection certificate by the Brand Board pursuant to Section 25-1121, *Idaho Code*, or all horses, mules, and asses confined for slaughter shall only be subject to a one dollar per head assessment by the Horse Board.	108	—	231
1142	Agricultural Affairs	Law	ORGANIC FOOD PRODUCTS - Relates to organic food products; revises definitions; provides for rules relating to standards for 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; provides for the distribution of an annual list of all certified organic producers, handlers, and vendors; includes certain resales of food products; and revises the membership of the Organic Food Advisory Council.	109	194	297
			Amended in the Senate	164		

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1143	Agricultural Affairs	Law	CERVIDAE - Relating to domestic Cervidae provides for civil violations of certain statutes and rules regarding diseases and domestic Cervidæ; provides civil penalties; and provides for certain criminal offenses.	109	151	297
1144	Agricultural Affairs	Failed in the Senate	DAIRY FARMS - Requires the Department of Agriculture to provide a copy of the nutrient management plan to the board of county commissioners of the county in which the dairy farm is located; provides for bovine animal unit count reports; provides for verification of the reports by the inspection of the county or Department; provides for public disclosure; and requires the Department to provide copies of all findings, conclusions, and reports resulting from certain examinations and inspections to the county commissioners of the county in which the dairy farm is located, if requested by the county commissioners.	109	217	217
			Amended in the Senate	141		
			Amended in the Senate	191		
1145	Health & Welfare	Law	TRAUMA ADVISORY COMMITTEE - Creates a Trauma Advisory Committee within the Department of Health and Welfare; provides duties; and requires a report to the Legislature.	109	144	274
1146	Health & Welfare	Law	PATIENT CARE RECORDS - Provides for hospital records to be in an electronic medium; increases the time that clinical laboratory test records and reports must be kept; provides 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 provides procedures and mechanisms for authentication.	109	147	274
1147	Health & Welfare	Law	CHILD NEGLECT REPORTING REGISTRY - Provides 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.	109	179	333
1148	Resources & Environment	Law	CONFINED ANIMAL FEEDING OPERATIONS - Requires certain approval and compliance for all plans and specifications for construction, modification, or expansion of systems, plants, and facilities; requires that all plans and specifications for the construction, modification, expansion, or alteration of certain facilities for confined animal feeding operations be approved by the director of the Department of Environmental Quality; provides an exemption; authorizes the director of the DEQ to delegate certain authority to the director of the Department of Agriculture; and provides for rulemaking.	109	165	165

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1149	Resources & Environment	Resources & Environment	ZOOS - ANIMAL PARKS - Relating to captive wildlife, provides for release permits; provides for fees; provides for exceptions to licensing and permit requirements for the import or export of wildlife; prohibits private zoos and private drive-through animal parks from selling animals to certain entities in the state; and provides that facilities are not exempt from certain animal health and care provisions.	110	—	112
1150	Judiciary & Rules	House Judiciary, Rules, & Administration	DRUG PUSHER REGISTRATION - Provides for drug pusher registration; provides a short title; provides a statement of legislative findings; defines terms; establishes a central drug pusher registry and provides for agency responsibility; requires notice of the duty to register; requires local and annual registration; requires notification of a change of address or name; provides for release from requirements and expungement from the registry; provides penalties; provides for public access to the drug pusher offender registry information; provides penalties for vigilantism and other misuse of registry information; and provides restrictions regarding applications for change of name for certain convicted drug pushers.	110	179	179
			Amended in the Senate	143		
1151	Local Government & Taxation	Local Government & Taxation	CITIES - ANNEXATION - Revises procedures for annexation of adjacent territory by cities; provides guidelines; provides for involuntary annexation; provides for elections; provides that the area proposed for annexation shall not exceed ten percent of the area within the current incorporated limits; and provides that, in lieu of annexation, a city may provide services by entering into contracts with owners of property in the vicinity of the city, provided the recipients pay for such services.	110	—	112
1152	Local Government & Taxation	Local Government & Taxation	CITIES - FRANCHISES - Clarifies the authority of cities to grant exclusive or nonexclusive franchises.	110	—	178
			Amended in the Senate	164		
1153	Local Government & Taxation	Law	TAX DEEDS - Provides that the right of redemption expires one year from the date of issuance of a tax deed; provides 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; provides that possession under a tax deed is conclusive after one year; and provides 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.	110	148	309
1154	Local Government & Taxation	Local Government & Taxation	REAL PROPERTY - TRANSFERS - Provides an exemption from disclosure for certain real property transfer certificates; provides a statement of purpose; defines terms; provides for reporting of information relating to real property transfers; provides for exemptions from reporting; provides for disclosure of reporting information; and provides for penalties.	111	—	112

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1155	Local Government & Taxation	House Local Government	LIBRARY DISTRICTS - Authorizes the board of trustees of a library district to create a capital improvement reserve fund; provides uses of the fund; and requires reports and audits of the fund.	111	151	151
1156	Local Government & Taxation	Law	PROPERTY - ADVERSE POSSESSION - Provides 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 provides that a person claiming adverse possession must present clear and convincing evidence that certain requirements have been met.	111	216	332
			Amended in the Senate	190		
1157	Local Government & Taxation	Law	SCHOOL DISTRICTS - BONDS - Deletes the requirement that school district bonds be issued within two years from the date of the bond election; provides that school bonds may be sold at public or private sale; and authorizes the sale of school bonds by electronic bidding.	111	217	333
			Amended in the Senate	190		
1158	Local Government & Taxation	Law	BONDS - NOTES - ELECTRONIC BIDDING - Authorizes the sale of bonds, notes, and other obligations of public entities at public or private sale; authorizes sale by electronic bidding; requires a deposit in such amount as the government body deems necessary; and authorizes the use of a surety bond as bid security.	111	217	331
			Amended in the Senate	190		
1159	Local Government & Taxation	Failed in the Senate	REAL PROPERTY - Relating to adverse possession, provides for the award of attorney's fees and costs to the prevailing party; provides procedures; and provides for notice.	111	170	170
			Amended in the Senate	141		
1160	Local Government & Taxation	Local Government & Taxation	PROPERTY TAX - EXEMPTIONS - Provides that certain low-income housing is exempt from property taxation.	111	—	112
1161	State Affairs	Health & Welfare	BLIND AND VISUALLY IMPAIRED COMMISSION - Provides that the number of commissioners on the Commission for the Blind and Visually Impaired shall be increased from five to seven, at least four of whom shall be blind or visually impaired, and not more than four of whom shall belong to the same political party; and provides that one member must be a member as designated by the National Federation of the Blind in Idaho.	115	—	116
1162	State Affairs	Law	PARK AND RECREATION - FEES - Authorizes the Park and Recreation Board to waive fees for Idaho veterans with 100% disability.	115	148	232

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1163	State Affairs	State Affairs	PUBLIC UTILITIES COMMISSION - CONSUMER'S ADVOCATE DIVISION - Creates a Consumer's Advocate Division within the Public Utilities Commission; provides for appointment and powers of the consumer's advocate; specifies the duty of certain public utilities provides documents; and authorizes the consumer's advocate to represent customers' interests.	115	—	116
1164	State Affairs	Law	ELECTION CAMPAIGN FINANCE - Provides that the chapter on election campaign contributions and expenditures shall apply to magistrate retention elections.	115	216	332
			Amended in the Senate	190		
1165	Finance	Law	APPROPRIATIONS - Appropriates an additional $189,000 to the Industrial Commission for fiscal year 2001.	120	143	198
1166	Judiciary & Rules	Law	INSURANCE - Provides 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.	120	174	297
1167	Judiciary & Rules	House Local Government	MUNICIPAL ANNEXATION - Provides for municipal annexation of land which is contiguous or adjacent to a city with consent of the landowner; provides for annexation of land which is contiguous or adjacent to a city when not all landowners give their consent; provides that a seller's disclosure statement shall include two questions relative to newly-constructed residential real property that previously has not been inhabited; and provides 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.	120	254	254
			Amended in the Senate	230		
1168	State Affairs	Law	BREAST AND CERVICAL CANCER - Requires medical assistance coverage for eligible individuals identified by breast and cervical cancer-related treatment services.	121	179	309
1169	State Affairs	Failed in the Senate	PUBLIC PLACES - SMOKING - Relating to the Clean Air Act, revises the definition of "public place" to include theaters, concert halls, museums, art galleries, and libraries; and prohibits smoking in primary and secondary public schools, and in licensed day care centers when children are present.	121	186	186
1170	Judiciary & Rules	Law	SEX OFFENDER REGISTRATION - Defines "aggravated offense"; and provides that persons convicted of an aggravated offense shall not be exempted from the registration requirements of the Sexual Offender Registration Act.	130	175	309

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1171	Judiciary & Rules	Law	DRUG COURTS - Creates drug courts; provides a statement of policy; provides eligibility requirements; provides for drug court evaluation; provides for implementation; provides for funding; and provides for participant fees.	130	175	333
1172	Judiciary & Rules	Law	COORDINATED FAMILY SERVICES - Provides for the implementation of a coordinated family services plan; provides for evaluation of the family court services plan; and provides for administration of funding.	130	179	333
1173	State Affairs	House Transportation & Defense	MOTOR VEHICLES - REGISTRATION - Provides a single fee for registration of vehicles weighing between eight thousand and sixty thousand pounds maximum gross vehicle weight.	130	187	187
1174	State Affairs	Law	BOND BANK AUTHORITY - Creates the Idaho Bond Bank Authority; provides membership and compensation; provides for powers and duties; requires reports; provides that bonds are fully negotiable; provides that bonds are legal instruments; exempts property and bonds of the authority from taxes and assessments; provides for issuance of bonds; provides for sale and sale prices of bonds; provides for payment or refunding; provides for purchase and disposition; provides for presumption of validity of bonds and contracts; provides that the authority may establish additional funds and accounts; provides that certain persons shall not be personally liable on bonds or contracts; provides for exemption of property; provides for a lien of pledge; provides for credit enhancement; provides for surety for deposits; provides that expenses shall be limited; provides swap contracts; provides additional powers of certain municipalities; provides complete authority; provides that the rights of bondholders shall not be impaired by the state; provides for payment transfers and notice of nonpayment; provides for the state financial assistance intercept mechanism; provides duties of the State Treasurer; provides for interest and penalty provisions; requires cooperation by government agencies; and provides that certain sales tax moneys may be distributed for purposes of payment on municipal bonds.	130	179	297
1175	Finance	Law	APPROPRIATIONS - Appropriates an additional $124,000 to the Board of Examiners for fiscal year 2001.	140	166	321
1176	Judiciary & Rules	House Judiciary, Rules, & Administration	VEHICULAR MANSLAUGHTER - Increases the maximum fine and sentence for vehicular manslaughter.	140	192	192
1177	State Affairs	Failed in the House	TRUCKS - SPEED LIMITS - Provides that the maximum lawful speed limit on interstate highways shall not exceed 65 miles per hour for vehicles with five or more axles.	140	187	322

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1178	State Affairs	Vetoed	STATE-TRIBAL GAMING COMPACTS - Requires the Governor to serve a copy of a gaming compact on each member of the Legislature at least 21 calendar days before the compact is signed; and provides that the compact shall not become effective unless the Legislature adopts a concurrent resolution approving the compact.	140	192	332
			Veto Message	332		
1179	State Affairs	State Affairs	AUDITORIUM DISTRICTS - Provides application of the campaign reporting law to auditorium district elections. . .	140	—	183
			Amended in the Senate	164		
1180	Finance	Law	APPROPRIATIONS - WOMEN'S COMMISSION - Appropriates $ 49,200 to the Commission for fiscal year 2002; and limits full-time equivalent positions to .52. . . .	154	191	321
1181	Finance	Law	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.	154	191	321
1182	Finance	Law	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 FY 2002; appropriates $992,844,800 for the Educational Support Program for FY 2002; provides the amount necessary for the Unemployment Insurance Program; provides an increase in the base salary; provides authority for the Department of Education to monitor and evaluate use of funds for enhancement programs; provides for expenditures for certain technology; 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 programs; provides for expenditures for the teacher-mentor program; provides for expenditures regarding moneys received pursuant to sections of *Idaho Code*; provides for allocation of moneys and requirements for the Idaho Safe and Drug-Free Schools Program; provides for expenditures for training of teachers in working with children with disabilities; provides for expenditures for education of gifted/talented students; appropriates moneys for property tax replacement; provides allocation of moneys for master teacher certification; provides intent for use of PERSI savings; provides for minimum base salary for instructional employees; provides for expenditures for achievement standards; provides for expenditures for literacy programs; and provides for a study regarding teachers using personal funds for classroom supplies.	155	199	333

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1183	Judiciary & Rules	Health & Welfare	PREVENTIVE CARE PROGRAM - Defines terms; establishes the Idaho Primary and Preventive Care Grant Program; provides for service grant applications and awards, and use of service grant moneys; provides for reports; provides for a program board and duties of the board and the Department of Health and Welfare; and creates the Primary and Preventive Care Fund.	155	—	158
1184	Finance	Law	APPROPRIATIONS - TRANSPORTATION DEPARTMENT Appropriates $431,893,100 to the Idaho Transportation Department for FY 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 balances for the Contract Construction and Right-of-Way Acquisition Program; reappropriates certain unexpended and unencumbered balances to the ITD; and reappropriates certain balances for Airport Development Grants.	160	200	321
1185	Finance	Law	APPROPRIATIONS - PARKS AND RECREATION DEPARTMENT - Appropriates $33,189,700 to the Department of Parks and Recreation for FY 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; 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 FY 2002; and limits the number of full-time equivalent positions for the Lava Hot Springs Foundation to 10.	160	193	333
1186	Finance	Law	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.	160	192	321
1187	Finance	Law	APPROPRIATIONS - STATE TREASURER - Appropriates $1,830,300 to the State Treasurer for FY 2002; provides that moneys assessed for 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 Treasurer's official duties; and limits the number of full-time equivalent positions to 18.	160	192	321

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1188	Finance	Law	APPROPRIATIONS - CATASTROPHIC HEALTH CARE Appropriates $10,000,000 for Catastrophic Health Care for fiscal year 2002.	162	193	321
1189	Finance	Law	APPROPRIATIONS - Appropriates an additional $57,500 to the Board of Medicine for fiscal year 2001.	162	193	321
1190	Finance	Law	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.	162	193	321
1191	Judiciary & Rules	Law	JUDICIAL SALARIES - Increases the base annual salaries of non-attorney magistrates and the annual salaries of the justices of the Supreme Court and judges of the district courts by four and one-half percent.	163	193	332
1192	Judiciary & Rules	Law	SEX OFFENDER REGISTRY - Deletes language requiring a written request for information; provides that the department may provide public access to the sex offender registry by means of the Internet; and provides that a fee may be collected for each response to a written request for information.	163	194	309
1193	State Affairs	Law	AERONAUTICS ADVISORY BOARD - Increases the membership of the Aeronautics Advisory Board from three to five members; provides for areas of expertise to be represented on the board; and increases terms of office from three years to five years. **Amended in the Senate**	163 206	228	333
1194	State Affairs	Law	LOTTERY TICKETS - Provides for background investigations of bingo and raffle operators and vendors; provides 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 provides the value of a loss involving the theft of lottery tickets.	163	200	309
1195	Finance	House Education	SCHOOLS - LIMITED-ENGLISH PROFICIENCY - Establishes a program of limited-English proficiency early intervention to be conducted by school districts for students who are five years of age; provides a special demonstration program for students who are four years of age; provides funding; creates an oversight committee; and provides a sunset date.	168	221	221
1196	Finance	Law	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.	172	200	333

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1197	Finance	Law	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates $604,500 to the Office of the Governor for the Endowment Fund Investment Board for FY 2002; limits the number of FTE positions to 5.5; provides for continuous appropriation authority for moneys in the Endowment Administration Fund for consulting fees, bank custodial fees, and portfolio-related costs; and provides intent regarding the transfer of moneys.	172	203	321
1198	Judiciary & Rules	Local Government & Taxation	SUBDIVISIONS - Provides that at no time shall any definition of "subdivision," as provided in any local land use planning ordinance, be defined to include the removal, modification, or relocation of boundary lot lines commonly shared by one or more parcels titled by the same owner when the subject property is not within a subdivision and when such removal, modification, or relocation does not increase the number of parcels or create any additional substandard parcels; and provides that if an ordinance of a political subdivision, which is adopted in lieu of the definition provided by law, is contrary to the restriction specified, the ordinance shall be null, void, and unenforceable.	172	—	329
1199	Judiciary & Rules	Law	FIREFIGHTERS - Provides 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 provides a limitation of time for an authorization.	172	247	333
			Amended in the House (See House Journal)			
			Concurred in House Amendments	327	328	
1200	Judiciary & Rules	House Revenue & Taxation	RECREATION DISTRICTS - Provides 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; provides a tax levy for districts created prior to July 1, 2001; provides a tax levy for districts created on or after July 1, 2001; provides maximum rates; and provides a procedure if a district desires to impose a tax in excess of that contained in the petition.	173	255	255
			Amended in the Senate	230		
1201	State Affairs	Local Government & Taxation	PUBLIC SERVICE PROVIDERS - FRANCHISE FEES - Provides that the amount of franchise fees collected from customers by public service providers shall be no more than was collected in the year 2000 for a like amount of service, which amount may be increased by a specified growth factor; and provides that, if necessary, public service providers shall credit, rebate, or refund franchise fees to customers.	173	—	185
1202	Finance	Law	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.	177	204	321

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1203	Finance	Law	APPROPRIATIONS - IDAHO STATE LOTTERY - Appropriates $10,501,300 to the Idaho State Lottery in the Department of Self-Governing Agencies for FY 2002; limits the authorized FTE positions to 47; and provides legislative intent that amounts necessary to pay prizes, retailer commissions, advertising, and promotional costs shall be continuously appropriated.	177	204	321
1204	Finance	Law	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.	177	204	321
1205	Finance	Law	APPROPRIATIONS - ATTORNEY GENERAL - Appropriates $16,165,100 to the Attorney General for FY 2002; provides for the transfer of the balance from the State Legal Services Fund; specifies 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 FTE positions to 183.15; and reappropriates unexpended and unencumbered balances for the Special Litigation Program to be used for FY 2002.	177	204	321
1206	Finance	Law	APPROPRIATIONS - SUPREME COURT - Appropriates $26,541,900 to the Supreme Court for FY 2002; appropriates $457,900 to the Guardian Ad Litem Fund; provides intent that $5,000 may be used to defray expenses relating to the discharge of the Justices' official duties and $1,500 to defray expenses relating to the discharge of the Court of Appeals Judges' official duties; and provides intent specifying a cap on the amount expended for administrative overhead for the Guardian Ad Litem Program.	177	204	321
1207	Finance	Law	APPROPRIATIONS - LANDS DEPARTMENT - Appropriates $29,915,500 to the Department of Lands for FY 2002; limits the number of FTE 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.	177	204	321
1208	Finance	Law	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.	177	204	321
1209	Finance	Law	APPROPRIATIONS - MILITARY DIVISION - Appropriates $19,834,200 to the Office of the Governor for the Military Division for FY 2002; grants continuous appropriation authority for the Bureau of Hazardous Materials' Miscellaneous Revenue Fund for FY 2001; limits the number of authorized FTE positions to 187.80; and appropriates an additional $56,500 to the Office of the Governor for the Military Division for FY 2001.	177	205	321

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1210	Judiciary & Rules	Law	PATIENTS - MENTALLY ILL - Provides conditions for the use of seclusion or the use of physical restraints on a hospitalized mentally ill patient; and provides that the use of, an evaluation of, and the reasons for such restraint shall be made a part of the patient's clinical records.	177	235	333
1211	State Affairs	Failed in the Senate	INDIAN GAMING COMPACT - Provides that the operation of tribal gaming devices on Indian lands pursuant to an authorized Class III gaming compact is not gambling; provides that a tribal gaming device operated on Indian lands pursuant to a valid Class III gaming compact is not a slot machine nor an electronic or electro mechanical imitation or simulation of any form of casino gambling; provides legislative findings; provides for alternative state-tribal gaming compacts; defines terms; provides that the Governor may enter into or amend compacts with Indian tribes regarding the operation of tribal gaming devices; provides for certification by the Secretary of State; and provides for ratification and implementation provisions for the Coeur d'Alene Tribe, the Kootenai Tribe, and Nez Perce Tribe and the state of Idaho compacts for Class III gaming.	177	300	300
			Amended in the Senate	293		
1212	Finance	House Appropriations	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 the State Controller to make transfers to the Cooperative Welfare Fund as requested and approved; 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 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.	178	205	205
			Amended in the House (See House Journal)			
1213	Finance	House Appropriations	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 FY 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.	178	209	209
			Amended in the House (See House Journal)			

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1214	Finance	Finance	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES - Appropriates $809,515,700 to the Department of Health and Welfare for Medical Assistance Services for FY 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 and encourages the Department to implement the recommendations of the Children's Health Insurance Program Task Force; provides intent regarding state veterans homes; provides intent regarding transportation services to clients of the state's Medicaid Program; provides intent regarding private intermediate care facilities for the mentally retarded; provides intent regarding generic drugs; provides intent regarding rates paid for durable medical equipment; provides intent with regard to a Request For Proposal for the Utilization Management Project; provides intent regarding cost-sharing by Medicaid clients; provides intent regarding day treatment services to clients with mental illness; and appropriates an additional $112,358,900 to the Department for Medical Services for FY 2001.	182	—	287
1215	Finance	House Appropriations	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 FY 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 for Public Health Services for FY 2001. . . . . **Amended in the House (See House Journal)**	182	209	209
1216	Finance	House Appropriations	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 FY 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 to redirect moneys from the Temporary Assistance for Needy Families Block Grant to the Community Resource Worker Program for FY 2002; and amends the appropriation for FY 2001 to appropriate an additional $150,500 to the Department for the Self-Reliance Programs for FY 2001. . . . . **Amended in the House (See House Journal)**	182	209	209

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1217	Finance	Law	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates $10,458,400 to the Public Health Trust Fund for FY 2002; and appropriates an additional $98,000 to the Panhandle Health District for FY 2002.	182	209	321
1218	Finance	Law	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.	182	209	321
1219	Finance	Law	APPROPRIATIONS - LEGISLATIVE COUNCIL - Appropriates $5,907,600 to the Legislative Council for fiscal year 2002.	182	210	321
1220	Finance	Law	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 FY 2002; and reappropriates unexpended and unencumbered fund balances for nonrecurring expenditures for FY 2001.	182	210	321
1221	Finance	Law	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 FY 2002; limits the FTE 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.	182	210	332
1222	Finance	Law	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 FY 2002; limits the number of FTE positions to 20.39; and reappropriates any unexpended and unencumbered fund balances.	182	210	321
1223	Finance	Law	APPROPRIATIONS - SPECIAL PROGRAMS - STATE BOARD OF EDUCATION - Appropriates $5,935,600 to the State Board of Education and the Board of Regents of the U of I for Special Programs, including Forest Utilization Research Program, Idaho Geological Survey Program, Scholarships and Grants Program, Idaho Museum of Natural History, Idaho Small Business Development Centers, and the Idaho Council on Economic Education for FY 2002; limits the number of full-time equivalent positions to 25.79; and reappropriates unexpended and unencumbered balances. . .	182	214	332

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1224	Finance	Law	APPROPRIATIONS - SECRETARY OF STATE - Appropriates $2,224,900 to the Secretary of State for FY 2002; provides intent that $1,000 be used to defray expenses relating to the discharge of the Secretary's official duties; reappropriates any unexpended and unencumbered balance; and limits the number of FTE positions to 32.	183	215	321
1225	Finance	Law	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.	183	215	321
1226	Finance	Law	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.	183	215	310
1227	Finance	Law	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.	183	215	333
1228	Finance	Law	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.	183	215	332
1229	Finance	Law	APPROPRIATIONS - 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.	186	216	321
1230	Finance	Law	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. .	186	216	321
1231	Judiciary & Rules	Judiciary & Rules	TORT CLAIMS - Relating to tort claims against governmental entities, broadens the definition of "employee" to include certain retired and former officers, employees, and servants.	186	—	197
1232	State Affairs	State Affairs	BLAINE/MINIDOKA COUNTIES - Redefines boundaries of Blaine and Minidoka Counties by taking territory from Blaine County to add to Minidoka County.	186	—	197
1233	State Affairs	State Affairs	GAMBLING - Further defines "gambling"; and clarifies exceptions to the definition of "gambling."	186	—	197
1234	Finance	Law	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.	198	221	321

Senate Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1235	Finance	Law	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.	198	222	321
1236	Finance	Law	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.	198	222	321
1237	Finance	Law	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; 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.	198	222	332
1238	Finance	Law	APPROPRIATIONS - Reduces 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.	198	222	333
1239	Finance	Law	APPROPRIATIONS - WATER RESOURCES - Appropriates $22,015,300 to the Department of Water Resources for FY 2002; limits the FTE positions to 183; appropriates and authorizes the transfer of $60,000 for FY 2002 for an aquifer recharge structure; appropriates an additional $608,100 to the Department for FY 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 FY 2001.	199	223	321
1240	Finance	Law	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.	199	223	321
1241	Finance	Law	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.	202	227	332
1242	Finance	Law	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates $52,663,400 to the Idaho State Police for FY 2002; limits the number of FTE 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."	202	227	333

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1243	Finance	Law	APPROPRIATIONS - VOCATIONAL REHABILITATION Appropriates $17,520,600 to the State Board of Education for the Division of Vocational Rehabilitation for FY 2002; and limits the number of FTE positions to 148.	202	227	332
1244	Finance	Law	APPROPRIATIONS - JUVENILE CORRECTIONS DEPARTMENT - Appropriates $47,205,200 to the Department of Juvenile Corrections for fiscal year 2002; 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.	202	228	333
1245	Finance	Law	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates $40,465,000 to the Department of Environmental Quality for FY 2002; limits the number of FTE 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 for the Air Quality Program for FY 2001; provides intent regarding the use of the additional moneys for the Air Quality Program to reduce the permitting backlog; and authorizes one additional FTE position for FY 2001.	202	227	333
1246	Finance	Law	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.	213	235	331
1247	Finance	Law	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.	213	235	331
1248	Finance	Law	APPROPRIATIONS - HISTORICAL SOCIETY - Appropriates $3,992,800 to the State Board of Education for the Idaho State Historical Society for FY 2002; limits the number of FTE positions to 51.36; and reappropriates unexpended and unencumbered General Fund balances for the Historical Preservation and Education Program.	213	235	332

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1249	State Affairs	State Affairs	IDAHO ELECTRICITY AUTHORITY - Provides for the Idaho Electricity Authority; provides powers of the director of the Authority; creates and gives duties to the Authority; provides regulations for sale of power by the Authority; states conditions required for the Authority to contract power from the United States or someone other than the US; provides conditions for purchase of facilities by the Authority; provides for approval of rates; states criteria for return on investments; creates the Idaho Electricity Authority Fund; provides requirements for administration of contracts; establishes that the Authority will be regulated by the Idaho PUC; provides that state agencies shall provide assistance to the Authority; determines how public utilities may expand their service area; determines the Authority's eligibility for taxation; and provides for bonding.	213	—	218
1250	Finance	Finance	APPROPRIATIONS - Appropriates $1,800,000 to the Parks and Recreation Park Land Trust Fund for the purpose of purchasing properties along the Billingsley Creek corridor in the Hagerman Valley; and provides legislative findings regarding the purchase.	220	—	224
1251	Finance	Law	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 FTE positions to 5.	220	247	331
1252	Finance	Law	APPROPRIATIONS - STATE TAX COMMISSION - Appropriates $37,598,300 to the State Tax Commission in the Department of Revenue and Taxation for FY 2002; and limits the number of FTE positions to 415.	220	247	331
1253	Judiciary & Rules	Law	PROBATE CODE - HOMESTEAD ALLOWANCE - Provides application of law to the estate of a decedent who dies domiciled in Idaho; revises the homestead allowance for a decedent's estate; increases the amount of exempt property and provides that the amount shall be in addition to any homestead or homestead allowance; revises the family allowance; to increase the living allowance; and revises procedures relating to the family allowance.	225	254	332
1254	State Affairs	House Transportation & Defense	ROADS - RIGHTS-OF-WAY - Amends **H 268** of the First Regular Session of the Fifty-sixth Idaho Legislature, relating to roads and public rights-of-way, clarifies the effect of certain public records on title to real property; and clarifies application of the provisions of that act.	225	293	293
1255	State Affairs	Law	ENERGY COST RECOVERY BONDS - Authorizes 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.	226	266	333

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1256	State Affairs	House Revenue & Taxation	PROPERTY TAX - AGRICULTURAL LAND - Further defines "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.	226	286	286
1257	Finance	Law	APPROPRIATIONS - SUBSTANCE ABUSE PROGRAMS Appropriates $490,000 to the Department of Health and Welfare for community-based substance abuse treatment services for FY 2001; appropriates $2,201,000 to the Department for community-based substance abuse treatment services for FY 2002; appropriates $576,000 to the Department 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 provides 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 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 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 within the Department; provides 47.5 additional FTE positions for the Department of Correction for FY 2002; and adds to existing law to provide a special oversight committee	233	266	333
1258	Finance	Law	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.	233	266	332
1259	Finance	Law	LIEUTENANT GOVERNOR - PER DIEM - Increases the per diem rate paid to the Lieutenant Governor while the Legislature is in or out of session.	275	303	331
1260	State Affairs	Law	LIENS - AGRICULTURAL COMMODITY DEALERS - Provides 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; provides for the duration of certain lines; and provides for the time in which a lien may be created by filing written notice of the lien with the Secretary of State.	275	303	333

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1261	Finance	Law	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 FY 2002; and provides 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.	287	303	333
1262	Finance	Law	APPROPRIATIONS - Appropriates an additional $30,600 to the Department of Self-Governing Agencies for FY 2002.	292	305	333
1263	Finance	Law	APPROPRIATIONS - Appropriates an additional $12,100 to the Lieutenant Governor for fiscal year 2002.	298	312	333
1264	Finance	Law	APPROPRIATIONS - Appropriates an additional $250,000 to the Department of Agriculture for FY 2002; and authorizes an additional 3 FTE positions.	314	319	333
1265	Finance	Law	APPROPRIATIONS - Appropriates an additional $640,000 to the Supreme Court for fiscal year 2002.	316	319	333
1266	Finance	Law	APPROPRIATIONS - Appropriates an additional $598,900 to the Supreme Court for fiscal year 2002.	316	319	332
1267	Finance	Law	APPROPRIATIONS - Appropriates an additional $991,000 to the Supreme Court for fiscal year 2002.	317	320	333
1268	Finance	Law	APPROPRIATIONS - Appropriates an additional $94,600 to the Department of Labor for FY 2002; authorizes an additional 2 FTE positions for FY 2002; and provides intent regarding the Idaho Rural Partnership.	317	320	332
1269	Finance	Law	APPROPRIATIONS - Appropriates 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. .	317	320	333
1270	Finance	House Appropriations	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 FY 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; authorizes an additional 7 FTE positions for FY 2002; and appropriates an additional $112,358,900 to the Department for Medical Services for fiscal year 2001.	318	321	321

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1271	Finance	Law	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; limits the authorized FTE positions to 3,092.01; and provides intent regarding salary savings and outreach efforts.	322	324	333
1272	Finance	Law	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 FY 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 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 for Public Health Services for fiscal year 2001; and provides intent regarding personnel costs.	322	324	333
1273	Finance	Law	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES DIVISION - Appropriates $150,964,600 to the Division of Family and Community Services for FY 2002; authorizes the State Controller to make transfers to the Cooperative Welfare Fund as requested and approved; reappropriates unexpended and unencumbered fund balances of the Fund for nonrecurring expenditures; 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.	323	325	333
1274	Finance	Law	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 FY 2002; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the 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 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 intent regarding salary savings; and appropriates an additional $112,358,900 to the Department for Medical Services for FY 2001.	323	325	333

Senate Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1275	Finance	Law	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - SELF-RELIANCE PROGRAMS - Appropriates $123,613,900 to the Department of Health and Welfare for Self-reliance Programs for FY 2002; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the 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 FY 2002; amends the appropriation for FY 2001 to appropriate an additional $150,500 to the Department for the Self-Reliance Programs for FY 2001; and provides intent regarding personnel costs and outreach efforts.	323	325	333

SECTION VI

SENATE JOINT RESOLUTIONS

Senate Joint Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	Education	Failed in the Senate	SCHOOL DISTRICTS - BOND ELECTIONS - Proposes an amendment to the Constitution of the State of Idaho to allow school districts to incur indebtedness with the assent of sixty percent of those qualified electors voting in an election held for that purpose in May or November.	104	157	157

****

SECTION VII

SENATE JOINT MEMORIALS

Senate Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	Agricultural Affairs	Adopted	POTATO PRODUCERS - Requests 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.	35	40	54
102	Resources & Environment	Adopted	OWYHEE-BRUNEAU CANYON LANDS - Urges that President Bush refuse to designate Owyhee-Bruneau Canyon Lands National Monument without input of and consultation with representatives of state and local governments and the people in Idaho.	75	90	180
103	Resources & Environment	Adopted	ROADLESS AREAS - REGULATIONS - Requests that President Bush impose a moratorium on roadless area regulations.	87	114	211
104	Resources & Environment	Adopted	FOREST FUELS - Urges 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.	88	115	211
105	Resources & Environment	Adopted	FEDERAL LANDS TASK FORCE REPORT - Requests Congress to enact legislation providing for the pilot projects recommended in the report to the State Land Board entitled "Breaking the Gridlock: Federal Lands Pilot Projects in Idaho."	106	136	211

Senate Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
106	State Affairs	Adopted	CANADIAN LUMBER - IMPORTS - Requests 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 and to take every possible action to end Canadian lumber subsidy practices; and asks for enforcement of the trade laws against subsidized and dumped imports and for the exploration of all options to stop unfairly traded imports to limit injury to the U.S. timber industry.	211	225	331
107	Judiciary & Rules	Adopted	BEEF IMPORTS - MORATORIUM - Supports a moratorium on all imports of live cattle, pre-cooked 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.	251	274	330
108	Judiciary & Rules	Adopted	MEAT PRODUCTS - LABELING - Urges the Congress of the United States to enact legislation mandating country of origin labeling for meat, requiring 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.	251	274	330
109	Judiciary & Rules	Adopted	FOOT AND MOUTH DISEASE - Supports 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 supports 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.	251	274	330

****

SECTION VIII

SENATE RESOLUTIONS

Senate Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	Adopted	SENATE ATTACHES - COMPENSATION - Provides for compensation for the Senate attaches.	41	42	42
102	Commerce & Human Resources	Adopted	READ ACROSS IDAHO - Declares March 2, 2001, as "Read Across Idaho Day" and encourages parents, educators, and other adults to make reading to children a priority. . .	98	117	117

SECTION X

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	Adopted	JUNETEENTH NATIONAL FREEDOM DAY - Designates 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.	45	71	167
102	State Affairs	Adopted	PHILLIP ANDERSON - JAMES MOULSON - Recognizes Corporal Phillip Anderson and Corporal James Moulson for their devotion to public service and to their communities. .	54	59	90
103	Health & Welfare	Adopted	PHARMACY BOARD - RULES - Rejects the Pharmacy Board administrative rule relating to the listing of the drug carisoprodol.	66	74	161
104	Local Government & Taxation	Adopted	TAX COMMISSION - RULE - Approves an administrative rule of the State Tax Commission imposing a fee or charge relating to penalties and dishonored checks.	76	90	153
105	State Affairs	House State Affairs	IDAHO PLACE NAMES - Establishes a process for identification and recommendations to replace place names, in the state of Idaho, which include the word "squaw." . .	87	99	99
106	Education	House Ways & Means	TEACHERS - STUDENTS - Authorizes 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.	98	117	117
107	Education	House Ways & Means	SCHOOL READINESS - Authorizes the Legislative Council to appoint a committee to develop proposals for improving school readiness and preliteracy skills.	104	117	117
108	Health & Welfare	Adopted	MEDICAID BUY-IN PROGRAM - Directs the Department of Health and Welfare to develop a Medicaid buy-in program and report to the Legislature.	105	117	273
109	Health & Welfare	Adopted	HEALTH CARE FACILITIES - Directs 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.	105	129	264
110	Health & Welfare	Adopted	MENTALLY ILL - DEVELOPMENTALLY DISABLED - Requests 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.	106	154	245

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
111	Resources & Environment	Resources & Environment	CLEAN WATER ACT - WETLANDS - Directs the Idaho Department of Environmental Quality, with the cooperation of the Department of Water Resources and other state agencies and interested parties, to investigate state primacy for the Clean Water Act Section 404 Wetlands Programs and report recommendations to the First Regular Session of the Fifty-seventh Legislature.	106	---	113
112	State Affairs	State Affairs	CAPITOL MALL - Authorizes the Department of Administration to enter into an agreement or agreements with the Idaho State Building Authority to provide for the construction of a new office building at 514 W. Jefferson, Boise, including demolition of the existing courthouse building, and the construction of a parking structure in the Capitol Mall.	118	---	123
113	Finance	House Appropriations	WATER RESOURCES DEPARTMENT - NEW BUILDING Authorizes 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.	166	176	176
114	State Affairs	Failed in the House	PUBLIC SCHOOL FACILITY FUNDING - STUDY - Authorizes the Legislative Council to appoint a committee to undertake and complete a study of appropriate and effective means of funding public school facilities.	170	275	322
115	State Affairs	Failed in the Senate	ADA COUNTY COURTHOUSE REMODEL - Authorizes the Department of Administration to enter into an agreement with the Idaho State Building Authority to provide for the remodel and construction of an addition to the Ada County Courthouse and the construction of a parking structure in the Capitol Mall area.	171	181	181
116	State Affairs	Adopted	BILLINGSLEY CREEK - Authorizes 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.	244	274	331
117	State Affairs	Adopted	ADMINISTRATIVE RULES - Approves agency rules which were submitted for review and impose fees or charges, with exceptions; and rejects certain rules.	272	298	331
118	State Affairs	Adopted	ADMINISTRATIVE RULES - TEMPORARY - Approves and extends temporary state agency rules which would otherwise expire at the end of the First Regular Session of the Fifty-sixth Idaho Legislature.	273	298	330

SECTION XI
ACTION OF THE GOVERNOR ON ALL SENATE BILLS WHICH PASSED BOTH THE SENATE AND HOUSE WITH THE EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED

Senate Bill No.	Session Laws Chapter No.	Introduced By	Date Signed By Governor	Effective Date
1005	20	Judiciary & Rules	2/22/01	7/1/01
1006	21	Judiciary & Rules	2/22/01	7/1/01
1007	22	Judiciary & Rules	2/22/01	7/1/01
1008	23	Judiciary & Rules	2/22 01	7/1/01
1009	27	Judiciary & Rules	2/27/01	7/1/01
1010	28	Judiciary & Rules	2/27/01	7/1/01
1011	120	Judiciary & Rules	3/23/01	7/1/01
1012	119	Judiciary & Rules	3/23/01	7/1/01
1014, aa	284	Judiciary & Rules	4/02/01	7/1/01
1015	30	State Affairs	3/01/01	1/1/02
1016	73	Transportation	3/22/01	7/1/01
1017	74	Transportation	3/22/01	7/1/01
1018	19	Commerce & Human Resources	2/21/01	7/1/01 Sunset Clause: 1/1/07
1019	18	Commerce & Human Resources	2/21/01	7/1/01
1020	37	Commerce & Human Resources	3/08/01	3/8/01
1021	32	Commerce & Human Resources	3/02/01	7/1/01
1022	329	Judiciary & Rules	4/04/01	7/1/01
1023	261	Judiciary & Rules	3/31/01	7/1/01
1024	34	State Affairs	3/05/01	3/5/01
1025	36	State Affairs	3/06/01	7/1/01
1031	262	Judiciary & Rules	3/31/01	7/1/01
1032	285	Judiciary & Rules	4/02/01	7/1/01
1033	330	Judiciary & Rules	4/04/01	7/1/01
1034	17	Finance	2/21/01	7/1/01
1036	46	Local Government & Taxation	3/19/01	1/1/01
1037	357	Health & Welfare	4/09/01	7/1/01
1038, aa	188	Education	3/26/01	7/1/01
1039	71	Health & Welfare	3/22/01	3/22/01
1040, aa, aa	387	Agricultural Affairs	4/11/01	7/1/01
1043, aa	286	Judiciary & Rules	4/02/01	1/1/01
1046	38	Judiciary & Rules	3/08/01	7/1/01
1047	121	Judiciary & Rules	3/23/01	7/1/01
1048	39	State Affairs	3/08/01	1/1/01
1050	122	Commerce & Human Resources	3/23/01	7/1/01
1051, aa	123	Commerce & Human Resources	3/23/01	7/1/01
1052	63	Judiciary & Rules	3/20/01	7/1/01
1053	287	Judiciary & Rules	4/02/01	4/2/01
1055	124	Resources & Environment	3/23/01	3/23/01
1056	125	Resources & Environment	3/23/01	7/1/01
1057, aaH	331	Local Government & Taxation	4/04/01	7/1/01
1058	40	Local Government & Taxation	3/08/01	1/1/01
1059	263	Judiciary & Rules	3/31/01	7/1/01
1060	64	Education	3/20/01	3/20/01
1063	202	Judiciary & Rules	3/26/01	7/1/01
1067, aa	388	Agricultural Affairs	4/11/01	4/11/01

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date
1069	189	Local Government & Taxation	3/26/01	1/1/01
1075	281	Transportation	4/02/01	1/1/02
1077, aa	332	Transportation	4/04/01	1/1/02
1078	44	Transportation	3/16/01	7/1/01
1085	35	Finance	3/05/01	3/5/01
1086	197	Health & Welfare	3/26/01	7/1/01
1090	72	State Affairs	3/22/01	3/22/01
1091	42	Local Government & Taxation	3/15/01	7/1/01
1100	190	Transportation	3/26/01	7/1/01
1105, aa	333	Transportation	4/04/01	7/1/01
1106	334	Transportation	4/04/01	7/1/01
1111	191	Education	3/26/01	7/1/01
1114, aa	389	Education	4/11/01	7/1/01
1116, aa	390	Education	4/11/01	7/1/01
1118	288	Judiciary & Rules	4/02/01	7/1/01
1119	203	Judiciary & Rules	3/26/01	7/1/01
1120	335	Judiciary & Rules	4/04/01	7/1/01
1121	192	Resources & Environment	3/26/01	7/1/01
1122	126	Resources & Environment	3/23/01	3/23/01
1127, aa	127	Commerce & Human Resources	3/23/01	3/23/01
1132	65	Education	3/20/01	7/1/01
1133	204	Education	3/26/01	7/1/01
1137	45	Transportation	3/19/01	7/1/01
1140, aa	289	Judiciary & Rules	4/02/01	7/1/01
1142, aa	75	Agricultural Affairs	3/22/01	7/1/01
1143	128	Agricultural Affairs	3/23/01	3/23/01
1145	66	Health & Welfare	3/20/01	7/1/01
				Sunset Clause: 6/30/03
1146	67	Health & Welfare	3/20/01	7/1/01
1147	358	Health & Welfare	4/09/01	7/1/01
1153	193	Local Government & Taxation	3/26/01	1/1/02
1156, aa	290	Local Government & Taxation	4/02/01	1/1/01
1157, aa	336	Local Government & Taxation	4/04/01	4/4/01
1158, aa	264	Local Government & Taxation	3/31/01	3/31/01
1162	43	State Affairs	3/15/01	7/1/01
1164, aa	291	State Affairs	4/02/01	7/1/01
1165	41	Finance	3/08/01	3/8/01
1166	129	Judiciary & Rules	3/23/01	7/1/01
1168	205	State Affairs	3/26/01	7/1/01
1170	194	Judiciary & Rules	3/26/01	7/1/01
1171	337	Judiciary & Rules	4/04/01	7/1/01
1172	338	Judiciary & Rules	4/04/01	7/1/01
1174	130	State Affairs	3/23/01	7/1/01
1175	215	Finance	3/28/01	3/28/01
1178	--	State Affairs	- -	Vetoed
1180	216	Finance	3/28/01	7/1/01
1181	217	Finance	3/28/01	7/1/01
1182	359	Finance	4/09/01	Section 23: 4/9/01
				All Others: 7/1/01
1184	218	Finance	3/28/01	7/1/01
1185	376	Finance	4/10/01	7/1/01

Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Senate Effective Date
1186	219	Finance	3/28/01	7/1/01
1187	220	Finance	3/28/01	7/1/01
1188	221	Finance	3/28/01	7/1/01
1189	222	Finance	3/28/01	3/28/01
1190	223	Finance	3/28/01	7/1/01
1191	309	Judiciary & Rules	4/03/01	7/1/01
1192	195	Judiciary & Rules	3/26/01	7/1/01
1193, aa	377	State Affairs	4/10/01	7/1/01
1194	196	State Affairs	3/26/01	7/1/01
1196	391	Finance	4/11/01	7/1/01
1197	224	Finance	3/28/01	7/1/01
1199, aaH	392	Judiciary & Rules	4/11/01	7/1/01
1202	225	Finance	3/28/01	7/1/01
1203	226	Finance	3/28/01	7/1/01
1204	227	Finance	3/28/01	7/1/01
1205	228	Finance	3/28/01	7/1/01
1206	229	Finance	3/28/01	7/1/01
1207	230	Finance	3/28/01	7/1/01
1208	231	Finance	3/28/01	7/1/01
1209	232	Finance	3/28/01	Section 4: 3/28/01 All Others: 7/1/01
1210	339	Judiciary & Rules	4/04/01	7/1/01
1217	233	Finance	3/28/01	7/1/01
1218	234	Finance	3/28/01	7/1/01
1219	235	Finance	3/28/01	7/1/01
1220	236	Finance	3/28/01	7/1/01
1221	310	Finance	4/03/01	7/1/01
1222	237	Finance	3/28/01	7/1/01
1223	311	Finance	4/03/01	7/1/01
1224	238	Finance	3/28/01	7/1/01
1225	239	Finance	3/28/01	7/1/01
1226	210	Finance	3/27/01	7/1/01
1227	360	Finance	4/09/01	7/1/01
1228	306	Finance	4/02/01	7/1/01
1229	240	Finance	3/28/01	7/1/01
1230	241	Finance	3/28/01	7/1/01
1234	242	Finance	3/28/01	7/1/01
1235	243	Finance	3/28/01	7/1/01
1236	244	Finance	3/28/01	7/1/01
1237	292	Finance	4/02/01	Section 4: 4/2/01 All Others: 7/1/01
1238	340	Finance	4/04/01	4/4/01
1239	245	Finance	3/28/01	Sections 4-5: 3/28/01 All Others: 7/1/01
1240	246	Finance	3/28/01	7/1/01
1241	307	Finance	4/02/01	7/1/01
1242	378	Finance	4/10/01	7/1/01
1243	312	Finance	4/03/01	7/1/01
1244	379	Finance	4/10/01	Section 3: 4/10/01 All Others: 7/1/01

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date
1245	361	Finance	4/09/01	Sections 8 to 11: 4/9/01 All Others: 7/1/01
1246	265	Finance	3/31/01	7/1/01
1247	266	Finance	3/31/01	7/1/01
1248	293	Finance	4/02/01	7/1/01
1251	267	Finance	3/31/01	7/1/01
1252	268	Finance	3/31/01	7/1/01
1253	294	Judiciary & Rules	4/02/01	7/1/01
1255	380	State Affairs	4/10/01	4/10/01
1257	362	Finance	4/09/01	Section 1: 4/9/01 Section 12: 4/15/06 All Others: 7/1/01
1258	295	Finance	4/02/01	4/2/01
1259	269	Finance	3/31/01	3/31/01
1260	363	State Affairs	4/09/01	7/1/01
1261	341	Finance	4/04/01	7/1/01
1262	342	Finance	4/04/01	7/1/01
1263	343	Finance	4/04/01	7/1/01
1264	393	Finance	4/11/01	7/1/01
1265	344	Finance	4/04/01	7/1/01
1266	313	Finance	4/03/01	7/1/01
1267	345	Finance	4/04/01	7/1/01
1268	346	Finance	4/04/01	7/1/01
1269	364	Finance	4/09/01	7/1/01
1271	365	Finance	4/09/01	7/1/01
1272	366	Finance	4/09/01	Section 6: 4/9/01 All Others: 7/1/01
1273	367	Finance	4/09/01	7/1/01
1274	368	Finance	4/09/01	Section 16: 4/9/01 All Others: 7/1/01
1275	369	Finance	4/09/01	Section 6: 4/9/01 All Others: 7/1/01

SECTION XII

NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
2	Mr. Speaker	Law	MEDICAID - TRANSPORTATION - Relates to claims for reimbursement for transportation of Medicaid clients; clarifies conditions which constitute a violation of the limitation; and to extend the sunset clause.	127	196	213
4	Mr. Speaker	Law	NURSING BOARD - Authorizes the Board of Nursing to enter into multistate agreements or compacts; and clarifies the authority of the Board to submit investigative information to the licensure information system.	131	237	265
5	Mr. Speaker	Law	NURSING HOME ADMINISTRATORS - Defines "temporary permit" and "administrator designee"; provides that nursing homes may operate under the supervision of a qualified administrator designee for up to eight continuous weeks; provides that a consulting agreement shall be submitted to the board; increases the maximum fee which may be charged; removes the board's authority to issue temporary licenses on an emergency basis; increases the fee which may be charged for reinstatement of a license; and provides for issuance of temporary permits. . . . . **Amended in the House (See House Journal)**	150	237	265
7	Mr. Speaker	Law	SOCIAL WORK LICENSE - Increases the maximum fee for social work licenses. . . . . **Amended in the House (See House Journal)**	160	248	271
8	Mr. Speaker	Law	AGING COMMISSION - INVESTIGATIONS - Provides 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 written report of its investigation.	127	235	265
9	Mr. Speaker	Law	CHIROPRACTIC INTERNS - Provides for the registration of chiropractic interns who are under the supervision of licensed chiropractic physicians; and provides for registration and issuance of temporary permits. . . . . **Amended in the House (See House Journal)**	150	237	265
10	Mr. Speaker	Law	VETERANS HOMES/STATE HOSPITAL SOUTH- Provides 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.	127	218	233
11	Mr. Speaker	Law	PSYCHOLOGISTS EXAMINERS - Provides for qualifications for the endorsement of licenses; and provides for senior psychologist licensure. . . . . **Amended in the House (See House Journal)**	150	237	265
12	Mr. Speaker	Law	RESIDENTIAL CARE FACILITY ADMINISTRATORS Deletes a reference to interstate reciprocal endorsement of residential care facility administrator licenses.	63	122	129

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
13	Mr. Speaker	Law	HEARING AID DEALERS AND FITTERS - Provides for an honorarium for members of the board. . . . . **Amended in the House (See House Journal)**	131	237	265
14	Mr. Speaker	Law	COUNSELORS - LICENSURE - Relates to professional counselors; provides 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; requires that an applicant for licensure must be of good moral character; provides for endorsement of licenses; and provides for a fee for endorsement. . . . . **Amended in the House (See House Journal)**	156	242	265
15	Mr. Speaker	Law	PODIATRISTS - Increases the maximum amount the Board of Podiatry may charge for licenses; provides that applicants licensed in another state may qualify for a license under certain conditions; and deletes references to written, oral, and practical examinations. . . . . **Amended in the House (See House Journal)**	79	124	136
17	Mr. Speaker	Law	CORRECTIONS - STAFF TRAINING - Relates to the State Board of Correction; deletes a reference to guards; and provides the Board with the authority to specify the training of certain persons.	48	82	94
18	Mr. Speaker	Law	CORRECTION DEPARTMENT - RECORDS - Provides an exemption from disclosure for certain records of the Idaho Department of Correction. . . . . **Amended in the House (See House Journal)**	160	248	271
20	Mr. Speaker	Law	JUVENILE CORRECTIONS - Provides that the petition fee assessed against juveniles adjudicated in juvenile court shall be named the "Detention/Probation Training Academy Fee"; and changes the name of the "Juvenile Corrections Account" to the "Juvenile Corrections Fund.".	48	82	94
21	Mr. Speaker	Law	JUVENILE CORRECTIONS FACILITIES - Clarifies the source of money received in the Juvenile Corrections Victim Restitution Fund; and provides for distribution and reporting for state and other contract facilities.	48	82	94
22	Mr. Speaker	Law	ADVISORS - Provides 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 provides 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.	183	243	265

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
23	Mr. Speaker	Law	SECURITIES - Deletes the requirement that fingerprints accompany applications for registration as a securities broker-dealer, salesman, or investment advisor; deletes the requirement that a written examination be given at least twice each year; deletes the examination requirement; deletes 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 provides that the registration fee shall not exceed five hundred dollars.	183	260	276
24	Mr. Speaker	Law	ENGINEERS AND LAND SURVEYORS BOARD - Requires registration of persons practicing professional engineering or land surveying in Idaho; revises definitions; provides references to business entities; provides that certain documents shall be marked as "preliminary," "draft," or "not for construction"; deletes requirements relating to temporary permits issued to registrants of other states; deletes references to biennial renewals; allows parties to bring certain charges based upon violations; deletes reference to employees of persons practicing under temporary permits; prohibits the Secretary of State from accepting certain filings from any person unless the Board of Professional Engineers and Land Surveyors has issued a letter indicating the person has a licensed professional in charge; and precludes a business entity from filing organizational papers with the Secretary of State unless a certificate of authorization has been issued or the requirement waived.	138	268	291
			Amended in the House (See House Journal)			
			Motion & Vote to Reconsider	270	271	
25	Mr. Speaker	Law	INSURERS - Revises insurer examination expenses; provides that the director may use a portion of the annual continuation fee to fund the Arson, Fire, and Fraud Account; provides that worker's compensation, property, and casualty rating organization licenses shall be effective for one year; provides that corporations shall file with the Secretary of State; deletes reference to refunds; revises hospital trust, managed care organization, self-funded plan, Petroleum Clean Water Trust Fund, and State Insurance Fund examination expenses.	168	248	271
26	Mr. Speaker	Law	BUSINESS AND INDUSTRIAL DEVELOPMENT CORPORATIONS - Provides that the director of the Department of Finance may require an audit report by a business and industrial development corporation; and provides that a business and industrial development corporation may, with the approval of the director, maintain an office outside Idaho.	140	243	265
27	Mr. Speaker	Law	REAL ESTATE APPRAISER BOARD - Provides that the Idaho Real Estate Appraiser Board may adopt rules relating to the registration and limitations of real estate appraiser trainees.	118	261	276

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
28	Mr. Speaker	Law	BARBERS - BARBER-STYLISTS - Provides for licensure of barbers and barber-stylists; provides for qualifications and requirements for licensure; provides fees; and provides for teacher licenses. . . . . **Amended in the House (See House Journal)**	160	262	276
29	Mr. Speaker	Law	ELECTROLOGY - COSMETOLOGY - Adds electrology as a licensed discipline; revises definitions; adds definitions of "nail technology instructor" and "esthetics instructor"; provides requirements for licensure; provides requirements for schools and establishments; provides requirements for the practice of apprentices; provides for school curriculums; strikes reference to an oral test; provides for endorsement licensure; requires display of licenses; provides for hearings on refusal to renew or suspension or revocation of permits; increases certain fees; provides for prohibited acts; deletes default language; provides for qualifications for permit to demonstrate or teach; and deletes temporary practice permits. . . . . **Amended in the House (See House Journal)**	160	261	276
30	Mr. Speaker	Law	CREMATORIUMS - Increases application and renewal fees relating to the operation of crematoriums.	118	256	276
31	Mr. Speaker	Law	AGING COMMISSION - Provides correct terminology by referring to the executive officer of the Commission on Aging as an administrator rather than a director.	117	242	265
32	Mr. Speaker	Law	ARCHITECTS - Provides for the use of an electronically applied seal; provides that the date, seal, and signature are required only on the title page of certain documents; provides that electronically-produced documents distributed for informational uses may be issued with only the seal if certain conditions are met; and provides for the use of the term "architectural intern".	117	250	271
33	Mr. Speaker	Law	MORTICIANS - Relates to morticians, funeral directors, and embalmers; strikes a reference to oral examination; increases maximum fees; strikes a reference to the time in which licenses will be issued; and provides for annual renewal, cancellation, and reinstatement of licenses. . . . **Amended in the House (See House Journal)**	160	257	276
34	Mr. Speaker	Law	FINANCIAL HOLDING COMPANIES - Defines "financial holding companies"; requires a financial holding company to apply to the Department of Finance for approval to commence activity or acquire a company; and provides that the director of the Department may assess costs of examination against bank holding companies. . .	140	259	276

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
35	Mr. Speaker	Law	INSURANCE PRODUCER LICENSES - Provides for licensure; provides a public records exemption for records furnished to the Department of Insurance regarding termination between an insurer and a producer; provides for purpose and scope; provides definitions; requires licensure and exceptions; provides for application for examinations; provides for producer and nonresident producer licenses; provides for service of process; provides for issuance and refusal; provides for exemption; provides for continuation and expiration; provides for continuing education; provides for notification of use of assumed names; provides for temporary licenses; provides for administrative penalties, suspensions, revocations, and refusals; provides for commissions and appointments; provides notification to director of termination; provides for reciprocity; provides for reporting provides that insurers must accept business through licensed producers; provides for countersignature; provides for power of attorney; provides for reporting and accounting for premiums; provides that the director may promulgate rules; provides for procedures following suspension, revocation, or refusal to continue a license; provides for reinstatement; provides for inactive status; and provides that service corporations may file appointment of agents or representatives.	178	255	322
			Amended in the House (See House Journal)			
			Amended in the Senate	230		
36	Mr. Speaker	Law	STATE EMPLOYEES - TRAVEL - Provides for a meal allowance for state employees and officials that is no higher than allowed under the Internal Revenue Code.	68	93	114
38	Mr. Speaker	Law	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Permits any member of PERSI to initiate contributions into the supplemental plan immediately upon employment.	91	242	265
39	Mr. Speaker	Law	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Clarifies the information the PERSI Board may provide to a spouse or former spouse of a member.	91	242	265
40	Mr. Speaker	Senate Commerce & Human Resources	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Authorizes the PERSI Board to defer and waive the payment of excess costs by contract when a nonparticipating political subdivision is admitted and remains in PERSI for at least ten years.	91	—	91
41	Mr. Speaker	Law	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Provides that erroneous employee contributions may be refunded upon a distributable event; authorizes the PERSI Board to determine by rule the appropriate benefit level subject to commutation; and clarifies the scope of in-service disability retirement for general members.	104	261	276
42	Mr. Speaker	Law	BEAR/ELK/DEER TAGS - SENIOR RESIDENTS - Removes an age restriction for certain fees for bear, deer, or elk tags for persons who hold a senior resident combination license.	63	261	276

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
43	Mr. Speaker	Law	FISHING PERMITS - Provides for the purchase of an Idaho nursing home facility resident fishing permit; and provides a fee for the permit.	63	249	271
47	Hornbeck	Law	DRIVER'S LICENSE FEES - Increases the fees on driver's licenses; distributes the increase to the Emergency Medical Services III Account; and decreases the allocation to the Highway Distribution Account for fees collected on the eight-year class D driver's license.	178	255	322
			Amended in the Senate	230		
49	Mr. Speaker	Law	EMERGENCY MANAGEMENT ASSISTANCE COMPACT - Provides that the governor may enter into a compact on behalf of the state for emergency management assistance; and provides for the Emergency Management Assistance Compact.	117	260	276
50	Mr. Speaker	Law	ADJUTANT GENERAL - Revises the eligibility requirements for the adjutant general.	117	263	276
52	Mr. Speaker	Law	ADJUTANT GENERAL - Provides that one duty of the adjutant general shall be to coordinate the planning and execution of activities pertaining to the inauguration of the governor and other elected state executive officers.	117	270	291
53	Mr. Speaker	Law	NATIONAL GUARD - COLLEGE - Provides authority to the adjutant general to provide incentive payments for fees and tuition for Idaho National Guard members attending private institutions of higher education in Idaho.	147	268	291
54	Bell	Law	APPROPRIATIONS - Appropriates $75,000 to the Legislative Account to retain a consultant to assist the committee appointed to study the restructuring of the electric utility industry.	58	240	265
55	Deal	Law	PROPERTY TAX - AGRICULTURAL LAND - Defines "land actively devoted to agriculture" to include land producing nursery stock.	52	80	94
58	Health & Welfare	Law	HARD-TO-PLACE CHILDREN - GUARDIANSHIP - Authorizes 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.	160	240	265
60	Health & Welfare	Law	CHILD CARE LICENSING - GROUP HOMES - Deletes references to group homes; edits the references to children's residential care facilities; and provides for continued care for certain individuals between the ages of eighteen and twenty-one years.	178	249	271
			Amended in the House (See House Journal)			
61	Judiciary, Rules, & Administration	Law	CORRECTION FACILITIES - Provides penalties for persons in custody who propel bodily fluid or waste at certain persons.	68	152	162

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
62	Judiciary, Rules, & Administration	Law	PRISONERS - RECORDS - Limits access under specified conditions to records of current or former prisoners. . . .	68	194	213
63	Judiciary, Rules, & Administration	Law	VESSELS - DRIVING UNDER INFLUENCE - Provides penalties for causing endangerment or injury to a child while transporting them in a vessel while under the influence of drugs or alcohol.	91	195	213
64	Judiciary, Rules, & Administration	Law	COUNTY JAILS - MEDICAL SERVICE - Increases the fee, from $1 to $5, that a county jail may charge to nonindigent inmates for seeing a medical provider.	68	195	213
65	Judiciary, Rules, & Administration	Law	ASSAULT/BATTERY - Provides punishment for assault or battery committed against certain current or former officers of the court and against law enforcement officers. . . . . **Amended in the House (See House Journal)**	131	239	265
66	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $279,600 to the Office of the Governor for the Military Division for FY 2001.	53	60	67
67	Revenue & Taxation	Law	STATE AERONAUTICS FUND - Provides that interest earned on investment of idle moneys in the State Aeronautics Fund shall be paid to the fund.	68	240	265
68	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $163,900 to the Department of Agriculture for FY 2001.	58	80	94
69	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $14,500,000 to the Department of Lands for Forest and Range Fire Protection Program for FY 2001.	58	80	94
70	Agricultural Affairs	Law	PESTICIDE DEALERS - Requires 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.	131	268	291
71	Agricultural Affairs	Law	AGRICULTURAL LABOR - MINIMUM WAGE -Defines "agriculture"; provides for the application of the minimum wage law to agricultural labor; and provides exemptions from the minimum wage law. . . . . **Amended in the Senate**	86 165	178	220
72	Agricultural Affairs	Law	WEIGH MASTERS - Deletes the prohibition against issuing weigh master 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.	127	255	276
73	Agricultural Affairs	Law	AGRICULTURE DEPARTMENT - SERVICES - Provides 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.	127	256	276

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
74	Agricultural Affairs	Law	SOIL AND PLANT AMENDMENT ACT - Enacts the Soil and Plant Amendment Act of 2001; provides for administration by the Idaho Department of Agriculture; requires registration, labeling, and inspection of soil and plant amendments; provides prohibited acts; provides for the payment of certain fees; and provides for the assessment of penalties.	131	267	291
75	Agricultural Affairs	Law	COMMERCIAL FERTILIZER - Relating to commercial fertilizers, provides definitions; provides references to publications; adds subject areas for adoption of rules; provides that certain fees are nonrefundable; provides 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; provides that stop sale orders may be issued and enforced; increases civil penalties; and provides statements of uniform interpretation and policy.	131	258	276
76	Agricultural Affairs	Law	HORTICULTURE - QUARANTINES - Increases to $10,000 the maximum civil penalty for violations of statutes and rules governing quarantines.	131	257	276
80	Revenue & Taxation	Law	INCOME TAX - Increases the dollar amount limitation on certain education-related charitable contributions by individuals and corporations.	160	318	322
81	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $471,900 to the Transportation Department for fiscal year 2001; and authorizes two additional FTE positions for FY 2001. . .	63	81	94
82	Appropriations	Law	APPROPRIATIONS - SELF-GOVERNING AGENCIES - Appropriates 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 FY 2001.	63	81	94
83	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $122,600 to the Department of Insurance for FY 2001.	63	81	94
84	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $47,500 to the Secretary of State for the Commission on the Arts for FY 2001.	63	81	94
87	Revenue & Taxation	Law	INCOME TAX - Increases the percentage of the net 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.	326	330	331
			Amended in the Senate	329		
88	Revenue & Taxation	Senate Local Government & Taxation	INCOME TAX - Increases 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.	326	—	326

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
90	Agricultural Affairs	Law	VETERINARIANS - Revises exceptions to the requirement of a license or valid temporary permit to practice veterinary medicine; revises the qualifications of the members of the Board of Veterinary Medicine; revises the process for removal of board members; revises powers of the board; revises license application requirements; revises qualifications; revises qualifications of a temporary permit; provides reference to certifications; provides reinstatement; provides reference to veterinary and euthanasia technicians; provides the board with further disciplinary options and grounds for discipline; provides for recovery of paralegal fees; provides for the appeal of a civil penalty; and provides for a fine based upon a withheld judgment.	169	257	276
93	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $1,456,200 to the Department of Juvenile Corrections for FY 2001.	68	97	117
94	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $113,900 to the Attorney General and authorizes one additional FTE position for FY 2001.	68	92	114
95	Appropriations	Law	APPROPRIATIONS - Amends the appropriation for the Idaho State Police to appropriate an additional $19,800 to the ISP for FY 2001.	68	93	114
100	Judiciary, Rules, & Administration	Law	SESSION LAWS - Provides that Session Laws shall be distributed in accordance with the list maintained by the Secretary of State; and provides that books distributed to officers, except legislative officers, are the property of the state and must be delivered to successors in office.	68	195	213
101	Judiciary, Rules, & Administration	Law	LIQUOR LAW - VIOLATIONS - Requires that hearings pursuant to a liquor law violation shall be held in the county where the alleged violation occurred.	118	236	265
109	Revenue & Taxation	Law	CIGARETTE TAX - Provides for payments of refunds of cigarette taxes.	104	195	213
110	Revenue & Taxation	Law	INCOME TAX - Provides a technical clarification relating to the amount of capital gain; clarifies the required holding period; and clarifies treatment of property obtained by a beneficiary of an estate or trust.	104	317	322
111	Revenue & Taxation	Law	INCOME TAX - Eliminates the requirement to make estimated payments of less than fifty dollars; and clarifies the penalty for underpayment of estimated taxes.	104	195	213
112	Revenue & Taxation	Law	INCOME TAX - Provides a non-refundable credit against taxes for electronically-filed tax returns that are filed beginning on and after January 1, 2002.	104	196	213

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
114	Resources & Conservation	Law	WATER RESOURCES DEPARTMENT - Provides legislative intent; and provides that court review of an action by the Department of Water Resources which is subject to judicial review under the APA shall not be heard in any water rights adjudication proceeding commenced under the state adjudication statute.	79	131	146
119	Revenue & Taxation	Law	SALES TAX - Clarifies the time and method of certain distributions of sales tax receipts.	117	196	213
120	Revenue & Taxation	Law	INCOME TAX - Governs the time within which income tax refund claims must be filed.	117	196	213
121	Revenue & Taxation	Law	INCOME TAX - Relates to the administration of the Idaho Income Tax Act to make technical corrections; corrects cross references and citations; and coordinates credits within the Income Tax Act.	117	299	329
			Amended in the Senate	286		
122	Revenue & Taxation	Law	USE TAX - Relating to the use tax, provides an exemption from imposition of the use tax on certain personally-owned vehicles.	117	196	213
124	Transportation & Defense	Law	AIRCRAFT - REGISTRATION - Provides that aircraft shall only be registered prior to or during the current annual registration year; and provides that there shall be no registration of aircraft for any registration period which is prior to the current registration year.	121	256	276
125	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $20,132,000 to the Superintendent of Public Instruction/Department of Education and authorizes two additional FTE positions for FY 2001.	79	121	129
126	Appropriations	Law	APPROPRIATIONS - Amends the appropriation for the State Tax Commission to appropriate an additional $146,400 to the State Tax Commission for FY 2001. . . .	79	97	117
128	State Affairs	Law	STATE GOVERNMENT - OFFICES - Provides that state government offices shall be in Ada County, rather than the statutory requirement that they be either at the State Capitol or the city of Boise.	147	238	265
129	Business	Law	PUBLIC WORKS CONTRACTOR LICENSING BUREAU Provides that the Division of Building Safety shall include the Public Works Contractor Licensing Bureau.	169	258	276
130	Business	Law	BUILDING SERVICES - BOARDS - Changes 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 per day to $50 per day.	169	259	276

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
131	Business	Law	MANUFACTURED HOMES - Provides reference to the manufactured home installation standard; deletes the requirement that a copy of the specifications and the set up requirements be in the home; deletes the requirement that a homeowner or park owner ensure that certain ground provides a proper base and drainage; deletes requirements for instructions and installation of stabilizing systems; and deletes requirements for permanent foundations.	169	243	265
132	Business	Law	EQUIPMENT LEASED/RENTED - LIENS - Further defines the term "furnishing material"; clarifies that persons who rent, lease, or otherwise supply equipment, materials or fixtures for the improvement of a lot have a lien; provides that the renting, leasing, or supplying shall authorize a lien upon land; provides when liens shall be on equal footing; provides application to rented or leased equipment, materials or fixtures; to revise procedures for a person claiming a lien; provides that the term "materialmen" includes persons furnishing, renting, or leasing equipment, materials or fixtures; and provides for application in a personal action to recover a debt.	140	260	276
133	Business	Law	CORPORATIONS - SHAREHOLDERS - Revises means by which a shareholder may vote his shares by proxy. . .	117	223	233
134	Judiciary, Rules, & Administration	Law	COMMUNITY GUARDIAN BOARD - Clarifies that members of a board of community guardian shall be appointed by the board of county commissioners that created the board; extends terms of members; and allows a member to serve until a successor is appointed.	131	236	265
138	Revenue & Taxation	Senate Local Government & Taxation	MUSEUMS - Provides a tax exemption for admissions to and purchases by museums; and defines "museums." . .	169	—	169
140	State Affairs	Law	VETERANS HOMES - Revises the powers and duties of the administrator of the Division of Veterans Services; revises definitions; provides that veterans discharged under honorable conditions shall be eligible for admission to the state's veterans homes; and deletes eligibility for admission to the 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. . . .	131	239	265
141	State Affairs	Law	STATE VETERANS CEMETERY - Revises the powers and duties of the administrator of the Division of Veterans Services; provides rulemaking authority for the administrator regarding establishment of standards and criteria for interment at the state veterans cemetery; and provides for the deposit of certain benefits into the veterans cemetery maintenance fund.	131	239	265

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
142	State Affairs	Law	ELECTRIC SUPPLIER STABILIZATION ACT - Modifies the Electric Supplier Stabilization Act to bring it into conformity with principles articulated by the Ninth Circuit Court of Appeals in *Snake River Valley Electric Association v. PacifiCorp and State of Idaho*; provides 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; provides circumstances when the court will remand the matter; provides that any consumer of a municipal electric system may apply to the district court for a determination; and provides circumstances when the court will remand the matter to the municipality.	124	152	159
143	Revenue & Taxation	Law	AIRCRAFT - Exempts 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 provides that such exemption does not include certain tools and equipment.	131	237	265
144	State Affairs	Law	TELEMARKETERS - Requires 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.	131	229	310
			Amended in the Senate	205		
146	State Affairs	Law	ELECTIONS - REGISTRATION - Clarifies that election day registration is allowed at an absentee polling place; and revises county procedures governing election records. . .	131	236	265
147	Transportation & Defense	Law	MILITARY - Provides that certain members may demand trial by court-martial in lieu of nonjudicial punishment; deletes a reference to notice of declared emergency; broadens authority of commanding officers; provides a procedure following arrest; deletes reference to a probable cause finding; provides for issuance and service of warrants; provides for arrest and incarceration; provides for rules of procedure; and provides that enforcement of the Idaho Code of Military Justice shall conform as nearly as practicable to specified rules and case precedent.	117	260	276
148	Revenue & Taxation	Law	INCOME TAX - ELECTRONIC FUNDS TRANSFER - Provides 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.	150	250	271
149	Revenue & Taxation	Law	INCOME TAX - CREDIT - Provides an income tax credit for charitable contributions made to Gem Youth Services or its foundation.	169	257	276

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
150	Revenue & Taxation	Law	PROPERTY TAX - RELIEF - Revises definitions and exceptions to the claimant's personal right to file claims; revises procedures for filing claims; provides reference to persons or entities acting on a claimant's behalf; deletes reference to household income; deletes the requirement of the signature by a claimant on each approved claims form; provides reference to claimant's spouse; provides reference to persons or entities acting on behalf of applicants and other persons; and provides for power of attorney.	131	223	233
151	Judiciary, Rules, & Administration	Law	PUBLIC RECORDS - Provides 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. . . . . **Amended in the House (See House Journal)**	178	249	271
154	Business	Law	MANUFACTURED HOMES - Provides 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.	146	243	265
155	Business	Law	REAL ESTATE - Revises the agency disclosure brochure required for representation confirmation.	146	270	291
156	Business	Law	INSURANCE - WHOLESALE PRODUCERS - Provides that an insurance producer may charge a fee or may be compensated by a combination of fees and commissions; provides duties; provides for disclosure of information; defines terms; provides for application; and provides that fees charged shall not be considered a premium unless the fee relates to a surplus line policy. . . . . **Amended in the House (See House Journal)**	220	262	276
160	Revenue & Taxation	Law	INCOME TAX - Updates the reference to the Internal Revenue Code.	117	196	213
161	Business	Law	INSURANCE GUARANTY ASSOCIATION - Deletes the requirement that the Insurance Guaranty Association maintain three separate accounts; provides for one account; and deletes the requirement to allocate claims and assessments by the Idaho Insurance Guaranty Association among three accounts.	186	262	276
162	Local Government	Law	CITY ORDINANCES - Provides that at least one copy of the supplemental code shall be filed for public use and examination prior to adoption; and provides that one copy of the supplemental code shall be retained by the city and filed in the office of the city clerk.	160	250	271

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
164	Environmental Affairs	Law	DEPARTMENT OF ENVIRONMENTAL QUALITY - Provides that the Department of Environmental Quality and the Board shall have the authority to regulate matters relating to environmental protection; and provides technical cleanup for S 1426 of the 2000 Legislature.	127	235	265
165	Health & Welfare	Law	CONTROLLED SUBSTANCES - Provides notification of investigations concerning licenses for controlled substances; authorizes action of the board of professional licensure; and allows the Board of Pharmacy to recover certain costs of prosecution.	169	256	276
167	Transportation & Defense	Law	MOTOR FUELS TAX - Allows 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; clarifies that certain motor vehicles not licensed for highway use are entitled to a refund; and authorizes the State Tax Commission to reduce or eliminate certain reporting requirements from fuel importers and pipeline terminal operators.	127	240	265
169	Agricultural Affairs	Law	AGRICULTURAL CROPS - DESTRUCTION - Provides liability for the willful and knowing damage or destruction of any agricultural or horticultural crop product; and provides for damages.	160	299	329
			Amended in the House (See House Journal)			
			Amended in the Senate	286		
170	Agricultural Affairs	Law	WHEAT COMMISSION - Authorizes the Idaho Wheat Commission to establish the rate of tax imposed on wheat, not to exceed the existing rate of two cents per bushel. . .	127	243	265
174	Revenue & Taxation	Law	MINE LICENSE TAX - Reduces the mine license tax from two percent to one percent of the net value of royalties or of the ores mined and extracted.	155	250	271
175	State Affairs	Law	POLLS - PERSUASIVE - Clarifies the definition of a persuasive poll; provides for penalties and prosecution.	163	241	265
176	Resources & Conservation	Law	OUTFITTERS AND GUIDES - Relates to outfitters and guides; revises the definition of "license year"; provides an exception for licensure for certain persons furnishing livestock and equipment to a hunter or fisherman; deletes 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.	121	229	310
			Amended in the Senate	164		
177	Resources & Conservation	Law	FISH AND GAME LICENSES - Provides for a reduced fee for fish and game licenses to those persons deemed disabled by the Railroad Retirement Board.	138	258	276

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
178	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $446,000 to the State Board of Education for the Idaho Historical Society for FY 2001; and authorizes an additional five FTE positions for the Society.	121	195	213
179	Resources & Conservation	Senate Finance	GALLOWAY DAM AND RESERVOIR - Provides that the Idaho Department of Water Resources shall conduct a feasibility study of the Galloway Dam and Reservoir; and appropriates $200,000 to the Department of Water Resources to conduct the feasibility study.	163	—	163
180	Resources & Conservation	Law	SAFE BOATING LAW - VIOLATIONS - Reduces certain misdemeanor penalties to infractions for persons violating provisions of the state's safe boating law; and provides for misdemeanor penalties for certain violations of the state's safe boating law. . . . . **Amended in the House (See House Journal)**	199	259	276
181	Judiciary, Rules, & Administration	Law	VIOLENT SEXUAL PREDATORS - Designates the courts where certain offenders may apply to challenge designations as violent sexual predators.	138	236	265
182	Judiciary, Rules, & Administration	Law	SEARCH WARRANTS - Extends the time within which a search warrant must be executed and returned to the issuing magistrate.	140	236	265
183	Judiciary, Rules, & Administration	Law	POST-CONVICTION PROCEDURE - Clarifies the appointment of attorneys at public expense in uniform post-conviction procedure act proceedings.	140	236	265
184	Judiciary, Rules, & Administration	Law	POSTJUDGMENT - Provides for postjudgment attorney's fees and costs incurred in collecting on judgments entered in certain small claims cases.	183	257	276
185	Judiciary, Rules, & Administration	Law	CHILD PROTECTIVE ACT - Provides a periodic review of cases in child protection proceedings; provides children with permanency; provides for jurisdictions; provides for petitions; requires certain assertions in a petition; provides that the court may endorse upon the summons an order for removal and may vest legal custody with the Department of Health and Welfare; provides for hearings and pretrial conferences; requires written findings; provides for the binding effect and duration of certain decrees; provides for review of certain cases; requires certain information; provides for entry into the record of the court; provides for reasonable efforts to reunify or finalize placement; provides hearings to review permanency; provides for emergency removal; provides for temporary legal custody; requires appointment of counsel for the guardian ad litem; provides for temporary legal guardians; and requires the Department to file permanency plans and recommendations. . . . . **Amended in the House (See House Journal)**	160	248	271
186	Business	Law	INSURANCE PRODUCERS/CONSULTANTS - Provides that certain licensed insurance producers and consultants shall make certain records available for inspection. . . .	178	256	276

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
188	State Affairs	Law	PUBLIC UTILITIES COMMISSION - Provides that the pipeline safety specialist employed by the PUC shall be a nonclassified employee.	147	239	265
189	State Affairs	Senate State Affairs	SCHOOL DISTRICT ELECTIONS - Requires that school district elections shall be conducted on the uniform date for elections conducted within Idaho, with special provisions for certain levy elections. . . . . **Amended in the House (See House Journal)**	160	—	160
190	State Affairs	Senate State Affairs	SCHOOL DISTRICT TRUSTEE ZONES - Adopts standards for school district trustee zone boundaries. . .	160	—	180
191	State Affairs	Law	SCHOOL DISTRICT TRUSTEE ZONES - Requires that school district trustee zones be redefined following the decennial census. . . . . **Amended in the House (See House Journal)**	160	263	276
192	Environmental Affairs	Law	RADIOACTIVE WASTE - DISPOSAL - Provides 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; revises the definition of "restricted hazardous waste"; and provides for rules. . . . . **Amended in the House (See House Journal)**	226	295	310
193	Local Government	Law	FIRE PROTECTION DISTRICTS - Provides for the election of commissioners from expanded boards of fire protection districts.	150	240	265
195	Local Government	Law	PORT DISTRICTS - Eliminates the interest rate limitation on port district revenue refunding bonds.	150	258	276
196	Local Government	Law	PORT DISTRICTS - Provides 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.	160	258	276
198	Health & Welfare	Law	HEALTH AND WELFARE - Relates to the Department of Health and Welfare; provides for investigations, inspections, right of entry, enforcement, penalties, and injunctions; provides for commencement of civil actions or criminal actions; provides that the Department shall regulate X-ray producing machines; and redesignates sections of the *Idaho Code* relating to emergency medical services, services to victims of cystic fibrosis, "do not resuscitate orders," and poison control centers.	169	241	265
201	Revenue & Taxation	Law	INSURANCE - PREMIUM TAX - Relates to insurance premium tax; removes the term "domestic" from the exemption relating to insurers doing exclusively worker's compensation business and the insurers which exclusively insure governmental entities.	160	241	265

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
202	Revenue & Taxation	Law	PROPERTY TAX - HOMEOWNER'S EXEMPTION - Provides that an owner of property is entitled to an exemption if residential improvements are owner-occupied after January 1 but before April 15; and provides 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.	160	261	276
205	Business	Law	UCC - SECURED TRANSACTIONS - Relates to transactions providing for security agreements; provides for perfection and priority; provides for rights of third parties; provides for filing of financial statements; provides for default; provides for transition; and provides for application of the UCC to certain liens.	146	229	265
206	State Affairs	Law	ELECTIONS - PROCEDURES - Governs the method of voting for a write-in candidate on an optical scan voting machine; and provides additional criteria for approval of voting machines.	163	248	313
			Amended in the Senate	208		
207	State Affairs	Senate State Affairs	ABSENTEE BALLOTS - Specifies a time when an application for an absentee ballot must be received; and provides for counting of absentee ballots received on election day.	199	—	207
			Amended in the House (See House Journal)			
209	Local Government	Law	WATER AND SEWER SERVICES - Authorizes the boards of county commissioners to provide necessary water and sewer services; and clarifies authority of the board when an emergency exists.	169	261	276
210	Agricultural Affairs	Law	PEA AND LENTIL COMMISSION - Authorizes 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.	160	306	313
211	Agricultural Affairs	Law	CONFINED ANIMAL FEEDING OPERATIONS - Relates to local land use planning; provides for legislative findings; provides for odor management plans for confined animal feeding operations; provides for county requests for suitability determinations and local regulation; provides a process and content for a request; provides responsibilities for the Department of Agriculture, Department of Environmental Quality, and the Department of Water Resources; authorizes rulemaking and agreements with other agencies; provides for reports; and provides for county action.	226	293	310
			Amended in the House (See House Journal)			
212	Health & Welfare	Law	SOCIAL WORK LICENSES - Provides an exemption from the Social Work Licensing Act for certain hospital employees.	169	255	276

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
213	Health & Welfare	Senate Health & Welfare	RITALIN - Requires pharmacies that dispense Ritalin to disclose the known side effects of the prescriptive and nonprescriptive use of the drug; directs the Board of Pharmacy to promulgate rules to ensure that the disclosed information is provided and that specified information is consistent with the most current medical findings . . . . **Amended in the House (See House Journal)**	178	—	178
214	Transportation & Defense	Law	MOTOR VEHICLES - COMMERCIAL - Provides that motor vehicles weighing in excess of sixty thousand pounds may pay the annual registration in quarterly payments. .	131	242	265
215	Transportation & Defense	Law	DRIVER'S LICENSES - Provides 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 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.	131	259	276
216	Transportation	Senate Transportation	MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT - Provides revisions to the Agreement in accordance with changes mutually agreed upon by the participating jurisdictions.	146	—	146
217	Appropriations	Law	STATE ACCOUNTS - Provides 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 provides that corrections exceeding $500,000 or discovered more than six months after the end of the fiscal year, shall be approved by the Legislature.	131	196	213

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
218	Appropriations	Law	ATTORNEY GENERAL - Provides correct terminology; deletes reference to interaccount receipts; provides that funds may be expended pursuant to legislative appropriation; provides for an amount in the Consumer Protection Fund that shall be transferred to the General Fund; provides for deposit of moneys collected by the Attorney General as trustee for injured consumers; provides that the Attorney General shall provide legal representations; provides that the Attorney General shall give written opinions without fee to the Superintendent of Public Instruction; deletes the requirement that the Attorney General give written opinions without fee to the trustees or commissioners of state institutions; provides that written opinions of the Attorney General shall be given upon the request of certain agencies; clarifies which entities are exempted; provides that the Division of Financial Management shall prepare an estimate of costs for services; and provides that the DFM and the Legislative Services Office shall allow state agencies to modify their budget requests in response to such cost estimates.	131	196	213
221	Resources & Conservation	Law	WATER - DIVERSION - Authorizes an annual charge of up to fifty dollars per year for each diversion measured in water measurement districts, if the charge is adopted by a resolution approved by a vote of the water users at a meeting.	173	256	276
222	Resources & Conservation	Law	BIGHORN SHEEP - Provides for the auction of bighorn sheep tags; limits the portion of all proceeds that may be retained by an organization selected; provides for deposit and use of proceeds; requires hearings prior to transplant; provides for lotteries for tags; and provides for the deposit and use of the proceeds from the lotteries.	173	261	276
223	Resources & Conservation	Law	GAME TAGS - LANDOWNERS - Provides 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.	155	249	271
224	Resources & Conservation	Law	WILDLIFE DEPREDATION - CROPS - Provides that specified deductibles associated with claims against wildlife depredation accounts shall be waived for some claims for damage to standing/stored crops or livestock.	155	249	271
225	Commerce & Human Resources	Law	OCCUPATIONAL DISEASES - Further defines occupational diseases relative to worker's compensation to include infectious hepatitis viruses and tuberculosis. . .	183	262	276
226	Commerce & Human Resources	Law	ARCHITECTURAL EXAMINERS BOARD - Increases the honorarium for members of the Board of Architectural Examiners.	183	262	276
231	Business	Vetoed	PUBLIC PROJECTS - Clarifies procedures for the selection of professionals providing design services for public projects. . . . . **Veto Message (See House Journal)**	186	302	313

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
232	Business	Law	EMERGENCY COMMUNICATIONS PRESERVATION Provides a statement of purpose; provides definitions; and provides restrictions on local units of government in enacting rules and ordinances relating to antenna support structures and antennas. . . . . **Amended in the House (See House Journal)**	199	270	291
233	Business	Law	INSURERS - Specifies 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.	169	260	276
237	Business	Law	UNIFORM COMMERCIAL CODE - DAMAGES/ BENEFITS - Excludes 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. . . . . **Amended in the Senate**	146 206	229	310
238	Business	Law	PUBLIC WORKS CONTRACTORS - LICENSING - Reorganizes 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. . . . . **Amended in the House (See House Journal)**	226	306	313
242	Judiciary, Rules, & Administration	Law	DNA TESTING - Relates to post-conviction appeals; provides a petition for special procedures for fingerprint and DNA testing; provides additional conditions for filing a petition; provides that a trial court shall allow testing; provides that a court shall order appropriate relief if testing demonstrates a person did not commit an offense; and provides for payment of testing. . . . . **Amended in the House (See House Journal)**	254	304	313
244	Judiciary, Rules, & Administration	Law	THEFT - Strikes superfluous language; and provides a code reference to include theft during a "criminal episode" in the penalty statute.	147	239	265
245	Judiciary, Rules, & Administration	Law	VESSELS - OPERATION UNDER INFLUENCE - Provides authority to make an arrest when a person is charged with operating a vessel under the influence of alcohol, intoxicating beverages, or drugs; provides 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 provides a definition.	169	249	271
246	Judiciary, Rules, & Administration	Law	LAW ENFORCEMENT OFFICERS - Provides for payment of death benefits to family members of a law enforcement officer killed in the performance of duty; provides for disbursement; provides that the death benefit is not subject to state income taxes and shall not affect certain provisions of law relating to death benefits. . . .	183	267	291

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
247	Judiciary, Rules, & Administration	Law	SEXUAL ASSAULT VICTIMS - Provides that the costs of medical exams for alleged victims of sexual assault shall be paid from the Crime Victims Compensation Account. .	155	248	271
249	Judiciary, Rules, & Administration	Law	SEXUAL ASSAULT EVIDENCE COURSE - POST - Requires a POST course in investigation of allegations of sexual assault or battery.	155	241	265
251	State Affairs	Law	ENERGY SAVING PERFORMANCE CONTRACTS - Provides for energy saving performance contracts; provides that certain sections of the *Idaho Code* shall not apply to energy savings contracts; provides for requests for qualification; provides for notice; provides for public inspection; provides for awards of performance contracts; provides for installment and lease-purchase agreements; provides for terms of performance contracts; and provides for monitoring and reports.	163	255	276
252	Revenue & Taxation	Law	INCOME TAX CREDIT - Provides an income tax credit for charitable contributions to certain rehabilitation facilities accredited by accreditation organizations recognized by the state of Idaho.	178	270	291
253	Revenue & Taxation	Senate Third Reading	INCOME TAX - DEDUCTIONS - Provides that, with respect to a taxpayer, an amount equal to the amount paid by the taxpayer during the taxable year for insurance shall be allowed as an Idaho tax deduction; and provides a definition of an insurance which constitutes medical care. **Amended in the Senate**	169 231	—	313
256	Environmental Affairs	Law	COEUR D'ALENE BASIN - Establishes the "Basin Environmental Improvement Act." . . . . . **Amended in the House (See House Journal)**	226	268	291
257	Environmental Affairs	Law	DOMESTIC SEPTAGE DISPOSAL - Authorizes counties to establish regional septage disposal districts.	150	258	276
262	Agricultural Affairs	Law	AGRICULTURE ODOR MANAGEMENT ACT - Provides a statement of legislative intent; provides for the Agriculture Odor Management Act; provides for authority and duties of the director of the Department of Agriculture; provides for the design and construction of certain liquid waste systems; provides for odor management plans; provides exceptions; provides for inspections and complaints; provides for confidentiality of certain records; provides for violations and penalties, or other administrative action; provides for notice and hearing; provides for deposit of the moneys collected to the General Fund; and provides consideration in the imposition of monetary penalties. . . . . **Amended in the House (See House Journal)** **Amended in the Senate**	254 286	299	329
268	Transportation & Defense	Senate Transportation	PUBLIC RIGHTS-OF-WAY - Revises procedures relating to abandonment of and restriction of access on roads and highways under the jurisdiction of county and highway districts.	150	—	314

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
269	Transportation & Defense	Law	RAIL SERVICE PRESERVATION - Establishes a Rail Service Preservation Program administered by the Idaho Transportation Board; creates a Rail Service Preservation Fund; requires the development of a state rail plan; and requires the PUC 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.	186	293	310
270	Transportation & Defense	Law	MOTOR VEHICLES - TRIP PERMITS - Relates to temporary registration of certain motor vehicles; increases the length of time a trip permit is valid; increases fees for trip and fuel permits; and increases the length of time a permit is valid for certain vehicles operated in a fleet. .	163	256	276
275	Revenue & Taxation	House Did Not Concur in Senate Amendments	INCOME TAX - Reduces the individual income tax rates for taxable year 2001 and 2002 and thereafter; provides for rebates; increases the grocery tax credit; increases capital gains deduction; permanently reduces the corporate income tax rate; provides for income tax credit for research and development expenditures, creation of new jobs, new venture capital, broadband communications equipment, and invests in certain counties; changes child care deductions; permanently increases dependent care credit; provides capital gains deductions, income tax credits, treatment of General Fund surplus; and provides an income tax credit for up to two children under the age of sixty months. . .	138	292	292
			Amended in the Senate	276		
277	Education	Senate Education	SCHOOLS - SEX EDUCATION - Relates to courses of instruction in public schools; provides 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 extends the meaning of self-discipline to include abstinence as the only safe method to combat unwanted pregnancy, HIV/AIDS, and sexually-transmitted diseases.	214	—	214
278	Education	Law	CHARTER SCHOOLS - Authorizes advance payment of a portion of a charter school's estimated annual apportionment under specified conditions.	183	243	265
280	State Affairs	Law	UNITED STATES - PURCHASE LAND - Provides 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.	169	299	327
			Amended in the Senate	286		
281	State Affairs	Senate Commerce & Human Resources	CROP REVENUE PROTECTION INSURANCE - Provides for the transaction of crop revenue protection insurance in the state of Idaho.	234	—	234
			Amended in the House (See House Journal)			
			Amended in the House (See House Journal)			

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
282	Revenue & Taxation	Vetoed	STATE GENERAL FUND - BUDGET - Provides 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; provides that the General Fund budget shall include the transfer of moneys to any other fund and ongoing appropriation; and provides the date changes. . . . . **Amended in the House (See House Journal)** **Veto Message (See House Journal)**	220	305	313
284	Revenue & Taxation	Senate Local Government & Taxation	SCHOOL DISTRICTS - Reduces the maximum maintenance and operation levies for school districts by one-tenth of one percent during tax year 2001 and thereafter; and increases the property tax replacement by one-tenth of one percent.	246	—	246
290	State Affairs	Law	RAPE - PROSECUTION - Provides that there is no limitation of the time within which prosecutions for rape must be commenced; and deletes the provision requiring the return of certain evidence.	155	241	265
291	Education	Senate Commerce & Human Resources	ELECTRICIANS - RESIDENTIAL WIREMEN - Relates to electricians; provides for licensing by the Division of Building Safety of an individual working as a residential wireman or apprentice residential wireman. . . . . **Amended in the House (See House Journal)**	220	—	220
292	Education	Law	SCHOOL DISTRICTS - Provides funding for school districts that educate students in juvenile detention facilities during the summer months.	186	269	291
294	Education	Law	CHARTER SCHOOLS - Provides that a new or conversion charter school shall specify an attendance area for admission preference.	183	259	276
298	Revenue & Taxation	Senate Local Government & Taxation	YOUTH MENTORING PROGRAM CONTRIBUTIONS Provides an income tax credit for contributions to youth mentoring programs; and defines the term "youth mentoring programs."	173	—	173
299	Revenue & Taxation	Law	PROPERTY TAX - Relates to property tax relief; provides a deduction for certain expenses related to funerals, in the determination of income.	203	318	322
300	Revenue & Taxation	Senate Finance	VENTURE CAPITAL - Adopts a new chapter to govern incentives for targeted growth through allowance of a venture capital risk tax credit; provides that the Department of Commerce is charged with the selection of an investor group; provides for the selection of the investor group; provides for reports and audits; and provides for management. . . . . **Amended in the House (See House Journal)**	203	—	289

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
301	Appropriations	Law	APPROPRIATIONS - DEPARTMENT OF COMMERCE Appropriates $29,283,100 to the Department of Commerce for FY 2002; provides for a funds transfer to the Department of Commerce's Miscellaneous Revenue Fund; and limits the number of FTE positions to 54.	265	302	313
302	Appropriations	Law	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.	155	238	265
303	Appropriations	Law	APPROPRIATIONS - LIQUOR DISPENSARY - Appropriates $10,263,200 to the Office of the Governor for the State Liquor Dispensary for FY 2002; and limits the authorized FTE positions to 145.	155	238	265
304	Appropriations	Law	APPROPRIATIONS - PUBLIC EMPLOYEE RETIREMENT SYSTEM - Appropriates $5,840,900 to the Office of the Governor for PERSI for FY 2002; provides intent that moneys appropriated for the Portfolio Investment Program are for administrative costs of the program; and limits the number of authorized FTE positions to 62. . .	155	238	265
305	State Affairs	Law	PUBLIC WORKS CONTRACTORS - Provides duties of the administrator of the Division of Building Safety relating to licensing of public works contractors; revises the membership and terms of office of the Public Works Contractors License Board; provides duties of the administrator regarding a public works contractors license; provides that a complete financial statement may include a letter from the applicant's bonding company stating a bonding capability amount; and provides the procedure for a request for a licensing class. . . . . **Amended in the House (See House Journal)**	226	306	313
306	State Affairs	Law	PUBLIC UTILITIES COMMISSION/INDUSTRIAL COMMISSION - Provides an increase in the salaries of members of the Public Utilities Commission and of the Industrial Commission.	178	268	291
307	State Affairs	Law	PERMANENT ENDOWMENT FUNDS - Provides for separate accounting of earnings reserve funds and permanent endowment funds; provides for certain allocation of gains and losses; provides a method of determination; provides for transfers to make up losses to the Public School Permanent Endowment Fund; provides for certain transfers or appropriations; provides that losses to permanent endowment funds other than Public School Permanent Endowment Funds shall be made up from certain earnings; and revises a definition of earnings. . .	178	269	291
308	State Affairs	Law	IRRIGATION DISTRICTS - Clarifies the provisions governing the date for a city irrigation system to make an estimate of the expenses for the system for purposes of assessments.	178	257	276

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
309	Health & Welfare	Law	ABORTION - Provides that state statutes, rules, and constitutional provisions shall be interpreted to prefer live childbirth over abortion; and deletes 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.	178	289	298
310	Revenue & Taxation	Senate Local Government & Taxation	PROPERTY TAX - Further defines construction to be shown on the new construction roll to include any equipment or facility used in conjunction with generation of electricity; and provides an exception.	271	—	271
311	Revenue & Taxation	Senate Education	INCOME TAX CREDITS - Provides 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. . . . . **Amended in the House (See House Journal)**	226	—	226
312	Revenue & Taxation	Law	LONG-TERM CARE INSURANCE - Provides a state income tax deduction for fifty percent of the premium cost for long-term care insurance. . . . . **Amended in the House (See House Journal)**	220	318	322
313	Appropriations	Law	APPROPRIATIONS - LIEUTENANT GOVERNOR - Appropriates $112,700 to the Office of the Lieutenant Governor for FY 2002; provides 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 FTE positions to 2. . . .	160	238	265
315	Ways & Means	Law	SCHOOL FACILITIES - Authorizes grants within the scope of the School Safety and Health Revolving Loan Fund; restricts the qualification for loans; provides eligibility for grants and the method for determining the qualifying percentage; extends the scope of the Uniform School Building Safety Act to charter schools and certain schools operated by the State of Idaho. . . . . **Amended in the House (See House Journal)**	178	295	310
316	Education	Law	TECHNOLOGY INSTRUCTION - Provides for continuing technological instruction in the public schools through application of the school foundation program.	186	270	291
317	Education	Law	CHARTER SCHOOLS - Revises legislative intent; and provides for the utilization of virtual distance learning and on-line learning. . . . . **Amended in the Senate**	169 230	255	322
318	Appropriations	Law	APPROPRIATIONS - Appropriates another $3,046,200 to the Department of Correction for FY 2001.	163	239	265
320	Revenue & Taxation	Senate Local Government & Taxation	LOW-INCOME HOUSING - PROPERTY TAX - Provides that the speculative value of low-income housing projects shall be exempt from property taxation; and provides for application for the exemption.	220	—	220

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
321	State Affairs	Law	DESTRUCTIVE DEVICES - Defines "shrapnel"; provides that the unlawful possession of an assembled bomb or destructive device by certain persons shall constitute a felony; and provides that a person who possesses a bomb or a destructive device designed to propel shrapnel is guilty of a felony. . . . . **Amended in the House (See House Journal)**	234	287	292
322	State Affairs	Law	VETERANS POINTS - Provides that veterans preference points shall be used by all disabled veterans and widows or widowers of disabled veterans; defines "initial appointment" and "disabled veteran"; and deletes a definition of a "disabled war veteran."	178	259	276
326	Education	House Education	SCHOOL ATTENDANCE - Provides a procedure for the board of trustees when a child is determined to be in violation of school attendance requirements . . . . . **Amended in the House (See House Journal)** **Amended in the Senate**	220 306	307	307
327	Education	Law	COUNTIES - SELF-FUNDED HEALTH CARE - Exempts counties of the state from registration requirements relating to self-funded health care plans. .	214	295	310
330	Appropriations	Law	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 and Clark State College, and the Office of the State Board of Education for FY 2002; provides intent that $75,000 of the amount appropriated be used by the Board for system-wide needs; provides intent that $1,600,000 be used for matching awards, research centers, and infrastructure; provides 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; provides intent regarding moneys received from outside sources; and reappropriates unexpended and unencumbered fund balance.	265	295	310
331	State Affairs	Law	PRESCRIPTIONS - Provides authority of the Board of Pharmacy to approve forms for prescriptions; specifies certain conditions governing the forms; and provides for filing of prescriptions.	214	262	276
334	Appropriations	Law	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.	265	302	313

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
335	Appropriations	Law	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.	271	302	313
336	Appropriations	Law	APPROPRIATIONS - HUMAN RIGHTS COMMISSION Appropriates $804,100 to the Office of the Governor for the Human Rights Commission for FY 2002; and limits the number of FTE positions to 11.	271	302	313
337	Appropriations	Law	APPROPRIATIONS - SPECIES CONSERVATION OFFICE - Appropriates $2,718,500 to the Office of the Governor for the Office of Species Conservation for FY 2002; and authorizes 5 FTE positions.	271	315	322
338	Ways & Means	Law	ADMINISTRATIVE RULES - Provides that administrative rules that expire on July 1, 2001, will continue to be effective until July 1, 2002; provides 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; provides that rules rejected by concurrent resolution shall be null, void, and of no force and effect; and authorizes agencies to amend or repeal certain rules pursuant to the APA.	178	258	276
339	Ways & Means	Law	SWINE AND POULTRY FACILITIES - Provides 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 provides for facility requirements. .	178	288	298
340	State Affairs	Law	ABORTION - Revises penalties relating to unlawful abortions; provides that a petition may be filed in the judicial district where a minor resides or in the county where the abortion performed; provides for initiation of an investigation or filing of an information, complaint or petition against a person other than the petitioner; provides that if a minor would have been privileged to withhold required information or evidence 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 provides defenses to prosecution.	199	269	291
341	Appropriations	Law	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.	265	296	310
342	Appropriations	Law	APPROPRIATIONS - Appropriates $234,800 to the Department of Administration for the Idaho State Capitol Commission for FY 2002.	265	296	310

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
343	Appropriations	Law	APPROPRIATIONS - STATE CONTROLLER - Appropriates $13,142,700 to the State Controller for FY 2002; provides intent regarding billing methodologies for Statewide Accounting and Statewide Payroll; provides intent regarding purchases or obligations involving information technology items; 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 FTE positions to 101.85.	265	301	313
344	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $32,000,000 to the Capitol Commission for the period July 1, 2000, through June 30, 2005; and provides for a report to the Joint Finance-Appropriations Committee regarding the progress of the capitol restoration.	265	302	313
345	Judiciary, Rules, & Administration	Law	FINES - FORFEITURES - Provides 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.	183	257	276
346	State Affairs	Senate State Affairs	PRESIDENTIAL ELECTORS - Clarifies 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.	199	—	199
347	State Affairs	Law	PUBLIC UTILITIES COMMISSION - RECORDS - Clarifies the authority of the Public Utilities Commission to examine certain records of a public utility's holding company, parent, affiliate, or subsidiary. . . . . **Amended in the House (See House Journal)**	234	314	322
348	State Affairs	Law	ENDOWMENT LANDS - Provides for an exchange of certain endowment lands, managed by the State Board of Land Commissioners, which are adjacent to the ISU/UofI Center for Higher Education in Idaho Falls, with lands of equivalent market value owned by the State Board of Education; and provides intent to facilitate the land exchange by including moneys in the State Board of Education's General Fund appropriation for FY 2002 to purchase real property of equivalent market value for the land exchange.	199	304	313
350	Education	Senate Judiciary & Rules	FORCIBLE SEXUAL PENETRATION - FOREIGN OBJECT - Provides 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.	246	—	246

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
351	State Affairs	Law	COUNTY HOUSING AUTHORITIES - Provides that a county housing authority may continue to own and operate housing projects for which it has become financially obligated; provides additional powers of county housing authorities; authorizes the county to lend money to a county housing authority; provides for reimbursement; provides for repayment of bonds; authorizes the authority to pledge any income or revenues or a mortgage of the authority; provides for a mortgage of real or personal property to secure the payment of bonds; deletes limitations on the power of an authority to mortgage its own property; and provides that a county housing authority may continue to own and operate housing projects, 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.	226	289	298
352	State Affairs	Law	HOUSING AUTHORITY - COMMISSIONERS - Increases 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; specifies the term lengths; provides that the number of commissioners may be altered upon resolution; provides 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 provides that a majority of the appointed commissioners shall constitute a quorum.	226	289	298
353	Revenue & Taxation	Law	AUDITORIUM/COMMUNITY CENTER DISTRICTS - Clarifies petition contents for organization of an auditorium district; provides requirements if the petition for formation of a district proposes a property tax; revises when elections may be held and requires polling places; provides that for an auditorium district established after July 1, 2001, the property tax shall not exceed the maximum rate authorized in the petition; provides that for an auditorium district established after July 1, 2001, the sales tax rate shall not exceed the maximum rate authorized in the petition; provides that no auditorium district established after July 1, 2001, shall levy or impose taxes not authorized in the petition; provides application of the campaign finance reporting law; and provides contribution limits to a candidate for director of an auditorium district.	214	269	291
356	State Affairs	Law	TAX COMMISSIONERS - Provides salary increases for the Idaho State Tax Commissioners.	234	295	327
			Amended in the Senate	306		
			Motion & Vote to Reconsider	298	308	
357	Revenue & Taxation	Senate Local Government & Taxation	INCOME TAX - WITHHOLDING - Deletes 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 deletes the inflation adjustment of certain income limits for reporting purposes.	246	—	246

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
358	Ways & Means	Law	MINIMUM STREAM FLOW - LEMHI RIVER - Authorizes the Water Resource Board to appropriate a minimum stream flow right in a designated reach of the Lemhi River; and directs the Board to appoint a local rental committee to facilitate operation of the water supply bank within the Lemhi River Basin.	246	288	298
359	Ways & Means	Law	STU DOPF MEMORIAL HIGHWAY - Designates that portion of U.S. Highway 95 through the canyon between Midvale and Cambridge as the Stu Dopf Memorial Highway.	254	312	322
364	Ways & Means	Law	COMMERCIAL VEHICLES - Revises the annual registration fee schedule for motor vehicles weighing in excess of sixty thousand pounds; and provides that the fee for motor vehicles weighing in excess of sixty thousand pounds may be paid in quarterly installment payments. .	266	311	322
365	Ways & Means	Law	STATE PROPERTY - HISTORIC DESIGNATION - Provides that nothing in the historical preservation laws shall authorize or allow the designation, regulation, conditioning, or restriction of any property or facility owned by the State of Idaho.	234	290	298
366	Agricultural Affairs	Law	COMMODITIES - BONDED WAREHOUSES - Relates to the bonded warehouse law; provides for issuance of certain receipts and scale tickets for commodities deposited in a licensed warehouse; provides for examination of commodities and records; provides for payments; provides for application of the Commodity Indemnity Fund Program; increases the minimum balance required in the Fund; and provides procedures for claims; provides for inspections and audits.	254	303	313
367	Revenue & Taxation	Law	SALES TAX - VESSELS/ALL-TERRAIN VEHICLES - Provides 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. . .	271	303	313
369	Revenue & Taxation	Law	COMMERCIAL VEHICLES - TEMPORARY PERMITS Provides for issuance of temporary permits to operate certain motor vehicles at a weight in excess of the registered maximum gross vehicle weight; and provides a penalty for operation of a vehicle at a weight in excess of the weight allowed by the temporary permit.	298	311	322
371	Commerce & Human Resources	Law	FIREFIGHTERS - RETIREMENT - Provides 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 provides 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.	292	304	313

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
372	Appropriations	Law	LEGISLATIVE ACCOUNT - Increases the amount of moneys transferred to the Legislative Account from the General Fund by the state controller commencing June 1, 2001; and appropriates $345,000 to the Legislative Account.	292	304	313
373	Appropriations	Law	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; 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.	328	328	331
374	Appropriations	Law	APPROPRIATIONS - COMMISSIONER SALARIES - Appropriates an additional $12,600 to the PUC 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.	298	308	313
375	Appropriations	Law	APPROPRIATIONS - Appropriates an additional $41,000 to the Idaho Transportation Department for FY 2002.	298	305	313
376	Appropriations	Law	APPROPRIATIONS - EDUCATION DEPARTMENT - Appropriates $131,009,000 to the Superintendent of Public Instruction/State Department of Education for FY 2002; limits the number of FTE positions to 114; provides that $1,000 may be used to assist in defraying expenses relating to the discharge of the Superintendent's official duties; reappropriates unexpended and unencumbered moneys; appropriates an additional $80,000 to the Superintendent/Department of Education for FY 2001; reduces the appropriation to the Superintendent of Public Instruction/Department of Education for FY 2001 by $539,800; and authorizes one additional FTE position for FY 2001.	298	305	313
377	Revenue & Taxation	Law	INCOME TAX - Reduces the individual income tax rates for taxable year 2001 and each year thereafter; increases the grocery tax credit for individuals; reduces the corporate income tax rate; provides 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 provides an income tax deduction for certain health insurance costs. **Amended in the Senate**	312 315	317	327
378	Revenue & Taxation	Law	TAXATION - Provides that certain tangible personal property is exempt from taxation; provides for remittance of income tax moneys to replace property taxes on certain personal property exempt from taxation; and provides a formula.	312	314	322

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
379	Revenue & Taxation	Senate Local Government & Taxation	INCOME TAX - CAPITAL GAINS - Provides for a deduction of capital gains for qualifying taxpayers; provides limitation; and provides procedures.	312	—	312
380	Ways & Means	Senate Local Government & Taxation	TAX RELIEF FUND - Provides for the creation of the Tax Relief Fund; specifies the purpose of the fund; and provides for allocation of certain moneys to the fund.	328	—	328
381	Revenue & Taxation	Senate First Reading	REAL PROPERTY TAX - Provides for a state income tax credit for the payment of real property taxes by certain taxpayers during tax year 2001; provides a definition of "mining"; provides the maximum amount of the credit; and provides procedures.	—	—	329
382	Revenue & Taxation	Law	RECREATION DISTRICTS - Provides 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; provides a tax levy for districts created prior to July 1, 2001; provides a tax levy for districts created on or after July 1, 2001; provides maximum rates; and provides a procedure if a district desires to impose a tax in excess of that contained in the petition.	326	328	331
383	Ways & Means	Law	RIVER FLOW AUGMENTATION - Revises the findings and intent of the Legislature regarding rental of storage water to augment river flows to aid salmon migration; authorizes the U.S. Bureau of Reclamation to release water in 2001 under limited conditions; provides necessary date changes; and provides a sunset date.	326	329	331
385	Revenue & Taxation	Senate Local Government & Taxation	INCOME TAX - REBATE - Provides a rebate of income taxes paid by individuals for taxable year 1999.	326	—	326
386	Revenue & Taxation	Senate Local Government & Taxation	INCOME TAX - Provides for a deduction of capital gains for qualifying taxpayers which are corporations involved in agriculture, timber or mining; provides limitation; defines terms; and provides procedures.	326	—	326
387	Revenue & Taxation	Senate Local Government & Taxation	SALES TAX - FOOD - Increases the "grocery" income tax credit; provides an exemption from tax for food sold for human consumption; and provides effective dates.	326	—	326

SECTION XIII

NUMERICAL INDEX OF HOUSE CONCURRENT RESOLUTIONS RECEIVED BY THE SENATE

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	Mortensen	Adopted	CHARACTER EDUCATION - SCHOOLS - Requests that character education and moral development be taught in public schools.	147	185	213
2	Bell	Adopted	ELECTRIC UTILITY RESTRUCTURING - Authorizes the Legislative Council to appoint a committee to study restructuring of the electric utility industry.	48	57	64
3	Bruneel & Jaquet	Adopted	GOVERNOR - STATE OF STATE - Provides for a joint session of the House of Representatives and the Senate to hear the Governor's State of the State Message.	9	10	32
4	Bruneel & Jaquet	Adopted	GOVERNOR - BUDGET ADDRESS - Provides for a joint session of the House of Representatives and the Senate to hear the Governor's Budget Address.	20	21	34
5	Smith	Adopted	PROSTATE CANCER AWARENESS - Declares that September will be "Prostate Cancer Awareness Month."	48	62	70
6	Ways & Means	Adopted	NATURAL RESOURCE ISSUES - Authorizes the Legislative Council to appoint an interim committee to study natural resource issues.	52	57	64
7	Ways & Means	Senate State Affairs	TELECOMMUNICATIONS - STUDY - Authorizes the Legislative Council to appoint a committee to undertake and complete a study of issues surrounding regulation of the telecommunications industry.	147	—	147
8	Boe	Adopted	STACY DRAGILA - Commends Stacy Dragila for her superior conduct and accomplishments at the 2000 Summer Olympics in Sydney, Australia; and commends Dave Nielsen, her coach.	71	83	99
9	Revenue & Taxation	Senate State Affairs	PROPERTY TAX - STUDY - Authorizes the Legislative Council to appoint a committee to undertake and complete a study of property tax laws.	121	—	121
10	Revenue & Taxation	Senate State Affairs	RESIDENTIAL REAL PROPERTY TAX - STUDY - Authorizes 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 in Idaho.	121	—	121
11	Judiciary, Rules, & Administration	Adopted	IDAHO STATE POLICE - RULES - Rejects all changes proposed by the Idaho State Police in administrative rules governing alcohol beverage control and relating to the definition of a restaurant.	91	120	129
12	Commerce & Human Resources	Senate Commerce & Human Resources	STATE EMPLOYEE COMPENSATION - Expresses support and appreciation for state employees; and states legislative policy concerning the change in employee compensation for state employees for FY 2002.	104	—	104

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
13	Judiciary, Rules, & Administration	Adopted	PRINTING CONTRACT - LEGISLATIVE BILLS - Approves the contract for the printing of legislative bills and resolutions.	117	136	149
14	Judiciary, Rules, & Administration	Adopted	PRINTING CONTRACT - DAILY JOURNALS - Approves the contract for the printing of the Senate and House Daily Journals.	117	136	149
15	Judiciary, Rules, & Administration	Adopted	PRINTING CONTRACT - PERMANENT JOURNALS - Approves the contract for the printing of the Senate and House Permanent Journals.	117	137	149
16	Judiciary, Rules, & Administration	Adopted	PRINTING CONTRACT - SESSION LAWS - Approves the contract for the printing of the Session Laws.	117	137	149
17	Transportation & Defense	Adopted	RAIL TRANSPORTATION - Urges appropriate personnel to assess the impact of rail transportation on the economic future of the state of Idaho.	127	225	265
18	State Affairs	Senate State Affairs	IDAHO MILLENNIUM INCOME FUND - Authorizes 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.	147	—	147
19	State Affairs	Senate State Affairs	UNEMPLOYMENT - DISABLED PERSONS - Authorizes the Legislative Council to appoint a committee to undertake and complete a study of the excessive unemployment rate among persons with disabilities.	121	—	121
20	Transportation & Defense	Senate Transportation	GREAT WESTERN TRAIL CORRIDOR - Designates lands within Idaho as the Idaho section of the Great Western Trail Corridor.	121	—	168
21	State Affairs	Adopted	CAPITOL COMMISSION - Recognizes the activities of the Idaho Capitol Commission; supports the Commission's master plan for the restoration and refurbishment of the State Capitol Building; and authorizes the Commission to enter into agreements with the Idaho State Building Authority.	138	159	172
23	Judiciary, Rules, & Administration	Senate State Affairs	PRISON INCARCERATION ALTERNATIVES - STUDY Authorizes the Legislative Council to appoint a committee to undertake and complete a study of alternatives to prison incarceration.	214	—	214
24	Environmental Affairs	Adopted	ST. MARIES - SUPERFUND - Expresses support for the city of St. Maries in its efforts to ensure responsible and economical cleanup of a questionable creosote site. . . .	150	233	265
25	Agricultural Affairs	Adopted	AGRICULTURE DEPARTMENT - RULES - Rejects 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.	138	220	233

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
26	Health & Welfare	Adopted	PRESCRIPTION DRUG PURCHASE - COMPACT - Urges 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 economic rates; and requests a report. . . . . **Amended in the House (See House Journal)**	178	213	233
27	Education	Adopted	EDUCATION BOARD - RULES - Rejects rules of the State Board of Education; and rejects certain sections of the State Board of Education's achievement standards for grades K through 8, with the understanding that the Board will begin rulemaking to place the grades K through 8 standards in the Idaho Administrative Code.	160	186	213
28	Education	Senate Education	VOCATIONAL REHABILITATION DIVISION - Rejects administrative rules of the Division of Vocational Rehabilitation concerning client appeals and relating to administrative review and fair hearing.	160	—	160
31	Ways & Means	Adopted	ELECTRONIC COMMERCE AND TECHNOLOGY - STUDY - Authorizes the Legislative Council to appoint a committee to undertake and complete a study of electronic commerce and technology.	199	313	322
32	Judiciary, Rules, & Administration	Adopted	SPORTS OFFICIALS - ASSAULT - Urges public awareness on the problem of assaults on sports officials; and urges all school districts, little league programs, high school, college, and recreational programs to take steps to reduce the incidence of violence on sports officials and to prosecute violators to the full extent of the law.	220	265	276
33	Revenue & Taxation	Senate State Affairs	PERSONAL PROPERTY TAX - STUDY - Authorizes 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.	246	—	246
34	Ways & Means	Senate State Affairs	COMMUNITY COLLEGE SYSTEM - STUDY - Authorizes the Legislative Council to appoint a committee to undertake and complete a study of the community college system.	292	—	292
35	State Affairs	Adopted	GREAT WESTERN TRAIL CORRIDOR - Recognizes efforts to create the Great Western Trail Corridor. . . .	266	310	322

SECTION XIV

NUMERICAL INDEX OF HOUSE JOINT MEMORIALS RECEIVED BY THE SENATE

House Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	State Affairs	Adopted	ELECTORAL COLLEGE - Recognizes the merits of the Electoral College system in presidential elections and requests that Congress make no amendments or other modifications to the Electoral College system.	127	146	159
2	Transportation & Defense	Adopted	RAIL SERVICE - Urges restoration of the daily passenger rail service of the "Pioneer," serving to connect Idaho residents to the nation.	146	172	185
4	Resources & Conservation	Adopted	NATIONAL PARK SERVICE - LAND CLOSURES - Requests the President to direct the National Park Service to comply with the presidential proclamation of November 9, 2000, and stop closing lands.	155	177	198
5	Resources & Conservation	Adopted	Wolf Recovery Efforts - Calls for and demands that wolf recovery efforts in Idaho be discontinued immediately and wolves be removed by whatever means necessary.	183	322	327
6	State Affairs	Adopted	PRIVATE PROPERTY RIGHTS - Urges the President of the United States to reiterate his support for private property rights by reaffirming Executive Order 12630.	131	159	172
7	State Affairs	Adopted	VETERANS - Petitions Congress to support an amendment to 42 U.S.C. section 1396p, to exempt veterans in state veterans homes from having liens placed on their property if they participate in the Medicaid Program.	163	185	213
8	Revenue & Taxation	Adopted	CLEARWATER BASIN ELK HABITAT - Requests the federal government to help implement the findings of the Clearwater Basin Elk Habitat Initiative.	169	220	233
9	Education	Adopted	WORLD WAR II VETERANS - Urges the United States government to facilitate discussions between all interested parties relating to compensation for American soldiers who were captured as prisoners of war during WW II and forced by the Japanese government to provide labor for the benefit of private Japanese companies.	173	198	220
10	Revenue & Taxation	Adopted	TAX RELIEF PLAN - FEDERAL - Endorses President George W. Bush's plan for cutting taxes; and requests that Congress enact necessary measures to implement the President's tax relief plan.	199	233	265

SECTION XV

SENATE SPONSORS -- **SENATE** LEGISLATION **VOTED** ON IN SENATE -- 2001

BILL NO.	SPONSOR(S)
S 1005	Lodge
S 1006	Lodge
S 1007	Richardson
S 1008	Sorensen
S 1009	King-Barrutia
S 1010	Lodge
S 1011	Stegner
S 1012	Stegner
S 1014, aa	Davis
S 1015	Richardson
S 1016	Keough
S 1017	Boatright
S 1018	Goedde
S 1019	Stegner
S 1020	Ipsen
S 1021	Stegner
S 1022	Davis
S 1023	Davis
S 1024	Sandy
S 1025	Richardson
S 1028, aa	Schroeder, Dunklin
S 1031	Sorensen
S 1032	King-Barrutia
S 1033	Davis
S 1034	Lee
S 1036	Ipsen, Frasure

BILL NO.	SPONSOR(S)
S 1037	Ipsen, Davis
S 1038, aa	Schroeder
S 1039	Stegner
S 1040, aa, aa	Stennett
S 1042, aa	Stennett
S 1043, aa	Davis
S 1045	Davis
S 1046	Lodge
S 1047	Darrington
S 1048	King-Barrutia
S 1050	Goedde
S 1051	Goedde
S 1052	Davis
S 1053	Davis
S 1055	Brandt
S 1056	Keough
S 1057, aaH	Stegner
S 1058	Frasure
S 1059	King-Barrutia
S 1060	Williams
S 1061, aa	Deide
S 1063	Darrington
S 1064, aa	Stennett
S 1067, aa	Stennett
S 1068	Sorensen, King-Barruita, Stennett
S 1069	Stegner

BILL NO.	SPONSOR(S)
S 1070, aa	Deide
S 1073	King-Barrutia
S 1074	King-Barrutia
S 1075	Frasure
S 1077, aa	Keough
S 1078	Deide
S 1082	Davis
S 1083	Dunklin
S 1085	Bunderson
S 1086	Ipsen
S 1087	King-Barrutia
S 1089	Dunklin
S 1090	Richardson
S 1091	Bunderson
S 1094, aa	Goedde
S 1095	Frasure
S 1096	Ingram
S 1100	Ingram
S 1101	Ingram
S 1104, aa	Ingram
S 1105, aa	Ingram
S 1106	Deide
S 1107, aa	Thorne
S 1110	Keough
S 1111	Keough
S 1113	Deide
S 1114, aa	Deide
S 1116	Deide

BILL NO.	SPONSOR(S)
S 1117	Deide
S 1118	Bunderson
S 1119	Ipsen
S 1120	Davis
S 1121	Lee
S 1122	Hawkins
S 1127, aa	Goedde
S 1130	Stegner
S 1132	Deide
S 1133	Goedde
S 1137	Frasure
S 1139	Frasure
S 1140	Darrington
S 1141	Burtenshaw
S 1142, aa	Stennett
S 1143	Goedde
S 1144, aa, aa	Sandy
S 1145	Darrington, Ipsen
S 1146	Lodge
S 1147	King-Barrutia
S 1148	Noh
S 1150	Sandy
S 1152, aa	Davis
S 1153	Wheeler
S 1155	Wheeler
S 1156, aa	Wheeler
S 1157, aa	Thorne
S 1158, aa	Thorne

BILL NO.	SPONSOR(S)
S 1159, aa	Schroeder
S 1161	Deide
S 1162	Boatright
S 1164, aa	Davis
S 1165	Lee
S 1166	Ipsen
S 1167, aa	Thorne, Wheeler
S 1168	Danielson
S 1169	Brandt
S 1170	Darrington
S 1171	Darrington, Stegner
S 1172	King-Barrutia, Lodge
S 1173	Geddes
S 1174	Sandy
S 1175	Whitworth
S 1176	Bunderson
S 1177	Frasure
S 1178	Noh
S 1179, aa	Sorensen
S 1180	Ingram
S 1181	Boatright
S 1182	Hawkins
S 1184	Richardson
S 1185	Cameron
S 1186	Lee
S 1187	Burtenshaw
S 1188	Whitworth
S 1189	Richardson

BILL NO.	SPONSOR(S)
S 1190	Boatright
S 1191	Darrington
S 1192	Darrington
S 1193, aa	Boatright
S 1194	King-Barrutia
S 1195	Cameron
S 1196	Cameron
S 1197	Burtenshaw
S 1198	Bunderson, Wheeler
S 1199, aaH	King-Barrutia
S 1200, aa	Bunderson
S 1202	Keough
S 1203	Boatright
S 1204	Hawkins
S 1205	Whitworth
S 1206	Burtenshaw
S 1207	Keough
S 1208	Ingram
S 1209	Richardson
S 1210	Lodge
S 1211, aa	Sorensen
S 1212	Lee
S 1213	Bunderson
S 1215	Whitworth
S 1216	Lee
S 1217	Ingram
S 1218	Keough
S 1219	Bunderson

BILL NO.	SPONSOR(S)
S 1220	Keough
S 1221	Boatright
S 1222	Lee
S 1223	Lee
S 1224	Ingram
S 1225	Whitworth
S 1226	Ingram
S 1227	Whitworth
S 1228	Bunderson
S 1229	Boatright
S 1230	Ingram
S 1234	Keough
S 1235	Burtenshaw
S 1236	Burtenshaw
S 1237	Lee
S 1238	Bunderson
S 1239	Boatright
S 1240	Hawkins
S 1241	Boatright
S 1242	Burtenshaw
S 1243	Richardson
S 1244	Ingram
S 1245	Bunderson
S 1246	Hawkins
S 1247	Ingram
S 1248	Keough
S 1251	Burtenshaw
S 1252	Burtenshaw

BILL NO.	SPONSOR(S)
S 1253	Davis
S 1254	Frasure
S 1255	Lee, Noh
S 1256	Stennett
S 1257	Keough
S 1258	Bunderson
S 1259	Cameron
S 1260	Davis
S 1261	Richardson
S 1262	Boatright
S 1263	Lee
S 1264	Burtenshaw
S 1265	Lee
S 1266	Burtenshaw
S 1267	Lee
S 1268	Whitworth
S 1269	Hawkins
S 1270	Cameron
S 1271	Bunderson
S 1272	Cameron
S 1273	Lee
S 1274	Cameron
S 1275	Lee

SCR NO.	SPONSOR(S)
SCR 101	King-Barrutia
SCR 102	Cameron
SCR 103	King-Barrutia
SCR 104	Thorne
SCR 105	Wheeler
SCR 106	Deide
SCR 107	Dunklin
SCR 108	Ipsen
SCR 109	Ipsen, Darrington, Wheeler
SCR 110	Brandt
SCR 113	Ingram
SCR 114	Risch
SCR 115	Geddes
SCR 116	Andreason
SCR 117	Geddes
SCR 118	Geddes
SJM NO.	**SPONSOR(S)**
SJM 101	Hawkins
SJM 102	King-Barrutia
SJM 103	Danielson
SJM 104	Danielson
SJM 105	Danielson
SJM 106	Danielson
SJM 107	Branch
SJM 108	Branch
SJM 109	Branch
SJM 110	Brandt

SJR NO.	SPONSOR(S)
SJR 101	Schroeder
SR NO.	**SPONSOR(S)**
101	Risch
102	Dunklin

SENATE SPONSORS -- **HOUSE** LEGISLATION **VOTED** ON IN SENATE -- 2001

BILL NO.	SPONSOR(S)
H 2	Ipsen
H 4	Ipsen
H 5, aa	Darrington
H 7, aa	King-Barrutia
H 8	King-Barrutia
H 9, aa	Ipsen
H 10	Ipsen
H 11, aa	King-Barrutia
H 12	Wheeler
H 13, aa	Lodge
H 14, aa	Andreason
H 15, aa	King-Barrutia
H 17	Stegner
H 18, aa	Stegner
H 20	King-Barrutia
H 21	Sorensen
H 22	Stegner
H 23	Ipsen
H 24, aa	King-Barrutia
H 25	Goedde
H 26	Bunderson
H 27	Lodge
H 28, aa	Dunklin
H 29, aa	Lodge
H 30	Brandt
H 31	Sorensen

BILL NO.	SPONSOR(S)
H 32	Danielson
H 33, aa	Andreason
H 34	Bunderson
H 35	Ipsen
H 36	Geddes
H 38	Bunderson, Lodge
H 39	Bunderson, Stegner
H 41	Goedde
H 42	Schroeder
H 43	Burtenshaw
H 47, aaS	Frasure
H 49	Danielson
H 50	Stennett
H 52	Sorensen
H 53	Richardson
H 54	Lee
H 55	Keough
H 58	Lodge
H 60, aa	Lodge, Darrington
H 61	Richardson
H 62	Stegner
H 63	King-Barrutia
H 64	Sorensen
H 65, aa	Richardson
H 66	Ingram
H 67	Whitworth

BILL NO.	SPONSOR(S)
H 68	Burtenshaw
H 69	Boatright
H 70	Goedde
H 71, aaS	Davis, Stegner
H 72	Deide
H 73	Noh
H 74	Noh
H 75	Branch
H 76	Davis
H 80	Frasure
H 81	Bunderson
H 82	Richardson
H 83	Keough
H 84	Whitworth
H 87, aaS	Frasure
H 90	Noh
H 93	Cameron
H 94	Bunderson
H 95	Hawkins
H 100	Stegner
H 101	Richardson
H 109	Wheeler
H 110	Frasure
H 111	Williams
H 112	Frasure
H 119	Ipsen
H 120	Bunderson
H 121	Thorne

BILL NO.	SPONSOR(S)
H 122	Whitworth
H 124	Sandy
H 125	Keough
H 126	Ipsen
H 128	Stennett
H 129	King-Barrutia
H 130	King-Barrutia
H 131	Goedde
H 132	Davis
H 133	Ipsen, Dunklin
H 134	Dunklin
H 140	King-Barrutia
H 141	King-Barrutia
H 142	Lee, Noh
H 143	Frasure
H 144, aaS	Sandy
H 146	King-Barrutia
H 147	Darrington
H 148	Schroeder
H 149	Danielson
H 150	Wheeler
H 151, aa	Davis
H 154	Brandt
H 155	Davis
H 156	Goedde
H 160	Bartlett (Branch)
H 161	Andreason
H 162	Ipsen

BILL NO.	SPONSOR(S)
H 164	Stennett
H 165	Wheeler
H 167	Thorne
H 169, aa	Noh
H 170	Davis
H 174	Stegner
H 175	Stennett, Geddes
H 176, aaS	Schroeder, Hawkins
H 177	Cameron
H 178	Ingram
H 180, aa	Goedde
H 181	Richardson
H 182	Lodge
H 183	Davis
H 184	Lodge
H 185	King-Barrutia
H 186	Ipsen
H 188	Richardson
H 191, aa	Frasure
H 192, aa	King-Barrutia
H 193	Wheeler
H 195	Stegner
H 195	Stegner
H 198	Wheeler
H 201	Thorne
H 202	Stegner
H 205	Davis
H 206, aaS	Danielson

BILL NO.	SPONSOR(S)
H 209	Williams
H 210	Goedde
H 211, aa	Sandy, Noh, Stennett
H 212	King-Barrutia
H 214	Keough
H 215	Dunklin
H 217	Bunderson
H 218	Cameron
H 221	Williams
H 222	Cameron
H 223	Burtenshaw
H 224	Williams
H 225	Dunklin
H 226	Davis
H 231	Lodge
H 232	Ipsen
H 233	Ipsen
H 237, aaS	Davis, Andreason
H 238, aa	Goedde
H 242, aa	Davis
H 244	Lodge
H 245	Stegner
H 246	King-Barrutia
H 247	Dunklin
H 249	Richardson
H 251	Sandy
H 252	Ipsen
H 256, aa,aaS	Ipsen

BILL NO.	SPONSOR(S)
H 257	Bunderson
H 262, aa,aaS	Stennett, Noh, Sandy
H 268	Whitworth
H 269	Frasure
H 270	Keough
H 275, aaS	Thorne
H 278	Deide
H 280, aaS	Frasure, Whitworth
H 282, aa	Bunderson
H 290	Davis
H 292	Goedde
H 294	Dunklin
H 299	Frasure
H 300, aa	Bunderson
H 301	Keough
H 302	Richardson
H 303	Burtenshaw
H 304	Hawkins
H 305, aa	Goedde
H 306	Stennett
H 307	Sandy
H 308	Branch
H 312, aa	Frasure
H 313	Boatright
H 315, aa	Deide
H 316	Thorne
H 317	Deide
H 318	Lee

BILL NO.	SPONSOR(S)
H 321, aa	Richardson
H 322	Richardson
H 326, aaS	Goedde
H 327	Bunderson
H 330	Bunderson
H 331	Wheeler
H 334	Burtenshaw
H 335	Richardson
H 336	Whitworth
H 337	Boatright, Noh
H 338	Geddes
H 339	Sandy, Darrington
H 340	King-Barrutia
H 341	Richardson
H 342	Hawkins
H 343	Keough
H 344	Bunderson
H 345	Darrington
H 347, aa	Noh
H 348	Hawkins
H 351	Bunderson
H 352	Thorne
H 353	Thorne
H 356, aaS	Sorensen
H 358	Burtenshaw
H 359	Branch
H 364	Frasure
H 365	Thorne

BILL NO.	SPONSOR(S)
H 366	Davis
H 367	Ingram
H 369	Keough
H 371	Andreason
H 372	Whitworth
H 373	Cameron
H 374	Whitworth
H 375	Richardson
H 376	Hawkins
H 377, aaS	Thorne, Hawkins, Frasure
H 378	Thorne, Hawkins, Frasure
H 382	Goedde
H 383	Noh
HCR NO.	**SPONSOR(S)**
HCR 1	Williams
HCR 2	Lee
HCR 3	Risch
HCR 4	Risch
HCR 5	Brandt
HCR 6	Lee
HCR 8	Whitworth
HCR 11	King-Barrutia
HCR 13	Darrington
HCR 14	Andreason
HCR 15	King-Barrutia
HCR 16	Dunklin
HCR 17	Whitworth

HCR NO.	SPONSOR(S)
HCR 20	Whitworth
HCR 21	Geddes
HCR 24	Brandt
HCR 25	Goedde
HCR 26, aa	King-Barrutia
HCR 27	Deide
HCR 31	Geddes
HCR 32	Stegner
HCR 35	Whitworth
HJM NO.	**SPONSOR(S)**
HJM 1	Richardson
HJM 2	Frasure
HJM 4	Stennett, Williams
HJM 5	Burtenshaw
HJM 6	Lodge
HJM 7	Richardson
HJM 8	Brandt
HJM 9	Richardson
HJM 10	Thorne