

**JOURNAL**  
of the  
**HOUSE OF  
REPRESENTATIVES**



**SECOND REGULAR SESSION**

of the

**SIXTIETH LEGISLATURE**

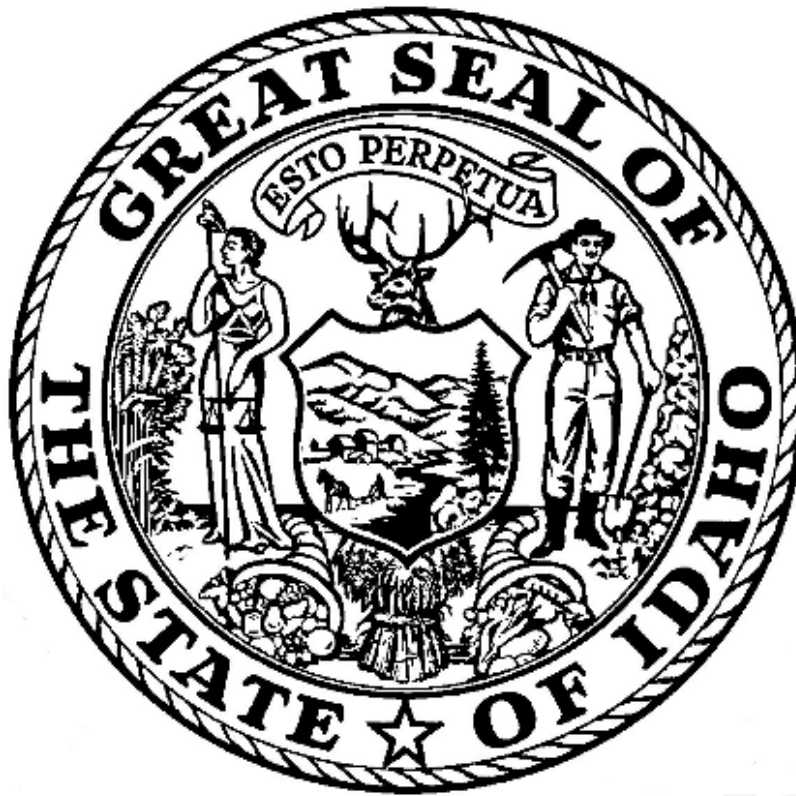
of the

**STATE OF IDAHO**

**2010**



**JOURNAL**  
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**HOUSE OF  
REPRESENTATIVES**



**STATE OF IDAHO**  
**2010**



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SECOND REGULAR SESSION - 2010**

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**HOUSE OFFICERS  
2010**

LAWERENCE DENNEY  
Speaker of the House

MIKE MOYLE  
Majority Leader

SCOTT BEDKE  
Assistant Majority Leader

KEN A. ROBERTS  
Majority Caucus Chair

JOHN RUSCHE  
Minority Leader

JAMES D. RUCHTI  
Assistant Minority Leader

WILLIAM M. KILLEN  
Minority Caucus Chair

**HOUSE ADMINISTRATION  
2010**

BONNIE ALEXANDER ..... Chief Clerk of the House  
RACHEL JOHNSTONE ..... Assistant Chief Clerk  
SUE FRIEDERS ..... Assistant to the Speaker  
TERRI FRANKS-SMITH ..... Chief Fiscal Officer  
NIKKI KARPAVICH ..... Assistant to Minority Leadership  
CHRIS TAYLOR ..... Journal Clerk  
LESLIE SHEEDY ..... Journal Clerk  
JUDITH CHRISTENSEN ..... Sergeant at Arms  
AL NOYES ..... Assistant Sergeant at Arms  
TOM DOUGHERTY ..... Chaplain

**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2010**

<b>ANDERSON, ERIC R.</b> .....	District 1
State Affairs - Vice Chair, Environment, Energy, and Technology	
<b>ANDRUS, KEN</b> .....	District 29
Agricultural Affairs - Vice Chair, Resources and Conservation, State Affairs	
<b>BARRETT, LENORE HARDY</b> .....	District 35
Local Government - Chair, Resources and Conservation, Revenue and Taxation	
<b>BAYER, CLIFFORD R.</b> .....	District 21
Appropriations, Business, Local Government	
<b>BEDKE, SCOTT</b> .....	District 27
Assistant Majority Leader Resources and Conservation, Revenue and Taxation, Transportation and Defense, Ways and Means	
<b>BELL, MAXINE T.</b> .....	District 26
Appropriations - Chair, Resources and Conservation	
<b>BILBAO, CARLOS</b> .....	District 11
Local Government - Vice Chair, Business, State Affairs	
<b>BLACK, MAX C.</b> .....	District 15
Business - Chair, State Affairs	
<b>BLOCK, SHARON L.</b> .....	District 24
Health and Welfare - Chair, Education	
<b>BOE, DONNA H.</b> .....	District 30
Education, Judiciary, Rules, and Administration, Local Government	
<b>BOLZ, DARRELL</b> .....	District 10
Appropriations - Vice Chair, Agricultural Affairs, Judiciary, Rules, and Administration	
<b>BOYLE, JUDY</b> .....	District 9
Health and Welfare, Resources and Conservation	
<b>BURGOYNE, GRANT</b> .....	District 16
Judiciary, Rules, and Administration, Local Government, Revenue and Taxation	
<b>CHADDERDON, MARGE</b> .....	District 4
Business, Education, Local Government	
<b>CHAVEZ, LIZ</b> .....	District 7
Agricultural Affairs, Education, Resources and Conservation	
<b>CHEW, SUSAN B.</b> .....	District 17
Education, Health and Welfare	

**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2010**

<b>CLARK, JIM</b> .....	District 3
Judiciary, Rules, and Administration - Chair, Local Government, Revenue and Taxation	
<b>COLLINS, GARY E.</b> .....	District 12
Revenue and Taxation - Vice Chair, Business, Local Government	
<b>CRANE, BRENT J.</b> .....	District 13
Business, State Affairs	
<b>CRONIN, BRIAN</b> .....	District 19
Business, Environment, Energy, and Technology	
<b>DENNEY, LAWERENCE</b> .....	District 9
Speaker of the House	
<b>DURST, BRANDEN J.</b> .....	District 18
Business, Education, Health and Welfare	
<b>ESKRIDGE, GEORGE E.</b> .....	District 1
Appropriations, Environment, Energy, and Technology, Resources and Conservation	
<b>GIBBS, MARC</b> .....	District 31
Business, Education, Health and Welfare	
<b>HAGEDORN, MARV</b> .....	District 20
Resources and Conservation, Transportation and Defense	
<b>HART, PHIL</b> .....	District 3
Transportation and Defense - Vice Chair, Judiciary, Rules, and Administration, Revenue and Taxation	
<b>HARTGEN, STEPHEN</b> .....	District 23
Commerce and Human Resources, Education, Environment, Energy, and Technology	
<b>HARWOOD, R. J.</b> .....	District 2
Environment, Energy, and Technology - Vice Chair, Resources and Conservation, Revenue and Taxation	
<b>HENDERSON, FRANK N.</b> .....	District 5
Business - Vice Chair, Appropriations, Local Government	
<b>HIGGINS, ELFREDA</b> .....	District 16
Commerce and Human Resources, Local Government, State Affairs	
<b>JAQUET, WENDY</b> .....	District 25
Appropriations, Environment, Energy, and Technology, Judiciary, Rules, and Administration	
<b>JARVIS, RICHARD D.</b> .....	District 21
Business, Transportation and Defense	



**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2010**

<b>KILLEN, WILLIAM M.</b> .....	District 17
Minority Caucus Chair Agricultural Affairs, Judiciary, Rules, and Administration, Revenue and Taxation, Ways and Means	
<b>KING, PHYLIS K.</b> .....	District 18
Resources and Conservation, State Affairs, Transportation and Defense	
<b>KREN, STEVE A.</b> .....	District 13
Environment, Energy, and Technology, Judiciary, Rules, and Administration, State Affairs	
<b>LABRADOR, RAÚL R.</b> .....	District 14
Judiciary, Rules, and Administration, Local Government, State Affairs	
<b>LAKE, DENNIS M.</b> .....	District 28
Revenue and Taxation - Chair, Agricultural Affairs, Commerce and Human Resources	
<b>LOERTSCHER, THOMAS F.</b> .....	District 31
State Affairs - Chair, Health and Welfare	
<b>LUKER, LYNN M.</b> .....	District 15
Health and Welfare, Judiciary, Rules, and Administration, State Affairs	
<b>MARRIOTT, JIM</b> .....	District 28
Commerce and Human Resources - Vice Chair, Education, Health and Welfare	
<b>MATHEWS, RUSS</b> .....	District 33
Business, State Affairs, Transportation and Defense	
<b>MCGEACHIN, JANICE K.</b> .....	District 32
Appropriations, Health and Welfare, Judiciary, Rules, and Administration	
<b>MOYLE, MIKE</b> .....	District 14
Majority Leader Resources and Conservation, Revenue and Taxation, Ways and Means	
<b>NIELSEN, PETE</b> .....	District 22
Health and Welfare - Vice Chair, Education, Judiciary, Rules, and Administration	
<b>NONINI, BOB</b> .....	District 5
Education - Chair, Transportation and Defense	
<b>PALMER, JOE</b> .....	District 20
Business, State Affairs, Transportation and Defense	
<b>PASLEY-STUART, ANNE</b> .....	District 19
Commerce and Human Resources, State Affairs	

**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2010**

<b>PATRICK, JIM</b> .....	District 23
Agricultural Affairs, Appropriations, Business	
<b>PENCE, DONNA L.</b> .....	District 25
Agricultural Affairs, Education, Resources and Conservation	
<b>RAYBOULD, DELL</b> .....	District 34
Environment, Energy, and Technology - Chair, Resources and Conservation, Revenue and Taxation	
<b>RINGO, SHIRLEY G.</b> .....	District 6
Appropriations, Commerce and Human Resources, Transportation and Defense	
<b>ROBERTS, KEN A.</b> .....	District 8
Majority Caucus Chair	
Revenue and Taxation, Transportation and Defense, Ways and Means	
<b>RUCHTI, JAMES D.</b> .....	District 29
Assistant Minority Leader	
Revenue and Taxation, Transportation and Defense, Ways and Means	
<b>RUSCHE, JOHN</b> .....	District 7
Minority Leader	
Business, Health and Welfare, Revenue and Taxation, Ways and Means	
<b>SAYLER, GEORGE C.</b> .....	District 4
Health and Welfare, Resources and Conservation, Revenue and Taxation	
<b>SCHAEFER, ROBERT E.</b> .....	District 12
Commerce and Human Resources - Chair, Revenue and Taxation	
<b>SHEPHERD, MARY LOU</b> .....	District 2
State Affairs, Transportation and Defense	
<b>SHEPHERD, PAUL E.</b> .....	District 8
Resources and Conservation - Vice Chair, Education, Health and Welfare	
<b>SHIRLEY, MACK G.</b> .....	District 34
Education - Vice Chair, Agricultural Affairs, Judiciary, Rules, and Administration	
<b>SIMPSON, ERIK</b> .....	District 32
Commerce and Human Resources, Environment, Energy, and Technology, State Affairs	
<b>SMITH, ELAINE</b> .....	District 30
Business, Environment, Energy, and Technology, State Affairs	
<b>SMITH, LEON E.</b> .....	District 24
Judiciary, Rules, and Administration - Vice Chair, Revenue and Taxation, Transportation and Defense	

**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2010**

<b>STEVENSON, JOHN A.</b> .....	District 26
Resources and Conservation - Chair, Agricultural Affairs, State Affairs	
<b>TAKASUGI, PAT</b> .....	District 10
Commerce and Human Resources, Environment, Energy, and Technology	
<b>THAYN, STEVEN P.</b> .....	District 11
Commerce and Human Resources, Education, Health and Welfare	
<b>THOMPSON, JEFF</b> .....	District 33
Business, Education, Health and Welfare	
<b>TRAIL, TOM</b> .....	District 6
Agricultural Affairs - Chair, Commerce and Human Resources, Education	
<b>WILLS, RICHARD</b> .....	District 22
Ways and Means - Chair, Education, Judiciary, Rules, and Administration, Transportation and Defense	
<b>WOOD, FRED</b> .....	District 27
Appropriations, Health and Welfare, Resources and Conservation	
<b>WOOD, JOAN E.</b> .....	District 35
Transportation and Defense - Chair, Resources and Conservation, Revenue and Taxation	

**HOUSE STANDING COMMITTEES**  
as of March 29, 2010

**Agricultural Affairs (10)**

Trail, Chairman  
Andrus, Vice Chairman

Lake  
Stevenson  
Bolz  
Shirley  
Patrick

Pence  
Chavez  
Killen

**Appropriations (10)**

Bell, Chairman  
Bolz, Vice Chairman

Eskridge  
Bayer  
Henderson  
McGeachin  
Wood(27)  
Patrick

Ringo  
Jaquet

**Business (17)**

Black, Chairman  
Henderson, Vice Chairman

Collins  
Bilbao  
Chadderdon  
Crane  
Mathews  
Patrick  
Bayer  
Gibbs  
Jarvis  
Palmer  
Thompson

Smith(30)  
Rusche  
Durst  
Cronin

**Education (18)**

Nonini, Chairman  
Shirley, Vice Chairman

Trail  
Block  
Nielsen  
Chadderdon  
Shepherd(8)  
Wills  
Marriott  
Thayn  
Gibbs  
Hartgen  
Thompson

Boe  
Pence  
Chavez  
Durst  
Chew

**Environment, Energy, and Technology (11)**

Raybould, Chairman  
Harwood, Vice Chairman

Anderson  
Eskridge  
Kren  
Hartgen  
Simpson  
Takasugi

Smith(30)  
Jaquet  
Cronin

**Health and Welfare (16)**

Block, Chairman  
Nielsen, Vice Chairman

McGeachin  
Loertscher  
Shepherd(8)  
Luker  
Marriott  
Thayn  
Boyle  
Gibbs  
Thompson  
Wood(27)

Rusche  
Chew  
Durst  
Sayler

**Judiciary, Rules, and Administration (15)**

Clark, Chairman  
Smith(24), Vice Chairman

**Commerce and Human Resources (11)**

Schaefer, Chairman  
Marriott, Vice Chairman

Lake  
Trail  
Thayn  
Hartgen  
Simpson  
Takasugi

Ringo  
Pasley-Stuart  
Higgins

Nielsen  
Shirley  
Wills  
Hart  
McGeachin  
Bolz  
Labrador  
Luker  
Kren

Boe  
Burgoyne  
Jaquet  
Killen

**HOUSE STANDING COMMITTEES**  
as of March 29, 2010

**Local Government (11)**

Barrett, Chairman  
Bilbao, Vice Chairman

Collins  
Clark  
Bayer  
Chadderdon  
Henderson  
Labrador

Boe  
Burgoyne  
Higgins

Smith(24)  
Roberts  
Bedke  
Wills  
Nonini  
Hagedorn  
Jarvis  
Mathews  
Palmer

**Transportation and Defense (15)**

Wood(35), Chairman  
Hart, Vice Chairman

Shepherd(2)  
Ringo  
King  
Ruchti

**Resources and Conservation (18)**

Stevenson, Chairman  
Shepherd(8), Vice Chairman

Wood(35)  
Bell  
Barrett  
Moyle  
Eskridge  
Raybould  
Bedke  
Andrus  
Wood(27)  
Boyle  
Hagedorn  
Harwood

Sayler  
Chavez  
King  
Pence

**Ways and Means (7)**

Wills, Chairman

Moyle  
Bedke  
Roberts

Rusche  
Ruchti  
Killen

**Revenue and Taxation (18)**

Lake, Chairman  
Collins, Vice Chairman

Barrett  
Moyle  
Raybould  
Roberts  
Schaefer  
Smith(24)  
Wood(35)  
Clark  
Bedke  
Harwood  
Hart

Sayler  
Killen  
Ruchti  
Burgoyne  
Rusche

**State Affairs (18)**

Loertscher, Chairman  
Anderson, Vice Chairman

Stevenson  
Black  
Andrus  
Bilbao  
Labrador  
Luker  
Crane  
Mathews  
Kren  
Palmer  
Simpson

Shepherd(2)  
Smith(30)  
Pasley-Stuart  
King  
Higgins

## HOUSE ATTACHES 2010

ALEXANDER, BONNIE.....	** Chief Clerk of the House
BAKER, BETTY.....	Secretary to Judiciary, Rules, & Administration Committee
CHRISTENSEN, JUDITH.....	Sergeant at Arms
DANIELS, LISA.....	Secretary to Agricultural Affairs Committee
DOHERTY, SHEILA.....	Secretary to Transportation & Defense Committee
DOUGHERTY, TOM.....	Chaplain
DOWNES, CATHY.....	Minority Leadership Secretary
FRANKS-SMITH, TERRI.....	** Chief Fiscal Officer
FRIEDERS, SUE.....	** Assistant to Speaker & Majority Leadership, Secretary to Ways & Means
HENDRICK, SARAH.....	Secretary to Health & Welfare Committee
HOWELL, CLAUDIA.....	Secretary to Education Committee
JOHNSTONE, RACHEL.....	Assistant Chief Clerk
KARPAVICH, NIKKI.....	Assistant to Minority Leadership
KUNZ, KITTY.....	Secretary to State Affairs Committee
LOWDER, KIMBERLY.....	Secretary to Environment, Energy, & Technology Committee
MOLITOR, MARYLOU.....	Secretary to Business Committee
NOYES, AL.....	Assistant Sergeant at Arms
SCOTT, SHIRLEY.....	Secretary
SHEEDY, LESLIE.....	Journal Clerk
SHOCKEY, TORI.....	Secretary to Revenue & Taxation Committee
TAYLOR, CHRIS.....	Journal Clerk
TIPPS, MARY.....	Secretary to Commerce & Human Resources, Local Government Committees
WERLINGER, SUSAN.....	Secretary to Resources & Conservation Committee
WETZEL, CRISSTA.....	Minority Leadership Secretary
YOST, KATHRYN.....	Secretary to Appropriations Committee

\*\* Permanent Position

### PAGES

BERREMAN, BRIANA  
 BERTSCH, JONATHAN  
 BROWN, SPENCER  
 CARTER, SARA  
 COOK, CONNOR  
 DAVIS, MARY ANNE  
 EDENFIELD, ZACH  
 EGGERS, CAROLINE

FOX, JENNA  
 FRANKS, KATRINE  
 GRAMMER, STEPHEN  
 HAMPIKIAN, LAURA  
 HURST, EMILY  
 KIRCHER, BETHANY  
 LUPTON, DANICA  
 MONAGHAN, BENJAMIN

NILSEN, ANDREW  
 OLSEN, DANI  
 ROBERTS, CHRISTINE  
 SCHAEFFER, BROGAN  
 SEWARD, REBECCA  
 VINCENT, KATIE  
 WILSON, JARED

HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 11, 2010

House of Representatives

The House convened at 12 noon, January 11, 2010, the time established for the convening of the Second Regular Session of the Sixtieth Legislature, the members of the House of Representatives convened in the House Chamber of the Capitol Building in the City of Boise, with Lawrence Denney, Speaker, presiding.

Roll call showed all 70 members present.

At this time the Speaker put the House at ease for the Flag Ceremony.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

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

Consideration of Messages from the Governor and the Senate

The Chief Clerk read the official proclamation as follows:

I, BEN YSURSA, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true and complete list of those elected to serve as members of the House of Representatives of the Second Regular Session of the Sixtieth Legislature, as shown by official records on file in my office:

Table with 2 columns: DISTRICT and NAME. Lists representatives for districts 1 through 15, including names like Eric R. Anderson, Mary Lou Shepherd, etc.

Table with 2 columns: Line number and Name. Lists representatives for districts 16 through 35, including names like Grant Burgoyne, William M. "Bill" Killen, etc.

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 6th day of January, in the year of our Lord, two thousand and ten, and of the Independence of the United States of America, the two hundred and thirty-fourth.

/s/ BEN YSURSA
Secretary of State

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

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Jim Marriott, State Representative, District 28, House Seat B, Bingham County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Neil Anderson of Blackfoot, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, C. L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Neil Anderson, Acting State Representative, District 28, House Seat B, Bingham County, State of Idaho, for a term commencing on January 11, 2010, 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 11th day of January, in the year of our Lord two thousand and ten and of the Independence of the United States of America, the two hundred and thirty-fourth year.

/s/ C. L. "BUTCH" OTTER
Governor
/s/ BEN YSURSA
Secretary of State

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

The Speaker announced the oath of office had previously been administered to Neil Anderson.

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

### Motions, Memorials, and Resolutions

#### HOUSE RESOLUTION NO. 3

##### BY MOYLE AND RUSCHE

##### A HOUSE RESOLUTION

DETERMINING THE SELECTION AND COMPENSATION OF THE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES OF THE SECOND REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE.

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, that the selection and compensation of the officers and employees of the House of Representatives of the Second Regular Session of the Sixtieth Idaho Legislature be determined by the Speaker of the House of Representatives.

#### HOUSE CONCURRENT RESOLUTION NO. 35

##### BY MOYLE AND RUSCHE

##### A CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE SECOND REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE FOR THE PURPOSE OF HEARING A MESSAGE FROM THE GOVERNOR.

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

WHEREAS, the Governor has informed the House of Representatives and the Senate that he desires to deliver a message to a Joint Session of the House of Representatives and the Senate of the Second Regular Session of the Sixtieth Idaho Legislature in the Chamber of the House of Representatives at 1 p.m. on Monday, January 11, 2010.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the House of Representatives and the Senate meet in Joint Session on Monday, January 11, 2010, at 1 p.m. for the purpose of hearing the message from the Governor.

[HR 3](#) and [HCR 35](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

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

Representatives Bayer, Block, and Saylor were appointed as the committee to notify the Governor and Representatives Harwood, Labrador, and Ruchti were appointed as the committee to notify the Senate. The committees were excused.

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

### Report of Standing Committees

January 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 35](#).

Clark, Chairman

[HCR 35](#) was ordered held at the Desk.

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

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HCR 35](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HCR 35](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott(Anderson), Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Bayer, Block, Harwood, Labrador, Ruchti, Saylor. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HCR 35](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

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

The question being, "Shall [HCR 35](#) be adopted?"

Whereupon the Speaker declared [HCR 35](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

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



### Miscellaneous and Unfinished Business

The following committee assignments were made:

#### Lincoln Day Committee

Representative Bolz, Chairman  
Representative Thayn  
Representative Jaquet

#### Memorial Committee

Representative Smith(24), Chairman  
Representative Bilbao  
Representative King

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

### Motions, Memorials, and Resolutions

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

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

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

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

The Speaker appointed Representatives Nonini, Trail, and Pence as the committee to wait upon the Senate. The committee was excused.

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

### JOINT SESSION

Pursuant to **HCR 35**, the hour of 1 p.m. having arrived, the members of the Senate entered the House Chamber and met in Joint Session with Speaker Denney presiding.

Roll call of House showed 69 members present.  
Absent and excused – Schaefer. Total – 1.  
Total – 70.

Roll call of the Senate showed all 35 members present.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

Prayer was offered by Chaplain Tom Dougherty.

Mr. Moyle asked unanimous consent that one committee be appointed to wait upon the Supreme Court Justices and Appellate

Court Judges and one to wait upon the Elected Officials and escort them to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Darrington and Bock and Representatives Clark and Boe as the committee to wait upon the Supreme Court Justices and Appellate Court Judges and Senators Fulcher and Malepeai and Representatives Raybould and Pasley-Stuart as the committee to wait upon the Elected Officials and escort them to the House Chamber. The committees were excused.

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

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

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

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

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

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

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

Welcome back to the People's House!

It's been three years since a State of the State address was delivered in this historic building – this great monument to freedom and self-determination.

Please join me in showing our thanks to the skilled men and women who restored our Capitol beyond its original glory, and in doing so reflected our best hopes for an even brighter future. And they did it on time and on budget!

Now let me extend my congratulations to two outstanding football teams that have made all of us in Idaho proud. Whether you're a Bronco or a Vandal, you have a lot to celebrate right now!

I also appreciate them giving me bragging rights as one of only three Governors in America with a 100-percent winning percentage in this season's bowl games!

Let's hear it now for the University of Idaho Vandals and head coach Robb Akey, and for the Boise State University Broncos and head coach Chris Petersen for giving us all so much to cheer about! We take great pride in our football teams and in ALL our young people here in Idaho. And rightly so.

That's one reason it's been so difficult for us to watch these past few years that we've been away from this Capitol while the world around us has changed so dramatically.

We have a different president. We have a different economic climate. And – out of necessity – we have different priorities.

But our people's indomitable spirit remains the same – challenged but strong, concerned but resilient.

I have been consistently inspired and energized during the past year by the sense of shared responsibility and community support shown by the hard-working Idahoans I meet all over this great state. And I want to express my deep gratitude and highest praise for everyone who looked beyond themselves in this difficult time.

Thank you to everyone who held your families and friends close in their struggles. Thank you to everyone who reached out to neighbors and even complete strangers to assure them that we're all in this together; to offer comfort and hope that things will get better. And they will.

What I said a year ago is just as true today: We have the experience; we have the talent, the intelligence, the will and most of all the people to get through this – smarter, tougher and better than ever, and we will.

Ladies and gentlemen, after a lifetime in Idaho and a generation in Idaho's public life, and having traveled to every corner of this state listening to the people we serve, I will tell you that our corner of this great republic is alive and well.

But make no mistake – a rebirth of prosperity won't happen on its own. It will require strength of character and the courage of our convictions. It will require all of us to look beyond the next election, or even the next budget, to the next generation of Idahoans who will be reaping the harvest we sow – for good or ill. And it will require reasserting the core values that define us as Idahoans and as public servants.

So what are those core values? Idahoans are as independent and freedom-loving as ever.

They rightly believe that their money is – well – their money. They believe government should champion and help realize people's own solutions without imposing its own. They believe that what government does, it must do well – effectively and efficiently.

They believe that what government does not do well, it must either do better or not do at all. They believe the best government is the government closest to them and most reflective of their will – our cities, counties and other local jurisdictions. They believe that more government does not mean more opportunity or more freedom.

And they are just as firm as ever in their belief that government is meant to have only a limited and well-defined role in their lives.

So what does maintaining the proper role of government have to do with us here today? Everything – starting with our commitment to some fundamental principles in the work we are about to undertake.

Number one, we must not raise taxes.

It is not our place to impose an additional economic burden on the people of Idaho who already are struggling, or to put a damper on our economic recovery.

What's more, I hear over and over from small business owners and individual Idahoans that they expect stability and

predictability in our State tax structure. Chairmen Lake and Hill understand that.

Number two, we must continue to maintain some level of cash reserve against the prospect of our economic recovery taking longer and being less robust than we hope.

Even the best-case economic scenario involves months and months of delay between business activity and the receipt of State tax revenue. Prudence demands that we act with caution.

Number three, we must do whatever we can to protect the educational opportunities and safeguard the potential of the next generation of Idahoans – our children and grandchildren.

And as our recovery advances, one of our first priorities for new dollars should be our public schools and higher education. I'm sure that Chairmen Nonini and Goedde will be their champions.

Number four, we must do whatever we can to protect the health, safety and well-being of our citizens – especially the neediest and most vulnerable among us.

And number five, we must do whatever we can to avoid any duplication of effort or any waste of the taxpayers' hard-earned dollars. You will hear more about that in a few minutes.

As you know, I spent a lot of time during the past year listening to Idaho employers and employees. I conducted daylong public meetings with scores of business and innovation leaders from throughout Idaho.

I held extensive follow-up discussions with participants and policy makers.

I met with more than a dozen chambers of commerce from Sandpoint to Pocatello and from Salmon to Fruitland.

Just this past week, I met with leaders of the business financing community from all over Idaho about capitalizing and promoting our economic resurgence.

Next week Commerce Director Don Dietrich and I are meeting with economic development professionals from every corner of Idaho to get their perspective.

My Project 60 initiative – our business plan for Idaho's renewed prosperity – involves taking all that good advice and building public-private partnerships that are leveraging the effectiveness of our message to employers.

And that message is that Idaho is open for business, that we have the stable tax and regulatory climate in place to help them thrive, and that our people are ready to compete with any in the world for the opportunity to shine.

Great individuals in businesses large and small are making a real difference all over our state. People like:

Martin Zacha at ATK, whose ammunition business is thriving, creating jobs and growing in Lewiston.

Robin Woods at Alturas Analytics, whose Moscow company is at the cutting edge of work for the pharmaceutical and biotech industries.

Doug Sayer at Premier Technology, whose Blackfoot operation now is expanding to Mackay and elsewhere, setting the standard for economic opportunity throughout our state.

Paul Schaller at Quest Aircraft, whose Sandpoint business has been recognized nationally for its groundbreaking technology and can-do attitude.

Ron Nilson at Ground Force Manufacturing, whose Post Falls business is creating innovation and incredible value that's in demand around the world.

Tom Harris at Western States Equipment, whose faith in Idaho, our people and our potential convinced him to expand to a great new location in Hayden this past year.

Michael Boerner at Unity Media Group in Eagle, whose breakthrough new online technology already is being adopted by health-care professionals and other businesses throughout America.

Ellen Meyer at Great American Appetizers, whose Nampa company is among our most competitive and aggressive exporters.

John Ihli at Nunhems, which recognized the unique quality and opportunity available in Parma as a location to grow and prosper in America's best seed producing area.

Tim Britt at Synoptek in Boise, who is solving problems for his customers while he works to attract partners from other states to take advantage of all the benefits of doing business here in Idaho.

Jefferson Jewell of Blackfin Technology in Boise, who looked beyond his own software company to recognize that a rising tide lifts all boats, and now is working with his industry and innovators throughout Idaho to grow our economy.

Tom Carbone at Nordic Windpower in Pocatello, who is helping to turn eastern Idaho into a renewable energy hot spot that will drive our future prosperity.

And Steve Appleton at a resurgent Micron Technology, which continues to believe so strongly in Idaho and the potential of our state and our people that it's seeing a rebirth of new technologies and business opportunities.

They all are showing the way to a smarter, more responsive and more promising future for their employees and their communities.

Some of them are with us here today. Ladies and gentlemen, please stand and let us thank you.

With the kind of talent and economic energy they represent, my message today is let's build on that success.

Let's find more ways to unlock the tremendous potential that resides in our cities and towns, in our countryside, and within our citizens. We have many great examples of how to grow our economy for the benefit of all Idahoans.

That involves more aggressively building partnerships, collaborating, listening, and making our public policy consistent with the real needs of the men and women who make our economy go.

Speaking of "aggressive," that's exactly the approach we're taking to convince the Air Force that Boise and Mountain Home are the best places to provide the training and operational homes for its new F-35 Joint Strike Fighters.

This is an exciting opportunity that has the potential to bring 3,000 or more direct career-level jobs and many more positions in support of the new mission throughout the Treasure Valley.

At my direction, Lieutenant Governor Brad Little, our Department of Commerce, and National Guard leaders at Gowen Field are working closely with folks at Mountain Home Air Force Base, Idaho's congressional delegation, our State agencies and community leaders to make a compelling case for bringing the F-35s here.

I appreciate the help and support that members of the Legislature are providing in the effort to bring a new generation of freedom's wings here to Idaho.

Our citizens have proven themselves time and again to be tremendous supporters of and contributors to our Armed Forces.

The F-35 campaign gives us yet another opportunity to show our patriotism and civic virtue, as well as the tremendous advantages we have in terms of air space, weather, proximity and enthusiastic citizen support for military missions here in Idaho.

We have a great opportunity to make this happen, thanks largely to the contributions our troops have made to Idaho over the years. But it will take us all working together to achieve our goal – cities, counties, the State, private businesses and individual citizens. I know I can count on your support.

At the same time, we are not putting all our eggs in one basket.

We are reaching out every day to employers who are considering a move to Idaho to take advantage of our quality of life, our stable, business-friendly tax and regulatory structure and our world-class work force.

To keep improving our chances, we soon will be submitting reports from my Business and Innovation summits to germane committees of the Legislature on what we're hearing from Idaho businesses.

In those reports, you'll see calls for eliminating the personal property tax.

You'll see a recommendation for significant tax credits for infrastructure construction investments including those involving education.

You'll see a proposal to create a homebuyer tax credit similar to the program that was used so successfully down in Utah.

And you will see calls for continuing the work of our Innovation Council toward making it easier to move great ideas at our universities to great products and services in the marketplace.

Folks, as incredible as they are, our universities are not the only source of great ideas in Idaho. And great ideas certainly don't all come from here in Boise or from within this Capitol. That's why I also held a dozen capitals for a day in 2009, from Kendrick to Franklin and from Cascade to Dubois.

For those of you who don't yet know, my Capital for a Day program takes our seat of State government to small and in some cases remote communities in every corner of our state every month. I'm joined by members of my Cabinet in hearing directly from the people about their challenges, their hopes and their fears.

In some cases my visits to Capital for a Day communities have come hard on the heels of devastating news an employer is going out of business or shutting down the local operation, or an opportunity for local development is missed.

There are few experiences in this job as difficult as consoling those who are frustrated by the troubles that life has handed them.

But there also are few experiences in this job as inspiring and as uplifting as looking into the eyes of the people we serve and recognizing that spark of civic virtue that motivates them to stay involved and keep working for something better.

What I hear clearly and consistently from Idahoans is great pride tempered by incredible humility. And I hear a desire from everyone for opportunity – for the freedom to have just a chance at succeeding on their own terms.

Idahoans are people who want only to define their own success. They want only what they earn by their own intellect or the sweat of their own brow, and they want jobs that can become careers by virtue of their own hard work, creativity and commitment.

From government, they expect us to be accountable, to live up to our commitments and to live within their means and then to get out of the way. They do not want a federal-style, one-size-fits-all, nanny government that not only tells them what to do but how and when to do it.

They do not want a federal-style government intent on spending us into recovery by mortgaging our children's future. They do not want a federal-style government that is willing to cut any deal, put aside any principle or risk any freedom to build costly entitlement programs at our expense.

That's why it's so very important that those of us entrusted with these jobs fulfill our responsibility to make government as efficient as it can possibly be and to never forget that this is the people's money.

There is no need today for me to recount our economic situation. We all know this downturn has been among the deepest and longest since the Great Depression. We also know that State government must limit our spending to our revenue.

As H.L. Mencken said, "[Government's] great contribution to human wisdom is the discovery that the taxpayer has more than one pocket."

Now, I wouldn't go quite that far. But our history does show that it's far easier to expand government than to rein it in.

It also is true that government which tries to be all things to all people inevitably fails both itself and the people whose expectations it raises.

I will not ask you to believe that there is a magic potion to cure what ails our economy or our State government. It will require sacrifice and hard work.

As you know, the tiered holdback that I ordered in September gets us only part of the way to addressing the projected shortfall in our Fiscal Year 2010 revenue.

I am asking you today to approve that holdback and to bring your collective wisdom and experience to bear on the remaining shortfall.

I am asking you to work with me in a way that reflects our shared priorities and our commitment to doing what must be done rather than choosing the expedient or popular course.

Ladies and gentlemen, I know that Chairmen Cameron and Bell agree with me that State government must lead by example. We must live within our means.

That means finding and encouraging more efficiency, more innovation, more creativity, more collaboration, and more flexibility.

And perhaps most of all, we must earn the trust and understanding of our people – both those who serve and those who rely on our services.

Building public trust and understanding is why we will be continuing our discussion about the funding needs of our roads and bridges throughout the coming year.

Transportation remains a very important priority for my administration – as I know it does for you.

Our economic well-being as individuals and as a state will remain in jeopardy without safe and efficient corridors of commerce.

That's why Lieutenant Governor Little is leading my Transportation Task Force – with the help of legislators and private citizens – to carefully study and consider the long-term needs that still must be addressed once our economy turns around.

In the meantime, we're focusing on what works in making better use of the people's money!

At the Idaho Transportation Department, changing the way we're doing business is working. It's led to millions of dollars in savings on highway projects throughout the state.

Along with federal stimulus funding, that's enabling us to stretch our transportation dollars farther than ever – a fact I know Chairmen McGee and Wood appreciate.

The inmate population in our State prisons has leveled off. That's due in large measure to your work led by Chairmen Darrington and Clark.

And it's thanks to the efforts of an interagency committee that includes Brent Reinke's Department of Correction, Debbie Field's Office of Drug Policy, Dick Armstrong's Department of Health and Welfare, and Colonel Jerry Russell at the Idaho State Police.

It also includes Sharon HARRIGSFELD at the Department of Juvenile Corrections, Pardons and Parole Director Olivia Craven, courts administrator Patty Tobias, as well as public-private partnerships that extend to all branches of government.

And it's resulted in substance abuse treatment programs that are working.

At Kelly Pearce's Division of Building Safety, a cross-training initiative that's enabling more inspections to be conducted by fewer, better-trained inspectors is working.

At the Public Utilities Commission and Paul Kjellander's Office of Energy Resources, energy efficiency measures with local organizations and jurisdictions are working.

In fact, they're already saving enough power each year to serve a city about the size of Twin Falls!

At Celia Gould's Department of Agriculture, Toni Hardesty's Department of Environmental Quality and Gary Spackman's Department of Water Resources, an end to duplication of water quality monitoring efforts is working.

In our Judicial Branch, Idaho's State courts recently won national recognition for their innovation and improvement of rural justice administration – thanks to the leadership of Chief Justice Dan Eismann and the other justices.

And the judges themselves – 100 percent of them throughout Idaho – voluntarily worked two days without pay during this past year to help us balance the budget.

These examples and many more are aligned with Ronald Reagan's goals – and mine – when he said, "It is not my intention to do away with government. It is rather to make it work – work with us, not over us; stand by our side, not ride our back. Government can and must provide opportunity, not smother it; foster productivity, not stifle it."

You often hear the term "good government" being tossed around. Well, Idahoans believe "good government" doesn't mean "more government" or "bigger government."

It means government that is effective, transparent, accessible, accountable and responsive while maximizing individual freedom.

Most of all, it is government that understands its limitations and that its authority derives from the people in whose individual creativity and civic virtue lie the answers to our collective challenges.

Before I go any further, let me say a few words about the dedication and professionalism of our State agency directors and administrators and their staffs, as well as all the great public employees throughout Idaho.

Seeing their willingness to engage in this good-government process and put forth their best efforts on behalf of our citizens is one of the most satisfying parts of my job.

And I remain committed over the long term to making sure they are not only appreciated but also compensated competitively for their service to the people of Idaho.

For about six weeks now our State employees have been joined in actively addressing our budget concerns by anyone in Idaho with an Internet connection and an interest in good government.

In fact, today we are launching a new feature on the [efficiency.idaho.gov](http://efficiency.idaho.gov) website – an interactive discussion of some of the more promising ideas that our citizens have submitted.

I want to thank the hundreds of Idahoans from every walk of life who are going online and offering opinions, insights and perspectives on our State budget.

Those ideas are appreciated and an important part of our considerations. Some of them already are being put in place.

For example, about a dozen individuals suggested improving the energy efficiency of our State buildings.

I'm pleased to report that our newly restored Capitol and hundreds of State-owned buildings throughout Idaho now have been outfitted with such improvements as better insulation, high-efficiency light bulbs, and motion sensors that turn out the lights and turn down the heat when rooms are unoccupied.

That effort is being led by Mike Gwartney at the Department of Administration.

Mike also is working across State government to implement a shared system of fleet management to ensure we're getting the most out of the thousands of vehicles used by State agencies.

Of course, not all the public suggestions can be implemented right away. So we're compiling a report and will join the germane committees of the Legislature in exploring what works for the people we serve.

With that in mind, let me say again that the budget recommendations I bring you today are based on the fact that it is not State government's money. It is the people's money.

As a result, these recommendations are responsibly conservative. They were developed with great care, deliberation and a full understanding of their consequences – real and perceived.

And they provide for a balanced budget, as our Idaho Constitution so wisely requires.

My recommendations include some sweeping changes to the way we do business in State government. Those changes are meant to be permanent – based on a philosophy of government that recognizes our responsibility to individual Idahoans rather than to government itself.

I believe they represent what can and must be achieved within the realities we face, and to more closely align our government with its properly limited role.

Having said that, no one in this room respects the separation of powers and the importance of checks and balances in our system of government more than I do.

While we share a long history and a strong set of values, like any people of good will we sometimes can review the same set of facts and come to starkly different conclusions about a path forward.

I have no doubt that there will be disagreement with some elements of my plan. That is your prerogative.

I am not asking you to substitute my judgment for your own. I am not contending that I have any greater insights or superior perspective on the challenges we face.

I only hope that you will make the time and effort to study what I'm proposing and join me in working patiently and with civility. I appreciate the tone set by Speaker Denney and Pro Tem Geddes during this difficult process.

As you will see in my Executive Budget, my recommendations are based on zero revenue growth in Fiscal Year 2011.

That threshold agreement on a starting point for our budget work was reached over four months of unprecedented discussions with legislative leaders.

It reflects the relationship between economic recovery and revenue recovery, as well as our continuing commitment to being frugal stewards of the people's money.

As a result, my budget eliminates more than 400 positions throughout State government including about 375 that now are vacant – and consolidates some agency operations.

And finally, I'm proposing that for the balance of Fiscal Year 2010 we hold back an additional \$40 million from all State agencies and operations – including public schools.

That is among the toughest recommendations I make today.

But the fact is that while other Executive Branch agencies have cut their spending by \$499 million as a result of holdbacks over the past two budget years, we have used almost \$318 million from reserve accounts and federal stimulus funds during that same period to reduce the impact on public schools.

That has buffered them to some degree from our difficult economic realities.

Now legislative leadership and I are in agreement that public schools must participate in this new effort to respond to sharp revenue reductions by paring an additional 1.6 percent from our spending for the remainder of Fiscal Year 2010.

Our proposal would look to local school districts for their specific ideas on how to best achieve the savings, including their discretionary use of local reserve accounts – and in extreme cases – advances future State funding.

This is not the course that any of us would prefer to follow.

It is unfortunate, but it is a temporary situation made necessary by our circumstances.

Keeping faith with our fundamental principles – and with your support – we will get through this together.

Keeping faith with our principles also is the basis for my proposal to continue increasing the grocery tax credit as planned in the coming budget year.

Two years ago we agreed on the importance of providing some relief for the neediest and most vulnerable among us from what then was a new increase in our State sales tax.

Ladies and gentlemen, it is a fundamental principle of good government that we ensure we can pay for the promises we make.

To that end, I am recommending that we continue to carefully use our "rainy day" funds to address some of our most immediate and pressing needs.

Specifically, I'm recommending that we use almost \$241 million from our reserve accounts – including the non-endowed portion of the Millennium Fund – to address projected revenue shortfalls in the balance of Fiscal Year 2010 and in Fiscal Year 2011.

That includes the \$49 million that I asked you in late September to draw from the Public Education Stabilization Fund to cover the public schools portion of the tiered holdback I ordered at that time.

Like you, I remain sensitive to the serious budget challenges facing school districts throughout Idaho.

That's why I am working with Superintendent Luna, the State Board of Education and a diverse coalition of education advocates from the public and private sectors to develop long-term strategies for improving our public schools.

Skip Oppenheimer from the Idaho Business Coalition for Education Excellence and Guy Hurlbutt from the Education Alliance of Idaho are here with us today. Please show them how much we appreciate their efforts to provide world-class education opportunities in Idaho.

I also want to thank the J.A. and Kathryn Albertson Foundation for its great generosity in helping to continue expanding our Idaho Education Network.

Jamie MacMillan of the Albertson Foundation is with us today.

Jamie, please stand so we can acknowledge your organization's contribution to education in Idaho.

By the end of the current budget year we expect to have 80 high schools connected with the Idaho Education Network's broadband capability.

That already is expanding the horizons of students from Bonners Ferry to Bear Lake.

It's empowering students in Weiser and Emmett who might otherwise never get the chance to benefit from uniquely qualified instructors elsewhere.

And it's enabling students in Sugar City to get the same high level of educational opportunity as those in Jerome and Twin Falls.

I understand that we have students from some of those schools watching us live today over the network.

The Albertson Foundation support will enable us to add 80 more high schools in Fiscal Year 2011 and 40 more in Fiscal Year 2012.

That will make a big difference for access to education, and the ability of our students to engage in the dual-credit enrollment programs that offer a leg up on higher education.

It also will help us keep improving student achievement scores by building on the work of Superintendent Luna, local educators and our newly created assessment group led by Christine Donnell.

But I don't want anyone to think that the Idaho Education Network is only about schools.

It also is about bringing employment opportunities to our communities, making government more efficient, accessible and responsive, and opening up the wider world to all our citizens.

Those goals are why I am proposing that we continue preparing for tomorrow's work force by:

- Providing funds to handle the tremendous enrollment growth at the College of Western Idaho,

- By fully funding our commitments to cooperative medical education programs,

- By continuing to invest in the ground-breaking work being done at the Center for Advanced Energy Studies in Idaho Falls,

- And by providing \$1 million in Opportunity Scholarships to help our deserving students stay here at home to continue their education.

After all, we badly need the best and brightest of our Idaho young people to get their educations here and stay here for productive and fulfilling careers.

Careers like those being created in such emerging green industries as geothermal, wind, solar, biomass and other renewable energy generation, and for what we hope and believe will be a resurgence of cleaner, carbon-neutral and more efficient nuclear power.

We need our Idaho young people to stay here on the land.

And that means ensuring we have the water they need to keep making the desert bloom, to raise their families as well as their crops and livestock in keeping with our strong and rich agricultural heritage.

That's why I'm proposing that we invest \$1 million to continue implementing the Comprehensive Aquifer Management Plan that's showing such great promise in protecting and preserving our precious water resources.

I appreciate the work of Chairman Stevenson, Representative Raybould, Representative Bedke, Senator Brackett, Senator Siddoway and others in that effort.

We need our Idaho young people to stay here for the careers that will be created in smarter new electrical transmission corridors being planned throughout the region.

And we need our Idaho young people to stay here to bring their passion, energy and talents to our growing health care community.

That's why we're launching a new public-private partnership aimed at paying for more newly minted physicians to perform their residencies here in Idaho.

I'm very pleased today to announce that Blue Cross of Idaho is leading the way in that effort by committing \$300,000 to Idaho residencies over the next three years.

Blue Cross President and CEO Ray Flachbart is with us here today. Ray, stand up and be recognized my friend!

Thank you for your willingness to act on your belief in a stronger, better, healthier Idaho.

Now we want to challenge our partners in the insurance and health care communities to join us in this endeavor to put more medical residents in Idaho communities.

You can expect to hear more about health care later this year as we work with Chairmen Lodge and Block on those issues.

The bottom line of all these efforts is empowering Idahoans ensuring they have the freedom and opportunity to reach their own greatest individual potential.

We also deserve the opportunity to reach our own greatest potential as a state.

That's why I want to congratulate the Idaho Fish and Game Commission, Director Cal Groen's Department of Fish and Game, the Legislature and our Idaho sportsmen for developing a State wolf management plan that passed muster with the U.S. Fish and Wildlife Service and a federal judge.

Now this federally imposed predator is being managed for long-term sustainability as a trophy game animal, and our ungulates and livestock once again have a fighting chance.

I also want to congratulate Nate Fisher at the Office of Species Conservation, other State agencies, local units of government and especially the landowners who worked so well together to protect and preserve the southern Idaho desert plant known as slick spot peppergrass.

Unfortunately, the federal government in its infinite wisdom concluded that local folks weren't up to that task, so it imposed Endangered Species Act protections.

Yes, the feds are casting aside the collective judgment of the people born to this land and who care most about it in favor of bureaucratic nonsense and an invitation to endless court battles.

Well, ladies and gentlemen, I am fighting that decision in court.

And with your help and continued strong support we will carry the day while doing the right thing by the species and our people.

I also am continuing my fight to keep the feds from using Idaho as a dumping ground for its elemental mercury.

We have worked too hard protecting the Snake River Plain Aquifer and building a strong and collaborative relationship with our partners at the Idaho National Laboratory to allow it all to be put at risk by a misguided federal decision.

I will not allow Idaho to become the nation's dumping ground for its elemental mercury!

There is a similar policy-making sleight-of-hand going on with the federal administration's efforts to foist the cost of a budget-breaking entitlement program onto our backs.

The so-called health care "reform" bills being promoted by the President's party in Congress could add as much as half a billion dollars to Medicaid costs in Idaho.

Folks, that kind of unprecedented expansion would force us here at home to make even more difficult and painful decisions about what gets cut from public schools, higher education, corrections, public safety and other fundamental services.

Just as importantly, it would saddle our children and our children's children with what Thomas Jefferson called the "moral canker" of staggering public debt far into the future.

Thank you for supporting me and our entire Idaho congressional delegation in fighting against this wholesale assault on our self determination.

That message of a desire for individuals and communities to have the freedom and opportunity to live up to their own greatest potential is a thread that ran through all my Capital for a Day events during this past year.

Idahoans need and deserve to know we're listening, and that their opinions and well-being are all that really matters.

I have been humbled time and again by the expressions of thanks and surprise I hear from citizens in communities throughout our state when they get to stand up and be heard.

Sometimes they arrive angry. Many times they arrive frustrated.

But for the most part they come away from our Capital for a Day events with a renewed belief in what government can and should be, and a renewed faith in their own ability to make a difference.

The people of Idaho are not looking for handouts or for government to solve their problems.

They only want government to get behind their own solutions and not stand in the way.

You and I can and must be the champions for those local solutions.

You and I can and must put aside any parochialism or partisanship that clouds our vision, and focus instead on the great things we can do together for the people we serve.

Being together here in the Capitol again will be a big help.

Our communications may have suffered during these past two years that we were displaced. But please remember that my door is and always will remain open to you. My friends, there is no limit to what we can accomplish when we work together.

Consider how we reached a beneficial settlement to a long-running dispute with Idaho Power over Snake River water rights. Consider how we found a way to reduce grass-field burning in northern Idaho by bringing together growers and those concerned about local air quality.

Consider how we protected the precious drinking water for hundreds of thousands of Idahoans and ended years of litigation with waste cleanup agreements at the Idaho National Laboratory.

Consider how we laid the groundwork for hundreds of high-paying careers by convincing AREVA to build a multibillion-dollar uranium enrichment plant near Idaho Falls.

Consider how we created more community college and training opportunities for Idaho's young people and those working through mid-career transitions. And consider how we joined hands to create the Opportunity Scholarship Trust Fund. As a result, we now are able to help ensure money doesn't keep more Idaho students out of college or career training.

And we can do all these good and appropriate things without imposing seemingly endless squabbles on the people we serve.

Legislative sessions have averaged 82 days over the past 20 years or so. Last year factors beyond our control pushed us about 50 percent over that average.

I'm sure you share my hope today that – by sticking to our principles and core values – we can balance the scales and make this among the shortest, most congenial, most collaborative and most productive legislative sessions in our history.

Before I close, let me say just a few words about the men and women of our Idaho National Guard.

As you know, there is a very real possibility that thousands of our friends, neighbors and loved ones will be deployed into a war zone later this year.

That knowledge made the recent holiday season particularly bittersweet for our citizen soldiers preparing to once again go into harm's way to help protect our freedoms and way of life.

Miss Lori and I were there early on the Sunday morning after Christmas as a group of Idaho Army National Guard warriors bound for duty in Afghanistan said goodbye to their families.

Those troops from Detachment 35 of the Operational Support Airlift Command will be helping protect their comrades in arms from the improvised explosive devices that are killing and wounding so many of our brave men and women.

Please join me in remembering them in your prayers and well wishes for their safety.

And please join me as well in praying for the freedom and safe return to his Idaho family of Private First Class Bowe Bergdahl of Hailey, who has been held prisoner by the Taliban since June.

We are united in our outrage at his abduction and our support for his family, friends and loved ones here at home.

Ladies and gentlemen, we are an Idaho family. We have a shared history and a shared vision for our future a vision of

an Idaho where our opportunities match our unlimited dreams and potential, where individual freedom and civic virtue are synonymous, and where we are the architects our own destiny.

Because we truly are all in this together.

Thank you for your attention. Thank you for your service to the people of Idaho. May God bless this Legislature and the work it is about to do. And may God bless us all.

\* \* \* \* \*

The Speaker thanked Governor Otter.

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

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

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

Mr. Moyle moved that the Governor's State of the State Message and Budget Address be printed in both the House and Senate Journals. Seconded by Mr. Rusche.

The question being, "Shall the motion carry?"

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

Mr. Moyle moved that the Joint Session be dissolved. Seconded by Mr. Rusche. Motion carried.

The Senate returned to its Chamber.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 12, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:07 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



HOUSE JOURNAL
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SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 12, 2010

House of Representatives

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

Roll call showed 65 members present.

Absent and excused - Collins, Nielsen, Schaefer, Smith(30), Wood(35). Total - 5.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Stephen Grammer, Page.

Approval of Journal

January 12, 2010

Mr. Speaker:

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

Clark, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

January 11, 2010

The Honorable Lawrence Denney
Speaker of the House

As required by Section 57-1601, Idaho Code, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2009 and 2010.

Balance as of July 1, 2008 \$83,744.48

No activity in fiscal year 2009

Balance as of June 30, 2009 \$83,744.48

No activity year-to-date in fiscal year 2010

Balance as of December 31, 2009 \$83,744.48

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

The correspondence was ordered filed in the office of the Chief Clerk.

January 11, 2010

Mr. Speaker:

I return herewith HCR 35 which has passed the Senate.

WOOD, Secretary

HCR 35 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 12, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed HR 3.

Clark, Chairman

HR 3 was filed for second reading.

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

Motions, Memorials, and Resolutions

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the Second Regular Session of the Sixtieth Idaho Legislature. Seconded by Mr. Rusche.

- Chief Clerk of the House Bonnie Alexander
Sergeant at Arms Judith K. Christensen
Chaplain Tom Dougherty
Minority Leadership Secretary Cathy Downs
Chief Fiscal Officer Terri Franks-Smith
Assistant to Majority Leadership Sue Frieders
Assistant to the Speaker Sue Frieders
Assistant Chief Clerk Rachel Johnstone
Assistant to Minority Leadership Nikki Karpavich
Assistant Sergeant at Arms Al Noyes
Secretary Shirley Scott
Journal Clerk Leslie Sheedy
Journal Clerk Chris Taylor
Minority Leadership Secretary Crissta Wetzel

Committee Secretaries:

- Judiciary, Rules & Administration Betty A. Baker
Agricultural Affairs Lisa Daniels
Transportation & Defense Sheila Doherty
Ways & Means Sue Frieders
Health & Welfare Sarah Hendrick
Education Claudia Howell
State Affairs Kitty Kunz
Environment, Energy & Technology Kimberly Lowder
Business MaryLou Molitor
Revenue & Taxation Tori Shockey
Commerce & Human Resources Mary Tipps
Local Government Mary Tipps
Resources & Conservation Susan Werlinger
Appropriations Kathryn Yost

## Pages:

Spencer Brown	Sara Carter
Mary Anne Davis	Stephen Grammer
Laura Hampikian	Emily Hurst
Danica Lupton	Benjamin Monaghan
Andrew Nilsen	Dani Olsen
Christine Roberts	

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

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

**Miscellaneous and Unfinished Business**

Representative Labrador will move from the Transportation Committee to the Local Government Committee. Representative Palmer will move from the Local Government Committee to the Transportation Committee.

**LOCAL GOVERNMENT (11)**

Barrett, Chairman  
Bilbao, Vice Chairman

Collins	Boe
Clark	Burgoyne
Bayer	Higgins
Chadderdon	
Henderson	
Labrador	

**TRANSPORTATION AND DEFENSE (15)**

Wood(35), Chairman  
Hart, Vice Chairman

Smith(24)	Shepherd(2)
Roberts	Ringo
Bedke	King
Wills	Ruchti
Nonini	
Hagedorn	
Jarvis	
Mathews	
Palmer	

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Wednesday, January 13, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:48 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

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SECOND REGULAR SESSION  
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Whereupon the Speaker declared the House adjourned at 11:39 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:  
BONNIE ALEXANDER, Chief Clerk

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**THIRD LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 13, 2010**

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – Bell, Burgoyne. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Danica Lupton, Page.

**Approval of Journal**

January 13, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

**Report of Standing Committees**

January 13, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 35](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 35](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

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

**Second Reading of Bills and Joint Resolutions**

[HR 3](#), by Moyle and Rusche, was read the second time by title and filed for third reading.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, January 14, 2010. Seconded by Mr. Rusche. Motion carried.

# HOUSE JOURNAL

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## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
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FOURTH LEGISLATIVE DAY  
THURSDAY, JANUARY 14, 2010

House of Representatives

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

Roll call showed 66 members present.

Absent and excused – Barrett, Black, Eskridge, Trail.

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Mary Anne Davis, Page.

### Approval of Journal

January 14, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

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

#### HOUSE BILL NO. 379 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE ELECTION CAMPAIGN FUND; REPEALING CHAPTER 25, TITLE 34, IDAHO CODE, RELATING TO THE ELECTION CAMPAIGN FUND; REPEALING SECTION 63-3088, IDAHO CODE, RELATING TO A CERTAIN DESIGNATION BY INDIVIDUALS ON CERTAIN TAX FORMS; PROVIDING FOR DISTRIBUTION OF CERTAIN MONEYS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 380 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3037, IDAHO CODE, TO SPECIFY FILING DATES FOR CERTAIN INFORMATION RETURNS, TO MAKE A TECHNICAL CORRECTION AND TO AUTHORIZE THE STATE TAX COMMISSION TO PROVIDE A DIFFERENT

DATE NO EARLIER THAN THE DATE REQUIRED BY THE INTERNAL REVENUE CODE FOR FILING EQUIVALENT FEDERAL RETURNS IN A NONELECTRONIC FORMAT.

#### HOUSE BILL NO. 381 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3021, IDAHO CODE, TO CLARIFY THE DEFINITION OF "NET OPERATING LOSS," TO PROVIDE THAT NET OPERATING LOSSES OF A CORPORATION WILL SURVIVE A MERGER SUBJECT TO CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 382 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAX; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3006C, IDAHO CODE, TO PROVIDE DEFINITIONS OF THE TERMS "PASS-THROUGH ENTITY" AND "OWNER OF INTEREST IN A PASS-THROUGH ENTITY"; AMENDING SECTION 63-3022L, IDAHO CODE, TO REVISE THE MANNER IN WHICH THE INCOME OF PASS-THROUGH ENTITIES INCOME IS REPORTED AND PAID; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3036B, IDAHO CODE, TO PROVIDE A SYSTEM OF BACKUP WITHHOLDING FOR INDIVIDUALS WHO ARE OWNERS OF PASS-THROUGH ENTITIES OR BENEFICIARIES OF A TRUST OR ESTATE WHO DO NOT ELECT TO HAVE THEIR INCOME TAXES PAID ON THE ENTITY'S RETURN; AND PROVIDING AN EFFECTIVE DATE.

#### HOUSE BILL NO. 383 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3072, IDAHO CODE, TO DELETE REFERENCES TO ESTIMATED PAYMENTS AND TO PROVIDE A STATUTE OF LIMITATIONS WHEN THE STATE TAX COMMISSION HAS MADE AN ASSESSMENT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 379](#), [H 380](#), [H 381](#), [H 382](#), and [H 383](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

### Third Reading of Bills and Joint Resolutions

[HR 3](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HR 3](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Gibbs, Hagedorn, Hart, Hartgen,

Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott(Anderson), Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – None.

Absent and excused – Barrett, Black, Crane, Durst, Eskridge, Jaquet, Shepherd(02), Stevenson, Trail. Total – 9.

Total – 70.

Whereupon the Speaker declared [HR 3](#) adopted and ordered the resolution filed in the office of the Chief Clerk.

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

### **Adjournment**

Mr. Moyle moved that the House adjourn until 8:30 a.m., Friday, January 15, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:44 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

**HOUSE JOURNAL**  
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SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**FIFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 15, 2010**

Whereupon the Speaker Pro Tem declared the House adjourned at 8:38 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:  
BONNIE ALEXANDER, Chief Clerk

House of Representatives

The House convened at 8:30 a.m., Mr. Moyle in the Chair.

Roll call showed 52 members present.

Absent and excused – Andrus, Barrett, Bayer, Bell, Bolz, Crane, Eskridge, Henderson, Jaquet, Lake, Marriott(Anderson), Nielsen, Patrick, Ringo, Schaefer, Smith(24), Trail, Wood(27).  
Total – 18.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Emily Hurst, Page.

**Approval of Journal**

January 15, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

**Report of Standing Committees**

January 15, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 379](#), [H 380](#), [H 381](#), [H 382](#), and [H 383](#).

CLARK, Chairman

[H 379](#) was referred to the State Affairs Committee.

[H 380](#), [H 381](#), [H 382](#), and [H 383](#) were referred to the Revenue and Taxation Committee.

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

**Adjournment**

Mr. Bedke moved that the House adjourn until 11:30 a.m., Monday, January 18, 2010. Seconded by Mr. Rusche. Motion carried.

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

**EIGHTH LEGISLATIVE DAY  
MONDAY, JANUARY 18, 2010**

House of Representatives

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

Roll call showed 64 members present.

Absent and excused – Barrett, Hart, Harwood, Loertscher, Mathews, Nielsen. Total – 6.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Benjamin Monaghan, Page.

### Approval of Journal

January 18, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 15, 2010

Mr. Speaker:

I return herewith enrolled [HCR 35](#) which has been signed by the President.

WOOD, Secretary

Enrolled [HCR 35](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

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

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

#### HOUSE BILL NO. 384 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO MOTOR FUELS TAXES; AMENDING SECTION 63-2401, IDAHO CODE, TO REVISE THE DEFINITION OF MOTOR FUEL AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 63-2412, IDAHO CODE, TO PROVIDE A

CORRECT CODE REFERENCE RELATING TO THE DISTRIBUTION OF REVENUES FROM THE TAX ON MOTOR FUELS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-2418, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE RELATING TO THE DISTRIBUTION OF REVENUES FROM THE TAX ON SPECIAL FUELS AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY, PROVIDING APPLICATION TO CERTAIN UNTAXED ETHANOL AND PROVIDING RETROACTIVE APPLICATION AND EFFECTIVE DATES.

#### HOUSE BILL NO. 385 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO UNCLAIMED PROPERTY; AMENDING SECTION 14-113, IDAHO CODE, TO ALLOW THE ADMINISTRATOR A PERIOD OF FIVE YEARS PRIOR TO TURNING PROPERTY OVER TO THE PUBLIC SCHOOL ENDOWMENT FUND; AMENDING SECTION 14-517, IDAHO CODE, TO REQUIRE HOLDERS REPORTING TEN OR MORE PROPERTIES TO REPORT IN A FORMAT REQUIRED BY THE ADMINISTRATOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 14-522, IDAHO CODE, TO ALLOW THE ADMINISTRATOR DISCRETION TO SELL ABANDONED PROPERTY WITHIN THREE YEARS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 14-533, IDAHO CODE, TO ALLOW THE ADMINISTRATOR TO WAIVE PENALTIES AND INTEREST IN CERTAIN CASES.

#### HOUSE BILL NO. 386 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3022, IDAHO CODE, TO REVISE HOW WITHDRAWALS FROM THE STATE COLLEGE SAVINGS ACCOUNT ARE ADDED TO TAXABLE INCOME; AMENDING SECTION 63-3029G, IDAHO CODE, TO REVISE THE INCOME TAX CREDIT FOR RESEARCH ACTIVITY; AMENDING SECTION 63-4403, IDAHO CODE, TO PROVIDE THAT THE ADDITIONAL INCOME TAX CREDIT FOR CAPITAL INVESTMENT SHALL BE CALCULATED ON THE AMOUNT OF QUALIFIED INVESTMENT MADE DURING THE PROJECT PERIOD WHEREVER LOCATED WITHIN THIS STATE; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 387 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO SALES TAX; AMENDING SECTION 63-3613, IDAHO CODE, TO REMOVE LANGUAGE REGARDING TAXES PREVIOUSLY PAID ON AMOUNTS REPRESENTED BY ACCOUNTS FOUND TO BE WORTHLESS MAY BE CREDITED UPON A SUBSEQUENT PAYMENT OF THE SALES AND USE TAX AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3623, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 63-3626, IDAHO CODE, TO PROVIDE THAT TAXES PREVIOUSLY PAID ON AMOUNTS REPRESENTED BY ACCOUNTS FOUND TO BE WORTHLESS MAY BE CREDITED UPON A SUBSEQUENT PAYMENT OF THE TAX PROVIDED IN THIS CHAPTER OR, IF NO SUCH TAX IS DUE, REFUNDED.

**HOUSE BILL NO. 388**  
**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO INCOME TAX; AMENDING SECTION 63-3022H, IDAHO CODE, TO PROVIDE A DEFINITION OF "REAL PROPERTY"; AMENDING SECTION 63-3029E, IDAHO CODE, TO REVISE THE DEFINITION OF "REVENUE-PRODUCING ENTERPRISE"; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 384](#), [H 385](#), [H 386](#), [H 387](#), and [H 388](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 19, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:44 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

NINTH LEGISLATIVE DAY  
TUESDAY, JANUARY 19, 2010

House of Representatives

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

Roll call showed 65 members present.

Absent and excused – Higgins, Lake, Marriott(Anderson),  
Roberts, Mr. Speaker. Total – 5.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Christine Roberts, Page.

### Approval of Journal

January 19, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by  
Mrs. Boe. Report adopted.

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

### Report of Standing Committees

January 19, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND  
ADMINISTRATION, report that we have printed [H 384](#), [H 385](#),  
[H 386](#), [H 387](#), and [H 388](#).

CLARK, Chairman

[H 384](#), [H 385](#), [H 386](#), [H 387](#), and [H 388](#) were referred to  
the Revenue and Taxation Committee.

January 19, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND  
ADMINISTRATION, report that we have transmitted enrolled  
[HCR 35](#) to the Secretary of State at 9:36 a.m., as of this date,  
January 19, 2010.

CLARK, Chairman

January 19, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION,  
request that [H 380](#) be returned to the Desk for re-referral.

LAKE, Chairman

[H 380](#) was filed for second reading.

January 19, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION,  
report that we have had under consideration [H 381](#) and  
recommend that it do pass.

LAKE, Chairman

[H 381](#) was filed for second reading.

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

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

#### HOUSE BILL NO. 389

BY JARVIS

AN ACT

RELATING TO A STATE AMPHIBIAN; AMENDING  
CHAPTER 45, TITLE 67, IDAHO CODE, BY THE ADDITION  
OF A NEW SECTION 67-4513, IDAHO CODE, TO PROVIDE  
THAT THE IDAHO GIANT SALAMANDER IS DESIGNATED  
AND DECLARED TO BE THE STATE AMPHIBIAN OF THE  
STATE OF IDAHO.

#### HOUSE BILL NO. 390

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE STATE LIQUOR DIVISION;  
AMENDING SECTION 23-207, IDAHO CODE, TO REVISE  
PROVISIONS RELATING TO RULES AND REGULATIONS  
AND TO MAKE A TECHNICAL CORRECTION;  
AMENDING SECTION 23-311, IDAHO CODE, TO REVISE  
PROVISIONS RELATING TO CONTAINERS AND TO  
PROVIDE CORRECT TERMINOLOGY; AND AMENDING  
SECTION 23-610, IDAHO CODE, TO REVISE PROVISIONS  
RELATING TO THE POSSESSION OF LIQUOR NOT  
SUBJECT TO REGULATION BY THE DIVISION AND TO  
PROVIDE CORRECT TERMINOLOGY.

#### HOUSE BILL NO. 391

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO HEALTH AND SAFETY; AMENDING  
TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW  
CHAPTER 90, TITLE 39, IDAHO CODE, TO PROVIDE A  
SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE  
A STATEMENT OF PUBLIC POLICY AND TO PROVIDE  
FOR ENFORCEMENT; AND AMENDING SECTION 67-1401,  
IDAHO CODE, TO REVISE DUTIES OF THE ATTORNEY  
GENERAL.

[H 389](#), [H 390](#), and [H 391](#) were introduced, read the first time  
by title, and referred to the Judiciary, Rules, and Administration  
Committee for printing.

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

### Adjournment

Mr. Bedke moved that the House adjourn until 11:30 a.m.,  
Wednesday, January 20, 2010. Seconded by Mr. Rusche. Motion  
carried.

Whereupon the Speaker Pro Tem declared the House  
adjourned at 11:38 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

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## IDAHO LEGISLATURE

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TENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 20, 2010

House of Representatives

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

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

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Andrew Nilsen, Page.

### Approval of Journal

January 20, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

January 20, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 382](#), [H 389](#), [H 390](#), and [H 391](#).

CLARK, Chairman

[H 389](#) was referred to the Ways and Means Committee.

[H 390](#) and [H 391](#) were referred to the State Affairs Committee.

January 20, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 382](#), [H 384](#), [H 385](#), and [H 388](#) and recommend that they do pass.

LAKE, Chairman

[H 382](#), [H 384](#), [H 385](#), and [H 388](#) were filed for second reading.

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

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

#### HOUSE BILL NO. 392 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO APPEALS OF DECISIONS ON REQUESTS FOR CHANGES IN ZONING; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE THAT DECISIONS OF A CITY COUNCIL REGARDING THE ZONING OF LANDS ANNEXED PURSUANT TO ANY CATEGORY OF ANNEXATION SHALL BE SUBJECT TO JUDICIAL REVIEW IN ACCORDANCE WITH THE PROCEDURES IN THE ADMINISTRATIVE PROCEDURE ACT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-6521, IDAHO CODE, TO PROVIDE THAT A PERSON HAVING AN INTEREST IN REAL PROPERTY THAT MAY BE ADVERSELY AFFECTED BY A DECISION ON A REQUEST BY A PROPERTY OWNER FOR ESTABLISHMENT OF OR CHANGE IN ZONING OR FOR CONDITIONAL REZONING MAY SEEK JUDICIAL REVIEW AS PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT.

#### HOUSE BILL NO. 393 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO DISTILLED SPIRITS SAMPLE TASTING; AMENDING CHAPTER 5, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-509A, IDAHO CODE, TO PROVIDE THAT MANUFACTURERS OF DISTILLED SPIRITS MAY CONDUCT SAMPLE TASTINGS, TO SET FORTH REQUIREMENTS APPLICABLE TO SAMPLE TASTING EVENTS AND TO SET FORTH ADDITIONAL REQUIREMENTS FOR MANUFACTURERS OF DISTILLED SPIRITS WHEN CONDUCTING A SAMPLE TASTING.

#### HOUSE BILL NO. 394 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VERTEBRATE PALEONTOLOGICAL SITES AND RESOURCES; AMENDING CHAPTER 30, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 33-3013, 33-3014, 33-3015 AND 33-3016, IDAHO CODE, TO PROVIDE FOR A PURPOSE, TO PROVIDE FOR EXCAVATION PERMITS, TO PROVIDE FOR RULES, PROHIBITIONS, AUTHORITY AND LIMITATIONS AND TO PROVIDE FOR PENALTIES; AMENDING SECTION 67-4119, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL; AMENDING SECTION 67-4120, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4121, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-4122, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE A TECHNICAL CORRECTION.

[H 392](#), [H 393](#), and [H 394](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Second Reading of Bills and Joint Resolutions**

[H 380](#) and [H 381](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 21, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:44 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

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ELEVENTH LEGISLATIVE DAY  
THURSDAY, JANUARY 21, 2010

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – Durst, Thayn. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Dani Olsen, Page.

### Approval of Journal

January 21, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

At this time, Mr. Clark introduced Daniel T. Eismann, Chief Justice of the Idaho Supreme Court, who delivered the State of the Judiciary Address to members of the House.

The Speaker thanked Chief Justice Eismann.

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

### Report of Standing Committees

January 21, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 392](#), [H 393](#), and [H 394](#).

CLARK, Chairman

[H 392](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 393](#) and [H 394](#) were referred to the State Affairs Committee.

January 20, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 386](#) and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

[H 386](#) was placed on General Orders for consideration.

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

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

#### HOUSE BILL NO. 395

BY DURST

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-102, IDAHO CODE, TO PROVIDE FOR AN EX OFFICIO VOTING MEMBER OF THE STATE BOARD OF EDUCATION; AND AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3726, IDAHO CODE, TO PROVIDE FOR THE COUNCIL OF IDAHO COLLEGE AND UNIVERSITY PRESIDENTS.

#### HOUSE BILL NO. 396

BY JAQUET

AN ACT

RELATING TO TAXATION; AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-120, IDAHO CODE, TO CREATE THE IDAHO TAX REVIEW COMMISSION AND TO PROVIDE FOR MEMBERS AND TERMS; AND AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-121, IDAHO CODE, TO PROVIDE THAT THE IDAHO TAX REVIEW COMMISSION SHALL REVIEW EXEMPTIONS TO THE SALES AND USE TAX AND TO DEFINE A TERM.

#### HOUSE BILL NO. 397

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO DRIVER'S TRAINING INSTRUCTION PERMITS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-305, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PROOF OF IDENTITY; AND AMENDING SECTION 49-307, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EXPIRATION OF CERTAIN TRAINING INSTRUCTION PERMITS, TO REVISE REQUIREMENTS RELATING TO CERTAIN SUPERVISED INSTRUCTION PERMITS AND TO MAKE A TECHNICAL CORRECTION.

#### HOUSE BILL NO. 398

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO VEHICLE EQUIPMENT; AMENDING SECTION 49-959, IDAHO CODE, TO PERMIT THE USE OF CERTAIN REFRIGERANTS APPROVED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AS AN ALTERNATIVE MOTOR VEHICLE AIR-CONDITIONING SUBSTITUTE FOR CHLOROFLUOROCARBON-12.

**HOUSE BILL NO. 399  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO BRIBERY AND CORRUPTION;  
AMENDING SECTION 18-1359, IDAHO CODE, TO REVISE  
EXCEPTIONS.

**HOUSE BILL NO. 400  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO THE STATE BOARD OF EDUCATION;  
AMENDING SECTION 33-107, IDAHO CODE, TO REVISE  
PROVISIONS RELATING TO CERTAIN POWERS AND  
DUTIES OF THE STATE BOARD.

[H 395](#), [H 396](#), [H 397](#), [H 398](#), [H 399](#), and [H 400](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Second Reading of Bills and Joint Resolutions**

[H 382](#), [H 384](#), [H 385](#), and [H 388](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that all bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, January 22, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:27 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

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TWELFTH LEGISLATIVE DAY  
FRIDAY, JANUARY 22, 2010

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused – Clark, Lake, Loertscher, Nielsen, Schaefer, Smith(24). Total – 6.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Brown, Page.

### Approval of Journal

January 22, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

January 22, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 395](#), [H 396](#), [H 397](#), [H 398](#), [H 399](#), and [H 400](#).

CLARK, Chairman

[H 395](#), [H 399](#), and [H 400](#) were referred to the Education Committee.

[H 396](#) was referred to the Revenue and Taxation Committee.

[H 397](#) and [H 398](#) were referred to the Transportation and Defense Committee.

January 21, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 379](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 379](#) was filed for second reading.

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

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

#### HOUSE BILL NO. 401 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE IDAHO SPECIAL INDEMNITY FUND; AMENDING SECTION 72-223, IDAHO CODE, TO CLARIFY CERTAIN SUBROGATION INTERESTS AND TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 72-324, IDAHO CODE, TO PROVIDE LANGUAGE RELATING TO ADJUSTING CERTAIN CLAIMS, ENTERING INTO CERTAIN AGREEMENTS AND SETTLING CERTAIN DISPUTED CLAIMS; AMENDING SECTION 72-327, IDAHO CODE, TO REVISE THE METHOD OF CALCULATION OF AN ANNUAL ASSESSMENT, TO REVISE CERTAIN APPORTIONMENTS, TO REVISE PROVISIONS RELATING TO REPORTING, TO REMOVE A PROVISION RELATING TO CERTAIN INDEMNITY BENEFITS PAID AND TO REMOVE A PENALTY; AMENDING SECTION 72-328, IDAHO CODE, TO REVISE A PROVISION RELATING TO CERTAIN WILLFUL MISREPRESENTATIONS; AMENDING SECTION 72-332, IDAHO CODE, TO REVISE LANGUAGE RELATING TO CERTAIN RESPONSIBLE PARTIES FOR PAYMENT OF COMPENSATION BENEFITS BEFORE A CERTAIN DATE; AND AMENDING SECTION 72-334, IDAHO CODE, TO PROVIDE A DATE TO PRECLUDE CLAIMS AGAINST THE INDUSTRIAL SPECIAL INDEMNITY FUND.

#### HOUSE BILL NO. 402 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO FIREARMS, EXPLOSIVES AND OTHER DEADLY WEAPONS; AMENDING SECTION 18-3318, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3319A, IDAHO CODE, TO PROVIDE FOR UNLAWFUL ACTS RELATING TO A HOAX DESTRUCTIVE DEVICE AND TO PROVIDE A PENALTY; AND AMENDING SECTION 18-3320, IDAHO CODE, TO PROVIDE FOR THE UNLAWFUL USE OF A HOAX DESTRUCTIVE DEVICE IN THE COMMISSION OR ATTEMPTED COMMISSION OF A FELONY AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 403 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO AGENCIES AND SERVICE FEES; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2359, IDAHO CODE, TO PROVIDE THAT PUBLIC AGENCIES MAY ENTER INTO CERTAIN AGREEMENTS WITH PRIVATE COMPANIES, TO PROVIDE FOR THE COLLECTION AND REMITTANCE OF CERTAIN FEES, TO PROVIDE FOR A REASONABLE ADDITIONAL FEE, TO PROVIDE FOR THE APPROVAL OF CERTAIN AGREEMENTS AND TO PROVIDE FOR THE APPROVAL OF CERTAIN FEES.

**HOUSE BILL NO. 404**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO RISK MANAGEMENT; AMENDING SECTION 67-5773, IDAHO CODE, TO REMOVE LANGUAGE ESTABLISHING A RISK MANAGEMENT ADVISORY COMMITTEE AND TO REMOVE LANGUAGE DIRECTING THE DIRECTOR TO CONSULT WITH THE ADVISORY COMMITTEE.

**HOUSE BILL NO. 405**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE DEPARTMENT OF ADMINISTRATION; AMENDING SECTION 67-5746, IDAHO CODE, TO REMOVE A PROVISION TO MEET CERTAIN MINIMUM REQUIREMENTS RELATING TO INVENTORY, TO REMOVE A PROVISION THAT THE DEPARTMENT OF ADMINISTRATION DEVELOP AND DISTRIBUTE TO AGENCIES CERTAIN REQUIREMENTS FOR INVENTORY SYSTEMS, TO REMOVE A REQUIREMENT OF A WRITTEN REPORT, AND TO REMOVE A PROVISION RELATING TO AN INFLATION FACTOR.

**HOUSE BILL NO. 406**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2010; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 407**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO NAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1307, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FEES FOR SPECIFIED PERMITS.

**HOUSE BILL NO. 408**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO STATE ENDOWMENT TRUST LANDS; AMENDING SECTION 58-307, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE PROVISIONS RELATING TO THE LEASE OF STATE ENDOWMENT TRUST LANDS, TO REVISE TERM OF LEASE PROVISIONS, TO REMOVE REFERENCE TO LANDS ELIGIBLE FOR THE FEDERAL CONSERVATION RESERVE ENHANCEMENT PROGRAM AS IT RELATES TO LEASES FOR COMMERCIAL PURPOSES, AND TO PROVIDE THAT CERTAIN TYPES OF LEASES SHALL NOT BE CONSIDERED LEASES FOR COMMERCIAL PURPOSES AS IT RELATES TO SPECIFIED LAW.

**HOUSE BILL NO. 409**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO THE IDAHO GEOLOGICAL SURVEY; AMENDING SECTION 47-201, IDAHO CODE, TO PROVIDE THAT DESIGNATED REPRESENTATIVES OF THE STATE BOARD OF LAND COMMISSIONERS MAY SERVE AS MEMBERS OF THE ADVISORY BOARD FOR THE IDAHO GEOLOGICAL SURVEY.

**HOUSE BILL NO. 410**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO FOREST PROTECTIVE ASSOCIATIONS; AMENDING SECTION 38-111, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REQUIREMENTS FOR BUDGET SUBMISSIONS TO THE STATE BOARD OF LAND COMMISSIONERS.

**HOUSE BILL NO. 411**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO THE TIMBER SUPPLY STABILIZATION ACT OF 1989; REPEALING CHAPTER 10, TITLE 58, IDAHO CODE, RELATING TO THE TIMBER SUPPLY STABILIZATION ACT OF 1989.

[H 401](#), [H 402](#), [H 403](#), [H 404](#), [H 405](#), [H 406](#), [H 407](#), [H 408](#), [H 409](#), [H 410](#), and [H 411](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that all bills on the Third Reading Calendar retain their places until Monday, January 25, 2010. There being no objection, it was so ordered.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Monday, January 25, 2010. Seconded by Mr. Bedke. Motion carried.

Whereupon the Speaker declared the House adjourned at 9:16 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:  
BONNIE ALEXANDER, Chief Clerk

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FIFTEENTH LEGISLATIVE DAY  
MONDAY, JANUARY 25, 2010

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – Boe, Ruchti. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

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

### Approval of Journal

January 25, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

January 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 401](#), [H 402](#), [H 403](#), [H 404](#), [H 405](#), [H 406](#), [H 407](#), [H 408](#), [H 409](#), [H 410](#), and [H 411](#).

CLARK, Chairman

[H 401](#), [H 403](#), [H 404](#), and [H 405](#) were referred to the State Affairs Committee.

[H 402](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 407](#), [H 408](#), [H 409](#), [H 410](#), and [H 411](#) were referred to the Resources and Conservation Committee.

[H 406](#) was filed for second reading.

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

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

### HOUSE BILL NO. 412 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ADMINISTRATIVE RULES; AMENDING SECTION 67-5201, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5204, IDAHO CODE, TO PROVIDE FOR ELECTRONIC PUBLICATION OF THE IDAHO ADMINISTRATIVE CODE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5205, IDAHO CODE, TO PROVIDE FOR ELECTRONIC COPIES OF THE IDAHO ADMINISTRATIVE CODE, TO REVISE LANGUAGE RELATING TO THE FORMAT, COSTS AND DISTRIBUTION OF SUCH CODE, AND TO REVISE LANGUAGE RELATING TO CERTAIN FEES; AMENDING SECTION 67-5226, IDAHO CODE, TO REVISE LANGUAGE RELATING TO AN EXEMPTION FROM CERTAIN REQUIREMENTS OF IDAHO CODE AND TO MAKE TECHNICAL CORRECTIONS.

### HOUSE BILL NO. 413 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ADMINISTRATIVE RULES; AMENDING SECTION 67-5203, IDAHO CODE, TO PROVIDE FOR THE ELECTRONIC PUBLICATION OF THE IDAHO ADMINISTRATIVE BULLETIN, TO PROVIDE THAT ALL DOCUMENTS PUBLISHED ELECTRONICALLY IN THE BULLETIN SHALL BE THE OFFICIAL TEXT, TO PROVIDE FOR JUDICIAL NOTICE, TO REMOVE LANGUAGE PROVIDING THAT THE COORDINATOR SHALL PROVIDE FOR ACCESS TO THE BULLETIN AND THE ADMINISTRATIVE CODE BY ELECTRONIC MEANS AND TO MAKE TECHNICAL CORRECTIONS.

### HOUSE BILL NO. 414 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ADMINISTRATIVE RULES; AMENDING SECTION 67-5221, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PUBLIC NOTICE REQUIREMENTS FOR PROPOSED RULEMAKING, TO REMOVE LANGUAGE RELATING TO CERTAIN NEGOTIATED RATES AND TO MAKE TECHNICAL CORRECTIONS.

[H 412](#), [H 413](#), and [H 414](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

### Second Reading of Bills and Joint Resolutions

[H 379](#), by State Affairs Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

[H 380](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 380](#) pass?"



Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bayer, Boe, Durst, Ruchti. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 380](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 381](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 381](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 381](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 382](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall [H 382](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 382](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 384](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 384](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 384](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 385](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall [H 385](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 385](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 388](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 388](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.  
Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 388](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 26, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:56 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

---

SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 26, 2010

House of Representatives

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

Roll call showed 65 members present.

Absent and excused – Boe, Higgins, Pasley-Stuart, Ringo, Ruchti. Total – 5.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Stephen Grammer, Page.

### Approval of Journal

January 26, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

January 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 412](#), [H 413](#), and [H 414](#).

CLARK, Chairman

[H 412](#), [H 413](#), and [H 414](#) were referred to the State Affairs Committee.

January 26, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 400](#) and recommend that it do pass.

NONINI, Chairman

[H 400](#) was filed for second reading.

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

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

#### HOUSE BILL NO. 415

BY RESOURCES AND CONSERVATION COMMITTEE  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-410, IDAHO CODE, TO REVISE PERMIT PROVISIONS RELATING TO STEELHEAD TROUT AND ANADROMOUS SALMON.

#### HOUSE BILL NO. 416

BY RESOURCES AND CONSERVATION COMMITTEE  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1202, IDAHO CODE, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO WASTE EDIBLE PORTIONS OF ANY GAME ANIMAL, TO PROVIDE EXCEPTIONS, TO DEFINE TERMS, TO DELETE REFERENCE TO ALL CARNIVORES BUT BLACK BEAR AND TO REVISE PRIMA FACIE EVIDENCE PROVISIONS.

#### HOUSE BILL NO. 417

BY RESOURCES AND CONSERVATION COMMITTEE  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-416, IDAHO CODE, TO PROVIDE FOR THREE DAY SMALL GAME HUNTING LICENSES.

#### HOUSE BILL NO. 418

BY APPROPRIATIONS COMMITTEE  
AN ACT

RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2010; AMENDING CHAPTER 205, LAWS OF 2009, BY THE ADDITION OF NEW SECTIONS TO TRANSFER FUNDS FOR ELECTED OFFICIALS' RENT; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FROM THE PERMANENT BUILDING FUND; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 419

BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE  
AN ACT

RELATING TO ASSAULT AND BATTERY; AMENDING SECTION 18-915, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ASSAULT OR BATTERY UPON CERTAIN PERSONNEL.

#### HOUSE BILL NO. 420

BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE  
AN ACT

RELATING TO INJURY BY GRAFFITI; AMENDING SECTION 18-7036, IDAHO CODE, TO PROVIDE FELONY PENALTIES FOR CERTAIN ACTIONS OF INJURY BY GRAFFITI AND TO MAKE A TECHNICAL CORRECTION.

#### HOUSE BILL NO. 421

BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE  
AN ACT

RELATING TO ATTORNEY'S FEES AND COSTS; AMENDING SECTION 12-117, IDAHO CODE, TO CLARIFY

WHEN ATTORNEY'S FEES, WITNESS FEES AND EXPENSES MAY BE AWARDED IN CERTAIN INSTANCES AND TO INCLUDE A DEFINITION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 422**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO LAWS AGAINST GAMING; REPEALING SECTION 18-3808, IDAHO CODE, RELATING TO OFFICERS ENFORCING THE LAWS AGAINST GAMING.

**HOUSE BILL NO. 423**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 18-8002A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SUSPENSION OF A DRIVER'S LICENSE UPON FAILURE OF EVIDENTIARY TESTING IN THE STATE OF IDAHO.

**HOUSE BILL NO. 424**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO THE INSURANCE CONTRACT; REPEALING SECTION 41-1830, IDAHO CODE, RELATING TO A LIFE POLICY AS SEPARATE PROPERTY OF A MARRIED WOMAN.

**HOUSE BILL NO. 425**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO THE COORDINATE SYSTEM OF LAND DESCRIPTION; AMENDING SECTION 50-1301, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-1304, IDAHO CODE, TO PROVIDE REQUIREMENTS RELATING TO CERTAIN COORDINATES SHOWN ON A PLAT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-1701, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE FOR A SINGLE ZONE COORDINATE AREA AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-1702, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE REQUIREMENTS FOR REFERENCING THE SINGLE ZONE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-1703, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE AND TO REVISE PROVISIONS RELATING TO PLANE COORDINATES; AMENDING SECTION 55-1704, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DOCUMENTS REPORTING COORDINATES WITHIN TWO ZONES; AMENDING SECTION 55-1705, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE, TO MAKE TECHNICAL CORRECTIONS AND TO DEFINE THE IDAHO COORDINATE SYSTEM OF 1983, SINGLE ZONE; REPEALING SECTION 55-1706, IDAHO CODE, RELATING TO THE FIVE KILOMETER TRIANGULATION LIMITATION; REPEALING SECTION 55-1707, IDAHO CODE, RELATING TO THE USE OF THE TERM IDAHO COORDINATE SYSTEM OF 1927, EAST, CENTRAL, WEST ZONE; AMENDING SECTION 55-1708, IDAHO CODE, TO CLARIFY SUPPLEMENTAL COORDINATE DESCRIPTIONS; AND AMENDING SECTION 55-1907,

IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO COORDINATES SHOWN ON CERTAIN MAPS AND PLATS.

**HOUSE BILL NO. 426**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO THE STATE BOARD OF MORTICIANS; AMENDING SECTION 54-1105, IDAHO CODE, TO REVISE BOARD MEMBER COMPENSATION AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 427**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1212, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-1213, IDAHO CODE, TO REMOVE PROVISIONS REQUIRING AN APPLICANT FOR CERTIFICATION AS AN ENGINEER INTERN OR LAND SURVEYOR INTERN TO PROVIDE CERTAIN REFERENCES, TO REMOVE PROVISIONS RELATING TO FEES FOR LICENSURE BY EXAMINATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1214, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO WRITTEN EXAMINATIONS; AMENDING SECTION 54-1216, IDAHO CODE, TO REVISE RENEWAL REQUIREMENTS AND EXPIRATION DAYS FOR CERTIFICATES OF AUTHORIZATION ISSUED TO BUSINESS ENTITIES; AMENDING SECTION 54-1220, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY RELATING TO ADMINISTRATIVE PROCEEDINGS; AND AMENDING SECTION 54-1223, IDAHO CODE, TO PROVIDE FOR THE DUTY OF RESPONSIBLE CHARGE OF A PROJECT WHEN A LICENSEE IS NOT AVAILABLE TO SEAL, SIGN AND DATE FINAL DOCUMENTS.

**HOUSE BILL NO. 428**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO THE STATE BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS; AMENDING SECTION 54-2405, IDAHO CODE, TO REVISE BOARD MEMBER COMPENSATION.

**HOUSE BILL NO. 429**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO THE LIQUEFIED PETROLEUM GAS SAFETY BOARD; AMENDING SECTION 54-5309, IDAHO CODE, TO REVISE BOARD MEMBER COMPENSATION.

**HOUSE BILL NO. 430**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO INSURANCE ADMINISTRATORS; REPEALING CHAPTER 9, TITLE 41, IDAHO CODE, RELATING TO INSURANCE ADMINISTRATORS; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 9, TITLE 41, IDAHO CODE, TO DEFINE TERMS, TO REQUIRE THE USE OF WRITTEN AGREEMENTS BY ADMINISTRATORS, TO PROVIDE THAT PAYMENTS RECEIVED BY AN ADMINISTRATOR ARE DEEMED PAYMENTS RECEIVED BY THE INSURER,

TO REQUIRE THE MAINTENANCE OF CERTAIN BOOKS AND RECORDS BY ADMINISTRATORS, TO REQUIRE INSURER APPROVAL OF ADVERTISING USED BY ADMINISTRATORS AND FILING OF ADVERTISING MATERIALS WITH THE DIRECTOR, TO REQUIRE THAT FUNDS RECEIVED BY AN ADMINISTRATOR BE HELD IN A FIDUCIARY CAPACITY AND REMITTED TIMELY TO THE APPROPRIATE PERSON, TO REQUIRE THAT ADMINISTRATORS DELIVER CERTAIN MATERIALS TO COVERED PERSONS, TO PROVIDE REQUIREMENTS FOR THE COMPENSATION OF ADMINISTRATORS, TO REQUIRE CERTAIN NOTICE BE GIVEN TO COVERED INDIVIDUALS, TO REQUIRE REGISTRATION BY PERSONS ACTING AS ADMINISTRATORS FOR SELF-FUNDED PLANS, TO PROVIDE REQUIREMENTS FOR HOME STATE LICENSING AS AN ADMINISTRATOR, TO PROVIDE FOR A NONRESIDENT ADMINISTRATOR LICENSE, TO PROVIDE FOR THE EXPIRATION AND RENEWAL OF AN ADMINISTRATOR LICENSE AND PAYMENT OF RENEWAL FEES, TO REQUIRE THAT ADMINISTRATORS FILE AN ANNUAL REPORT, TO PROVIDE GROUNDS FOR THE DENIAL, SUSPENSION OR REVOCATION OF AN ADMINISTRATOR'S LICENSE, TO REQUIRE REPORTING OF ACTIONS TAKEN AGAINST AN ADMINISTRATOR BY ANOTHER JURISDICTION AND TO PROVIDE THAT THE PROVISIONS OF THE CHAPTER ARE NOT LIMITING; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 431**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO INSURANCE RECORDS; AMENDING SECTION 41-2710, IDAHO CODE, TO CLARIFY THAT TITLE AGENTS MAY BE EXAMINED ON CERTAIN ISSUES, TO PROVIDE THAT THE DIRECTOR PREPARE AN EXAMINATION REPORT, TO PROVIDE THAT TITLE AGENT EXAMINATION REPORTS AND ANY RESPONSE DESIGNATED AS PUBLIC BY THE TITLE AGENT ARE NONEXEMPT PUBLIC RECORDS, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 41-4011, IDAHO CODE, TO PROVIDE THAT CERTAIN ANNUAL AND QUARTERLY REPORTS ARE PUBLIC RECORDS AVAILABLE TO THE PUBLIC AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 41-4111, IDAHO CODE, TO PROVIDE THAT CERTAIN ANNUAL AND QUARTERLY REPORTS ARE PUBLIC RECORDS AVAILABLE TO THE PUBLIC.

**HOUSE BILL NO. 432**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO IMMUNIZATION ASSESSMENTS; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 60, TITLE 41, IDAHO CODE, TO STATE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE FOR THE IDAHO IMMUNIZATION ASSESSMENT BOARD, TO PROVIDE FOR A PLAN OF OPERATION, TO PROVIDE FOR POWERS AND LIABILITY OF THE BOARD, TO PROVIDE FOR ASSESSMENTS, TO PROVIDE FOR THE IDAHO IMMUNIZATION DEDICATED VACCINE FUND AND TO PROVIDE RULEMAKING

AUTHORITY; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION; AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 433**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-702A, IDAHO CODE, TO REVISE REQUIREMENTS FOR DECLARATION OF INTENT FOR WRITE-IN CANDIDATES.

**HOUSE BILL NO. 434**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3717D, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO RESIDENT TUITION FOR VETERANS OF THE ARMED FORCES OF THE UNITED STATES AND FOR FAMILIES OF MEMBERS OF THE ARMED FORCES.

**HOUSE BILL NO. 435**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES AND USE TAX; AMENDING SECTION 63-3622O, IDAHO CODE, TO PROVIDE FROM JULY 1, 2010, TO JUNE 30, 2012, DONATIONS TO, SALES TO AND PURCHASES BY HOMELESS SHELTERS THAT ARE PRIVATE NONPROFIT ORGANIZATIONS THAT ARE TAX EXEMPT PURSUANT TO SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE AND THAT PROVIDE TEMPORARY SHELTER OR FOOD TO THE ECONOMICALLY DISADVANTAGED ARE EXEMPTED FROM THE SALES AND USE TAX AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 436**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3072, IDAHO CODE, TO DELETE REFERENCES TO ESTIMATED PAYMENTS AND TO PROVIDE A STATUTE OF LIMITATIONS WHEN THE STATE TAX COMMISSION HAS MADE AN ASSESSMENT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 415](#), [H 416](#), [H 417](#), [H 418](#), [H 419](#), [H 420](#), [H 421](#), [H 422](#), [H 423](#), [H 424](#), [H 425](#), [H 426](#), [H 427](#), [H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), [H 433](#), [H 434](#), [H 435](#), and [H 436](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Second Reading of Bills and Joint Resolutions**

[H 406](#), by Appropriations Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 379](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 379](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Pence. Total – 1.

Absent and excused – Boe, Higgins, Pasley-Stuart, Ringo, Ruchti. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 379](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Wednesday, January 27, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:54 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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SEVENTEENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 27, 2010

House of Representatives

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

Roll call showed 67 members present.

Absent and excused – Bayer, Higgins, Wills. Total – 3.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Danica Lupton, Page.

### Approval of Journal

January 27, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

January 27, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 415](#), [H 416](#), [H 417](#), [H 418](#), [H 419](#), [H 420](#), [H 421](#), [H 422](#), [H 423](#), [H 424](#), [H 425](#), [H 426](#), [H 427](#), [H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), [H 433](#), [H 434](#), [H 435](#), and [H 436](#).

CLARK, Chairman

[H 415](#), [H 416](#), and [H 417](#) were referred to the Resources and Conservation Committee.

[H 419](#), [H 420](#), [H 421](#), [H 422](#), and [H 423](#) were referred to the Judiciary, Rules, and Administration Committee.

[H 424](#), [H 425](#), [H 426](#), [H 427](#), [H 428](#), [H 429](#), [H 430](#), and [H 431](#) were referred to the Business Committee.

[H 432](#) was referred to the Health and Welfare Committee.

[H 433](#) and [H 434](#) were referred to the State Affairs Committee.

[H 435](#) and [H 436](#) were referred to the Revenue and Taxation Committee.

[H 418](#) was filed for second reading.

January 26, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 397](#) and recommend that it do pass.

WOOD, Chairman

[H 397](#) was filed for second reading.

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

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

#### HOUSE BILL NO. 437 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE SECRETARY OF STATE; AMENDING SECTION 67-6607, IDAHO CODE, TO ALLOW THE FILING OF REPORTS BY ELECTRONIC MEANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6619, IDAHO CODE, TO ALLOW THE FILING OF REPORTS BY ELECTRONIC MEANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6623, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE SECRETARY OF STATE AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[H 437](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

### Second Reading of Bills and Joint Resolutions

[H 400](#), by Education Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

[H 406](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 406](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Barrett, Hagedorn, Nielsen, Shepherd(08). Total – 4.

Absent and excused – Bayer, Higgins, Wills. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 406](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, January 28, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:39 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**EIGHTEENTH LEGISLATIVE DAY  
THURSDAY, JANUARY 28, 2010**

House of Representatives

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

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

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Mary Anne Davis,  
Page.

### Approval of Journal

January 28, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by  
Mrs. Boe. Report adopted.

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

### Report of Standing Committees

January 28, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND  
ADMINISTRATION, report that we have printed [H 437](#).

CLARK, Chairman

[H 437](#) was filed for second reading.

January 28, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that  
we have had under consideration [H 391](#) and recommend that it  
do pass.

LOERTSCHER, Chairman

[H 391](#) was filed for second reading.

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

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

**HOUSE BILL NO. 438**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT  
RELATING TO HAZARDOUS MATERIALS/  
HAZARDOUS WASTE TRANSPORTATION  
ENFORCEMENT; AMENDING SECTION 49-2203,  
IDAHO CODE, TO REVISE ENDORSEMENT  
REQUIREMENTS FOR TRANSPORTERS OF HAZARDOUS  
MATERIALS, TO INCREASE THE ANNUAL FEE FOR THE  
VEHICLE REGISTRATION ENDORSEMENT FOR THE  
TRANSPORTATION OF HAZARDOUS MATERIALS AND  
TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 439**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT  
APPROPRIATING ADDITIONAL MONEYS TO THE  
DEPARTMENT OF SELF-GOVERNING AGENCIES FOR  
THE BOARD OF DENTISTRY UNDER THE MEDICAL  
BOARDS FOR FISCAL YEAR 2010; AND DECLARING AN  
EMERGENCY.

**HOUSE BILL NO. 440**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT  
APPROPRIATING ADDITIONAL MONEYS TO THE  
DEPARTMENT OF LABOR FOR FISCAL YEAR 2010; AND  
DECLARING AN EMERGENCY.

**HOUSE BILL NO. 441**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT  
APPROPRIATING ADDITIONAL MONEYS TO THE  
DIVISION OF VOCATIONAL REHABILITATION FOR  
FISCAL YEAR 2010; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 442**  
**BY BOE**  
AN ACT  
RELATING TO AGREEMENT AMONG THE STATES  
TO ELECT THE PRESIDENT BY NATIONAL POPULAR  
VOTE; AMENDING SECTION 34-1501, IDAHO CODE, TO  
PROVIDE FOR CERTAIN DUTIES OF THE SECRETARY  
OF STATE AFTER THE EFFECTIVE DATE OF THE  
AGREEMENT; AMENDING TITLE 34, IDAHO CODE,  
BY THE ADDITION OF A NEW CHAPTER 16, TITLE 34,  
IDAHO CODE, TO PROVIDE FOR THE AGREEMENT  
AMONG THE STATES TO ELECT THE PRESIDENT  
BY NATIONAL POPULAR VOTE; AND PROVIDING  
LEGISLATIVE INTENT.

**HOUSE BILL NO. 443**  
**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**  
AN ACT  
RELATING TO CRIMINAL HISTORY RECORDS AND  
CRIME INFORMATION; AMENDING SECTION 67-3004,  
IDAHO CODE, TO REVISE PROVISIONS RELATING TO  
FINGERPRINTING AND IDENTIFICATION.

**HOUSE BILL NO. 444**  
**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**  
AN ACT

RELATING TO FIREARMS, EXPLOSIVES AND OTHER DEADLY WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE APPLICATION REQUIREMENTS FOR A LICENSE TO CARRY CONCEALED WEAPONS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 445**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO VEHICLE TITLES; AMENDING SECTION 49-509, IDAHO CODE, TO REVISE REQUIREMENTS FOR REPORTING STOLEN VEHICLES.

**HOUSE BILL NO. 446**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE STATE TREASURER; REPEALING SECTION 67-1222, IDAHO CODE, RELATING TO CERTAIN REPORTS TO BE FILED WITH THE STATE TREASURER.

**HOUSE JOINT RESOLUTION NO. 2**  
**BY STATE AFFAIRS COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO SESSIONS OF THE LEGISLATURE, TO PROVIDE THAT REGULAR SESSIONS OF THE LEGISLATURE SHALL BE HELD ANNUALLY AT THE CAPITAL OF THE STATE, COMMENCING ON THE SECOND MONDAY OF JANUARY OF EACH YEAR, UNLESS A DIFFERENT DAY SHALL HAVE BEEN APPOINTED BY LAW, AND SPECIAL SESSIONS AT OTHER TIMES WHEN CONVENED BY THE GOVERNOR AND TO PROVIDE NO REGULAR SESSION OF THE LEGISLATURE SHALL EXCEED NINETY CALENDAR DAYS IN LENGTH; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[H 438](#), [H 439](#), [H 440](#), [H 441](#), [H 442](#), [H 443](#), [H 444](#), [H 445](#), [H 446](#), and [HJR 2](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Second Reading of Bills and Joint Resolutions**

[H 418](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 397](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 400](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 400](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 68.  
NAYS – None.  
Absent and excused – Durst, Wills. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 400](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Friday, January 29, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:46 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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NINETEENTH LEGISLATIVE DAY  
FRIDAY, JANUARY 29, 2010

House of Representatives

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

Roll call showed 61 members present.

Absent and excused – Bedke, Jaquet, Loertscher, McGeachin, Pence, Raybould, Ruchti, Smith(24), Wills.  
Total – 9.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Emily Hurst, Page.

### Approval of Journal

January 29, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 28, 2010

Mr. Speaker:

I transmit herewith [S 1268](#) which has passed the Senate.

WOOD, Secretary

[S 1268](#) was filed for first reading.

### Report of Standing Committees

January 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 438](#), [H 439](#), [H 440](#), [H 441](#), [H 442](#), [H 443](#), [H 444](#), [H 445](#), [H 446](#), and [HJR 2](#).

CLARK, Chairman

[H 438](#) and [H 445](#) were referred to the Transportation and Defense Committee.

[H 442](#), [H 446](#), and [HJR 2](#) were referred to the State Affairs Committee.

[H 443](#) and [H 444](#) were referred to the Judiciary, Rules, and Administration Committee.

[H 439](#), [H 440](#), and [H 441](#) were filed for second reading.

January 29, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, request that [H 432](#) be returned to the Desk for re-referral.

BLOCK, Chairman

[H 432](#) was referred to the Business Committee.

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

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

#### HOUSE BILL NO. 447

#### BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO FIREARMS, EXPLOSIVES AND OTHER DEADLY WEAPONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3302K, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR OBTAINING RELIEF FROM THE PROHIBITION TO POSSESS OR RECEIVE FIREARMS DUE TO MENTAL HEALTH STATUS; AND AMENDING SECTION 67-3003, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE IDAHO STATE POLICE.

#### HOUSE BILL NO. 448

#### BY DURST

AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602NN, IDAHO CODE, TO REVISE CRITERIA THAT MUST OCCUR BEFORE CERTAIN PROPERTY IS EXEMPT FROM TAXATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 449

#### BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

AN ACT

RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT; AMENDING SECTION 39-7205, IDAHO CODE, TO PROVIDE THAT CERTAIN INSTITUTIONAL CONTROLS PROPOSED AS PART OF A VOLUNTARY REMEDIATION WORK PLAN SHALL COMPLY WITH THE UNIFORM ENVIRONMENTAL COVENANTS ACT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-7415, IDAHO CODE, TO PROVIDE THAT CERTAIN DEED NOTATIONS AND REMOVAL OF DEED NOTATIONS SHALL COMPLY WITH THE UNIFORM ENVIRONMENTAL COVENANTS ACT AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 450

#### BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

AN ACT

RELATING TO THE CLEAN LAKES ACT; REPEALING CHAPTER 64, TITLE 39, IDAHO CODE, RELATING TO THE CLEAN LAKES ACT.

**HOUSE BILL NO. 451**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
 AN ACT

RELATING TO ENVIRONMENTAL QUALITY; AMENDING SECTION 39-103, IDAHO CODE, TO REVISE THE DEFINITION OF "PUBLIC WATER SUPPLY" AND TO DEFINE "PUBLIC DRINKING WATER SYSTEM."

**HOUSE BILL NO. 452**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
 AN ACT

RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-416, IDAHO CODE, TO REMOVE REFERENCE TO THE SUBMISSION OF STANDARDS TO THE DIRECTOR OF LEGISLATIVE SERVICES, TO REVISE PROVISIONS RELATED TO THE SUBMISSION OF RULES FOR REVIEW AND COMMENT, TO PROVIDE THAT CERTAIN RULES SHALL BE SUBMITTED TO THE STATE BOARD OF ENVIRONMENTAL QUALITY FOR REVIEW AND COMMENT AND CERTAIN RULES SHALL BE SUBMITTED TO THE STATE BOARD OF HEALTH AND WELFARE FOR REVIEW AND COMMENT, AND TO PROVIDE THAT THE STATE BOARD OF ENVIRONMENTAL QUALITY SHALL TAKE SPECIFIED ACTION ON CERTAIN RULES.

**HOUSE BILL NO. 453**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
 AN ACT

RELATING TO WATER QUALITY; AMENDING SECTION 39-3627, IDAHO CODE, TO INCREASE THE PERCENTAGE OF THE TOTAL STATE REVOLVING LOAN FUND THAT MAY BE USED FOR CERTAIN NONPOINT SOURCE POLLUTION CONTROL PROJECTS.

**HOUSE BILL NO. 454**  
**BY HART**  
 AN ACT

RELATING TO TAXATION POLICIES; TO PROVIDE A SHORT TITLE; TO PROVIDE LEGISLATIVE INTENT; AMENDING SECTION 63-3004, IDAHO CODE, TO REVISE THE DEFINITION OF "INTERNAL REVENUE CODE"; AMENDING SECTION 63-3011, IDAHO CODE, TO ADD A DEFINITION AND TO REVISE THE DEFINITION OF "GROSS INCOME"; AMENDING SECTION 63-3024, IDAHO CODE, TO REVISE THE TAX IMPOSED ON INDIVIDUALS, TRUSTS AND ESTATES; AMENDING SECTION 63-3029, IDAHO CODE, TO PROVIDE THAT A CREDIT SHALL NOT BE ALLOWED FOR INCOME TAXES PAID TO ANOTHER STATE, TERRITORY, POSSESSION OR DISTRICT ON EARNED INCOME THAT WOULD OTHERWISE BE EXEMPT FROM IDAHO TAXABLE INCOME; AMENDING SECTION 63-3030, IDAHO CODE, TO REVISE REQUIREMENTS FOR PERSONS HAVING TO FILE INCOME TAX RETURNS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3619, IDAHO CODE, TO INCREASE THE RATE OF THE SALES TAX; AMENDING SECTION 63-3621, IDAHO CODE, TO INCREASE THE RATE OF THE USE TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE REVENUE SHARING PROVISIONS; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**HOUSE BILL NO. 455**  
**BY THOMPSON**  
 AN ACT

RELATING TO STATE GOVERNMENT; AMENDING SECTION 67-2319, IDAHO CODE, TO PROVIDE FOR THE IDAHO COUNCIL FOR PURCHASES FROM PEOPLE WITH SEVERE DISABILITIES, TO PROVIDE FOR THE APPOINTMENT OF COUNCIL MEMBERS, TO PROVIDE FOR THE LENGTH OF TERM OF COUNCIL MEMBERS, TO PROVIDE FOR APPOINTMENT TO COUNCIL AS VACANCIES OCCUR, TO PROVIDE THAT MEMBERS SHALL SERVE WITHOUT HONORARIUM AND TO PROVIDE FOR COUNCIL DUTIES AND RESPONSIBILITIES.

**HOUSE BILL NO. 456**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO THE SEED INDEMNITY FUND; AMENDING SECTION 22-5102, IDAHO CODE, TO DEFINE TERMS, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-5103, IDAHO CODE, TO REQUIRE ADDITIONAL CONDITIONS THAT MUST BE MET BY APPLICANTS PRIOR TO ISSUANCE OF INITIAL SEED BUYER LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-5104, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 22-5121, IDAHO CODE, TO PROVIDE THAT THERE ARE NO INDEMNITY FUND ASSESSMENTS ON SEED CROPS DEPOSITED FOR SERVICE; AND AMENDING SECTION 22-5125, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE SHALL NOT APPROVE OR PAY ANY CLAIM BASED ON LOSSES RESULTING FROM UNINSURABLE PERILS.

[H 447](#), [H 448](#), [H 449](#), [H 450](#), [H 451](#), [H 452](#), [H 453](#), [H 454](#), [H 455](#), and [H 456](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1268](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

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

**Second Reading of Bills and Joint Resolutions**

[H 437](#) and [H 391](#), by State Affairs Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 418](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 418](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Ringo,

Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – None.

Absent and excused – Bedke, Jaquet, Loertscher, McGeachin, Pence, Raybould, Ruchti, Smith(24), Wills. Total – 9.

Total – 70.

Whereupon the Speaker declared that [H 418](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 397](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 397](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – None.

Absent and excused – Bedke, Jaquet, Loertscher, McGeachin, Pence, Raybould, Ruchti, Smith(24), Wills. Total – 9.

Total – 70.

Whereupon the Speaker declared that [H 397](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, February 1, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:46 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**TWENTY-SECOND LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 1, 2010**

House of Representatives

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

Roll call showed 66 members present.

Absent and excused – Black, Ruchti, Schaefer, Stevenson.

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Christine Roberts, Page.

### Approval of Journal

February 1, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

February 1, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 447](#), [H 448](#), [H 449](#), [H 450](#), [H 451](#), [H 452](#), [H 453](#), [H 454](#), [H 455](#), and [H 456](#).

CLARK, Chairman

[H 447](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 448](#) and [H 454](#) were referred to the Revenue and Taxation Committee.

[H 449](#), [H 450](#), [H 451](#), [H 452](#), and [H 453](#) were referred to the Environment, Energy, and Technology Committee.

[H 455](#) was referred to the Ways and Means Committee.

[H 456](#) was referred to the Agricultural Affairs Committee.

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

### Second Reading of Bills and Joint Resolutions

[H 439](#), [H 440](#), and [H 441](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1268](#), by Finance Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 437](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 391](#) be placed on General Orders for consideration. There being no objection it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, February 2, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:42 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

**TWENTY-THIRD LEGISLATIVE DAY  
TUESDAY, FEBRUARY 2, 2010**

House of Representatives

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

Roll call showed 66 members present.

Absent and excused – Higgins, Lake, Ruchti, Schaefer.

Total – 4.

Total – 70.

Prayer was offered by Guest Chaplain Gary Moore.

The Pledge of Allegiance was led by Andrew Nilsen, Page.

### Approval of Journal

February 2, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

### CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Shirley G. Ringo, State Representative, District 06, House Seat B, Latah County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Judith Brown of Moscow, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, C. L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Judith Brown, Acting State Representative, District 06, House Seat B, Latah County, State of Idaho, for a term commencing on February 2, 2010, 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 1st day of February, in the year of our Lord two thousand and ten and

of the Independence of the United States of America, the two hundred and thirty-fourth year.

/s/ C. L. "BUTCH" OTTER

Governor

/s/ BEN T. YSURSA

Secretary of State

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

The Speaker Pro Tem announced the oath of office had previously been administered to Judith Brown.

February 1, 2010

Mr. Speaker:

I transmit herewith [S 1253](#) which has passed the Senate.

WOOD, Secretary

[S 1253](#) was filed for first reading.

### Report of Standing Committees

February 1, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 390](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 390](#) was filed for second reading.

February 1, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 423](#) and [H 443](#) and recommend that they do pass.

CLARK, Chairman

[H 423](#) and [H 443](#) were filed for second reading.

February 2, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 444](#) and report it back with amendments attached to be placed on General Orders for consideration.

CLARK, Chairman

[H 444](#) was placed on General Orders for consideration.

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

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 36

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

RECOGNIZING AND COMMENDING THE BOISE STATE UNIVERSITY FOOTBALL TEAM, THE 2010 FIESTA BOWL CHAMPION.

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

WHEREAS, Boise State University, located in Boise, Idaho, is an emerging metropolitan research university of distinction, achieving its vision through academic excellence,

public engagement, a vibrant culture and exceptional research; and

WHEREAS, Boise State University reflects the character of Idaho's capital city – a center of business, government, technology, health care and the arts; and

WHEREAS, Boise State University is the largest university in Idaho with 18,936 students – an all-time state fall enrollment record; and

WHEREAS, the Boise State University football team has won the Western Athletic Conference championship for seven of the past eight years; and

WHEREAS, the Boise State University Broncos completed their most recent football season with a record of 14-0, being one of two undefeated NCAA Division I FBS teams in the country and a win in the Bowl Championship Series Fiesta Bowl over then undefeated and fourth ranked Texas Christian University; and

WHEREAS, the Boise State University Broncos finished ranked fourth in both the Coaches/BCS poll and the Associated Press poll; and

WHEREAS, Coach Petersen has such an amazing winning percentage as a head coach that a rival Western Athletic Conference coach said when you look at his head coaching record, it has to be a typographical error; and

WHEREAS, Coach Petersen is the only coach in the country to win the Paul "Bear" Bryant College Coach of the Year award twice.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we commend Boise State University for a fine football season and commend Coach Chris Petersen and the players and staff for a job well done. We commend the Broncos on their exciting style of play, gritty determination, dedication to the task at hand and their competitive spirit which led to not only the biggest victory in school history but also to the highest ranking a Boise State football team has ever attained. We congratulate Coach Chris Petersen, for being one of two teams with a fourteen win, zero loss record in NCAA Division I for the 2009 college football season, his coaching staff, players and the President of the university, Dr. Robert Kustra.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to President Robert Kustra and to Coach Chris Petersen of Boise State University.

#### **HOUSE JOINT MEMORIAL NO. 9**

##### **BY RESOURCES AND CONSERVATION COMMITTEE**

###### **A JOINT MEMORIAL**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, on April 2, 2009, federal legislation was introduced as Senate Bill 787 in the United States Senate by Senator Russell Feingold. The legislation is known as the Clean Water Restoration Act, and is proposed to clarify which waters are subject to the jurisdiction of the United States under the Federal Water Pollution Control Act, 33 U.S.C. 1251, et seq.; and

WHEREAS, the federal legislation purports to seek to clarify jurisdiction by striking the term "navigable waters" and

replacing it with "waters of the United States" defined as "all waters subject to the ebb and flow of the tide, the territorial seas, and all interstate and intrastate waters and their tributaries, including lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, and all impoundments of the foregoing..."; and

WHEREAS, striking the term "navigable waters" would expand the federal government's reach beyond that which was intended by the Clean Water Act and thereby blur jurisdictional authority to manage and regulate water resources within state and local government jurisdictions; and

WHEREAS, given the ambiguity of the legislation's jurisdictional reach, the implementation of the proposal would lead to increased litigation and uncertainty among public and private stakeholders, including homeowners, farmers, water districts and state and federal agencies, among others.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Legislature adamantly opposes the proposed Clean Water Restoration Act, introduced as Senate Bill 787 in the United States Senate, and urges congress not to enact this or any similar legislation.

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

**HCR 36** and **HJM 9** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

##### **HOUSE BILL NO. 457**

##### **BY APPROPRIATIONS COMMITTEE**

###### **AN ACT**

RELATING TO FUEL TAX DISTRIBUTION; AMENDING SECTION 7, CHAPTER 333, LAWS OF 2009, TO DELAY CHANGES TO THE APPORTIONMENT OF THE HIGHWAY DISTRIBUTION ACCOUNT AND DISTRIBUTION OF REVENUES FROM THE TAX ON GASOLINE.

##### **HOUSE BILL NO. 458**

##### **BY COMMERCE AND HUMAN RESOURCES**

##### **COMMITTEE**

###### **AN ACT**

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING CHAPTER 13, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-1354A, IDAHO CODE, TO PROVIDE PROVISIONS WHEN A RETIRED MEMBER RECEIVING A DISABILITY RETIREMENT ALLOWANCE MAY RETURN TO WORK, TO PROVIDE PROCEDURES AND TO DEFINE THE TERM "RETURN TO WORK."

##### **HOUSE BILL NO. 459**

##### **BY BUSINESS COMMITTEE**

###### **AN ACT**

RELATING TO BARBERS; AMENDING SECTION 54-506, IDAHO CODE, TO REVISE QUALIFICATIONS FOR LICENSURE AS A BARBER INSTRUCTOR AND



TO PROVIDE FOR A LICENSE TO PRACTICE AS A BARBER-STYLIST INSTRUCTOR; AMENDING SECTION 54-507, IDAHO CODE, TO PROVIDE THAT ONE INSTRUCTOR MUST BE EMPLOYED TO EACH TWENTY STUDENTS; AND AMENDING SECTION 54-521, IDAHO CODE, TO REVISE BOARD MEMBER AND ASSISTANT COMPENSATION.

Whereupon the Speaker Pro Tem declared the House adjourned at 11:44 a.m.  
LAWRENCE DENNEY, Speaker

ATTEST:  
BONNIE ALEXANDER, Chief Clerk

**HOUSE BILL NO. 460**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO ARCHITECTS; AMENDING SECTION 54-309, IDAHO CODE, TO REVISE A LICENSURE EXEMPTION.

**HOUSE BILL NO. 461**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE BUREAU OF OCCUPATIONAL LICENSES; AMENDING SECTION 67-2608, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE BUREAU CHIEF'S AUTHORITY TO COOPERATE WITH OTHER AGENCIES AND TO PROVIDE CORRECT TERMINOLOGY.

**HOUSE BILL NO. 462**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO UNAUTHORIZED INSURERS AND SURPLUS LINES; AMENDING SECTION 41-1220, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO SURPLUS LINE CONTRACTS.

**HOUSE BILL NO. 463**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-409, IDAHO CODE, TO PROVIDE THAT THE COMMISSION MAY PROMULGATE RULES TO ALLOW NONRESIDENT DEER OR ELK TAGS TO BE USED TO HUNT AND KILL BEAR, WOLF OR MOUNTAIN LION DURING OPEN SEASON FOR DEER OR ELK.

[H 457](#), [H 458](#), [H 459](#), [H 460](#), [H 461](#), [H 462](#), and [H 463](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1253](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

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

**Third Reading of Bills and Joint Resolutions**

Mr. Bedke asked unanimous consent that the bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

**Adjournment**

Mr. Bedke moved that the House adjourn until 11:30 a.m., Wednesday, February 3, 2010. Seconded by Mr. Rusche. Motion carried.

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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TWENTY-FOURTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 3, 2010

House of Representatives

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

Roll call showed 65 members present.

Absent and excused – Chavez, Palmer, Roberts, Shepherd(08), Trail. Total – 5.

Total – 70.

Prayer was offered by Guest Chaplain Gary Moore.

The Pledge of Allegiance was led by Dani Olsen, Page.

### Approval of Journal

February 3, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

February 3, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 36](#), [HJM 9](#), [H 457](#), [H 458](#), [H 459](#), [H 460](#), [H 461](#), [H 462](#), and [H 463](#).

CLARK, Chairman

[H 457](#) was referred to the Transportation and Defense Committee.

[H 458](#) was referred to the Commerce and Human Resources Committee.

[H 459](#), [H 460](#), [H 461](#), and [H 462](#) were referred to the State Affairs Committee.

[H 463](#) and [HJM 9](#) were referred to the Resources and Conservation Committee.

[HCR 36](#) was filed for second reading.

February 2, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 412](#), [H 413](#), and [H 414](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 412](#), [H 413](#), and [H 414](#) were filed for second reading.

February 2, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 438](#) and [H 445](#) and recommend that they do pass.

WOOD, Chairman

[H 438](#) and [H 445](#) were filed for second reading.

February 2, 2010

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [H 449](#), [H 450](#), [H 451](#), [H 452](#), and [H 453](#) and recommend that they do pass.

RAYBOULD, Chairman

[H 449](#), [H 450](#), [H 451](#), [H 452](#), and [H 453](#) were filed for second reading.

February 3, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 404](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 404](#) was filed for second reading.

February 3, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 435](#) and recommend that it do pass.

LAKE, Chairman

[H 435](#) was filed for second reading.

February 3, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 405](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 405](#) was placed on General Orders for consideration.

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

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 10 BY TRANSPORTATION AND DEFENSE COMMITTEE A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE

UNITED STATES AND TO THE SECRETARY OF THE AIR FORCE.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the state of Idaho is proud of its military installations and the dedicated men and women who offer their service to keep our country safe. The Idaho National Guard, composed of the Air National Guard and the Army National Guard, is the fourth largest employer in the state; and

WHEREAS, the United States Air Force has had a presence in Idaho for more than 56 years, with numerous facilities, including Mountain Home Air Force Base and Boise's Gowen Field. Mountain Home Air Force Base is one of the premier training ranges in the nation and Boise's Gowen Field is the only National Guard facility focused on providing Total Joint Force training in the region; and

WHEREAS, following approval of Joint Strike Fighter basing criteria for both training and operational bases for the new F-35 missions by the Secretary of the Air Force, Mountain Home Air Force Base was selected as a finalist as an operational base and Boise's Gowen Field was selected as a finalist as a training base; and

WHEREAS, southern Idaho's climate is well suited to the F-35 missions, with more than 321 flyable days per year. Idaho's facilities provide ample and unhindered training airspace close to installations, enabling more training time with less fuel consumption and Idaho's facilities are unencumbered by the encroachment of civilian land use, lowering the environmental impact on surrounding communities; and

WHEREAS, Idaho facilities each have the capacity to support at least three squadrons, including runway space, ramp space, personnel housing and maintenance and hangar bays necessary to accommodate the missions; and

WHEREAS, Idaho communities are patriotic, support their military installations and would welcome the new F-35 missions.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the United States Air Force to select Idaho for its F-35 missions.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Idaho in the Congress of the United States and the Secretary of the United States Air Force.

**HOUSE PROCLAMATION NO. 3  
BY STATE AFFAIRS COMMITTEE**

A PROCLAMATION

COMMENDING THE PEOPLE OF ADA COUNTY AND THE CITY OF GARDEN CITY IN BRINGING THE COMMUNITY TOGETHER THROUGH THE CHINESE HERITAGE DAY AND DRAGON PARADE, ENDORSING THE ANNUAL CELEBRATION OF THE CHINESE HERITAGE IN GARDEN CITY AND ENCOURAGING SPONSORSHIP OF SIMILAR EVENTS IN OTHER COMMUNITIES OF OUR GREAT STATE OF IDAHO.

We, the members of the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby proclaim:

WHEREAS, the City of Garden City is named for the many Chinese gardens that were once cultivated along the Boise River

and Chinden Boulevard. The vibrant Asian community that thrived in Garden City brought with them colorful traditions that are still celebrated today; and

WHEREAS, the Chinese Heritage Day and Dragon Parade inspires citizens to develop and promote meaningful connections with other cultures, to gather in the spirit of mutual respect and acceptance, transcending our differences and rising to the unifying inclusiveness of our community; and

WHEREAS, Garden City Mayor John Evans and Garden City Council members Pam Beaumont, Elfreda Higgins, Mike Moser and Jeff Souza believe that the Chinese Heritage Day and Dragon Parade brings together a cross-section of citizens and allows them to stand together in friendship and to celebrate our spirit of community; and

WHEREAS, the Chinese Heritage Day and Dragon Parade has the support of numerous sponsors, including the City of Garden City, Woman of Steel-Irene Deely, the Boise Chinese Association, Korean Dance Mission, Shaolin Gong Fu Stick School, Garden City Community School, the Waterfront District and the Alley Arts and Cultural District, as well as various other groups, businesses and civic organizations.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the House of Representatives and the Senate assembled in the Second Regular Session of the Sixtieth Idaho Legislature, that we support the people of Ada County and the City of Garden City in bringing the community together through the Chinese Heritage Day and Dragon Parade and encourage sponsorship of similar events in other communities of our great state of Idaho.

[HJM 10](#) and [HP 3](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**HOUSE BILL NO. 464  
BY AGRICULTURAL AFFAIRS COMMITTEE**

AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2107, IDAHO CODE, TO REMOVE REFERENCE TO AN UNLIMITED TIME LIMIT IN WHICH CERTAIN EXAMINATIONS MAY BE TAKEN AND PASSED BY APPLICANTS FOR LICENSURE.

**HOUSE BILL NO. 465  
BY AGRICULTURAL AFFAIRS COMMITTEE**

AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2118, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REMEDIES AND PENALTIES FOR VIOLATION OF THE IDAHO VETERINARY PRACTICE ACT, TO PROVIDE FOR ADMINISTRATIVE ACTIONS, TO PROVIDE FOR FINES, TO PROVIDE FOR CIVIL PENALTIES IN LIEU OF CERTAIN DISCIPLINARY PROCEEDINGS, TO PROVIDE TERMS AND CONDITIONS, TO PROVIDE FOR TREATMENT OF CERTAIN VIOLATIONS AND DOCUMENTS AND RECORDS RELATED TO THOSE VIOLATIONS UPON SUCCESSFUL COMPLETION OF SPECIFIED TERMS AND CONDITIONS, TO PROVIDE FOR SPECIFIED CIVIL COURT PROCEEDINGS, TO PROVIDE FOR CRIMINAL ACTIONS, TO REMOVE REFERENCE TO CERTAIN CIVIL PROCEEDINGS, TO PROVIDE THAT CERTAIN REMEDIES ARE NOT MUTUALLY EXCLUSIVE AND SUCCESSFUL ACTION ON ONE REMEDY DOES NOT PRECLUDE

ACTION ON OTHER REMEDIES; AND AMENDING SECTION 9-340C, IDAHO CODE, TO PROVIDE THAT DOCUMENTS AND RECORDS RELATED TO CERTAIN VIOLATIONS SHALL BE EXEMPT FROM DISCLOSURE.

**HOUSE BILL NO. 466**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2103, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-2104, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ACTIVITIES NOT PROHIBITED BY SPECIFIED PROVISIONS OF LAW; AND AMENDING SECTION 54-2115, IDAHO CODE, TO REVISE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINE.

**HOUSE BILL NO. 467**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2105, IDAHO CODE, TO PROVIDE FOR EMERGENCY PROCEEDINGS FOR LICENSE REVOCATION OR OTHER ACTION UNDER CERTAIN CONDITIONS.

**HOUSE BILL NO. 468**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE STATE BOARD OF OPTOMETRY; AMENDING SECTION 54-1508, IDAHO CODE, TO REVISE BOARD MEMBER COMPENSATION.

**HOUSE BILL NO. 469**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE OCCUPATIONAL THERAPY PRACTICE ACT; AMENDING SECTION 54-3714, IDAHO CODE, TO REVISE BOARD MEMBER COMPENSATION; AMENDING SECTION 54-3719, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISPOSITION OF RECEIPTS AND EXPENSES; AND REPEALING SECTION 54-3721, IDAHO CODE, RELATING TO THE OCCUPATIONAL THERAPY LICENSURE FUND.

**HOUSE BILL NO. 470**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE PRACTICE OF PHYSICAL THERAPY; AMENDING SECTION 54-2212, IDAHO CODE, TO REQUIRE THAT CERTAIN FOREIGN-EDUCATED PHYSICAL THERAPISTS PROVIDE PROOF OF PASSING SCORES ON STANDARDIZED ENGLISH PROFICIENCY EXAMINATIONS AS A QUALIFICATION FOR LICENSURE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 471**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAX; AMENDING SECTION 63-3026A, IDAHO CODE, TO PROVIDE FOR CONSTITUTING CERTAIN INCOME DISTRIBUTED TO BENEFICIARIES OF AN ESTATE OR TRUST AS IDAHO SOURCE INCOME; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 472**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE UNIFORM PROBATE CODE; AMENDING CHAPTER 1, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-1-501, IDAHO CODE, TO PROVIDE FOR CONSTRUCTION OF CERTAIN FORMULA CLAUSES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 464](#), [H 465](#), [H 466](#), [H 467](#), [H 468](#), [H 469](#), [H 470](#), [H 471](#), and [H 472](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Second Reading of Bills and Joint Resolutions**

[H 390](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 423](#) and [H 443](#), by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 437](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 437](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo(Brown), Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Chavez, Palmer, Roberts, Shepherd(08), Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 437](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 439](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 439](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher,

Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo(Brown), Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Chavez, Palmer, Roberts, Shepherd(08), Shirley, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 439](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 440](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 440](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo(Brown), Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 62.

NAYS – Barrett, Wood(35). Total – 2.

Absent and excused – Chavez, Palmer, Roberts, Shepherd(08), Shirley, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 440](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 441](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 441](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo(Brown), Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Clark. Total – 1.

Absent and excused – Chavez, Palmer, Roberts, Shepherd(08), Shirley, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 441](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1268](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1268](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo(Brown), Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Chavez, Palmer, Roberts, Shepherd(08), Shirley, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that [S 1268](#) passed the House. Title was approved and the bill ordered returned to the Senate.

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

#### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, February 4, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:56 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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TWENTY-FIFTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 4, 2010

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – Labrador, Palmer. Total – 2.  
Total – 70.

Prayer was offered by Guest Chaplain Gary Moore.

The Pledge of Allegiance was led by Spencer Brown, Page.

### Approval of Journal

February 4, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

February 4, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HJM 10](#), [HP 3](#), [H 464](#), [H 465](#), [H 466](#), [H 467](#), [H 468](#), [H 469](#), [H 470](#), [H 471](#), and [H 472](#).

CLARK, Chairman

[HJM 10](#) was referred to the Transportation and Defense Committee.

[H 464](#), [H 465](#), [H 466](#), and [H 467](#) were referred to the Agricultural Affairs Committee.

[H 468](#), [H 469](#), and [H 470](#) were referred to the Health and Welfare Committee.

[H 471](#) and [H 472](#) were referred to the Revenue and Taxation Committee.

[HP 3](#) was filed for second reading.

February 3, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 421](#) and [H 422](#) and recommend that they do pass.

CLARK, Chairman

[H 421](#) and [H 422](#) were filed for second reading.

February 3, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 430](#) and [H 432](#) and recommend that they do pass.

BLACK, Chairman

[H 430](#) and [H 432](#) were filed for second reading.

February 3, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, request that [H 459](#), [H 460](#), [H 461](#), and [H 462](#) be returned to the Desk for re-referral.

LOERTSCHER, Chairman

[H 459](#), [H 460](#), [H 461](#), and [H 462](#) were referred to the Business committee.

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

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 37

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND COMMENDING THE FOOTBALL TEAM AND COACHES OF THE UNIVERSITY OF IDAHO.

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

WHEREAS, the University of Idaho is the state of Idaho's flagship and oldest public university and is the state's land-grant and primary research university; and

WHEREAS, on January 30, 1889, Governor Edward Stevenson of the Idaho Territory signed the territorial legislature's Council Bill No. 20, which officially established the University of Idaho as the upcoming state's land-grant institution and nearly four years later, the university opened for classes on October 3, 1892; and

WHEREAS, soon after being named head coach in 2007, Coach Robb Akey was forced to dismiss several players from the University of Idaho team for violations of law or violations of team rules; and

WHEREAS, the 2007 and 2008 Idaho teams were both listed on ESPN's Bottom Ten List, a ranking of the ten worst Division I college football programs in the nation and they were also on the 2009 preseason list, but were removed after opening with a win; and

WHEREAS, the University of Idaho enjoyed a stellar and outstanding football season in 2009, defeating two Mountain West Conference teams in the process, winning the Humanitarian Bowl in thrilling fashion and capping a season few outside Vandal Nation expected as they were picked last in most preseason Western Athletic Conference polls, Idaho's bowl title comes with an 8-5 record in a most outstanding season; and

WHEREAS, the team the University of Idaho beat in the Humanitarian Bowl, Bowling Green State University, had a player, Freddie Barnes, who set a single season NCAA record with 155 pass receptions; and

WHEREAS, Head Coach Robb Akey said, "It's due to the hard work of these guys right here... I couldn't be more proud of the group of kids. To take us from where we were – three wins in two years to get us to this point right now. To be a bowl champion."; and

WHEREAS, with the win, the University of Idaho moves to 2-0 all-time in bowl games, takes its second Humanitarian Bowl title and caps off an 8-5 season that started with predictions of last-place finishes and skepticism about Coach Akey's bold predictions of success.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we commend the University of Idaho for an outstanding football season and commend Coach Robb Akey for a job well done.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to President Duane Nellis and Coach Robb Akey of the University of Idaho.

**HOUSE CONCURRENT RESOLUTION NO. 38  
BY STATE AFFAIRS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS AND PROCLAIMING JUNE, 2010, AS BOYS STATE AND GIRLS STATE MONTH.

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

WHEREAS, the American Legion and the American Legion Auxiliary have sponsored Boys State and Girls State since 1935 and 1937 respectively and now have programs in every state except Hawaii; and

WHEREAS, the goal of Boys State and Girls State is to develop leadership and pride in American government and to arouse a determination to maintain our form of government; and

WHEREAS, the American Legion Boys State and the American Legion Auxiliary Girls State provide a venue for Idaho's young citizens to explore what it means to be engaged in the civic life for our state and country, as well as to develop a full understanding of American democratic traditions and a belief in the United States of America as both an ideal and a functioning social contract; and

WHEREAS, Boys State and Girls State inculcate a sense of individual obligation to the community, state and nation; and

WHEREAS, the American Legion Boys State and the American Legion Auxiliary Girls State safeguard and transmit to posterity the principles of justice, freedom and democracy.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the month of June, 2010, be proclaimed as "Boys State and Girls State Month" and that we honor the efforts of the American Legion and the American Legion Auxiliary and the young people who participate and have participated in Idaho Boys State and Idaho Girls State.

BE IT FURTHER RESOLVED a copy of this resolution be transmitted to the State Commander of the American Legion, the Department President of the American Legion Auxiliary and the respective Governors of Idaho Boys State and Idaho Girls State.

[HCR 37](#) and [HCR 38](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**HOUSE BILL NO. 473  
BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE DEPARTMENT OF FINANCE; AMENDING CHAPTER 27, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2702A, IDAHO CODE, TO ESTABLISH THE INVESTIGATION AND ENFORCEMENT FUND; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 474  
BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO PLUMBING SYSTEMS; AMENDING SECTION 54-2604, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 475  
BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO PLUMBING SYSTEMS; AMENDING SECTION 54-2604, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-2610, IDAHO CODE, TO REQUIRE THE SUCCESSFUL COMPLETION OF AN APPROVED TRAINING COURSE; AMENDING SECTION 54-2617, IDAHO CODE, TO REQUIRE THAT CERTIFICATION BE MAINTAINED; AMENDING SECTION 54-2618, IDAHO CODE, TO REQUIRE PROOF OF CERTAIN CERTIFICATION; AND AMENDING SECTION 54-2627, IDAHO CODE, TO PROVIDE THAT INSPECTORS POSSESS A VALID IDAHO JOURNEYMAN CERTIFICATE AND TO PROVIDE THAT INSPECTORS BE CERTIFIED.

**HOUSE BILL NO. 476  
BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE PLUMBING BOARD FUND; AMENDING SECTION 54-2630, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PAYMENT OF CERTAIN MONEYS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 477  
BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2653, IDAHO CODE, TO PROVIDE FOR A WAIVER, TO REVISE PROVISIONS RELATING TO INSTANCES WHERE THE INSURER SHALL ACCEPT NO NEW MORTGAGE GUARANTY INSURANCE RISKS, TO CORRECT CODIFIER'S ERRORS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 478  
BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1212, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-1213, IDAHO CODE, TO REMOVE PROVISIONS REQUIRING AN APPLICANT FOR CERTIFICATION AS AN ENGINEER INTERN OR LAND SURVEYOR INTERN TO PROVIDE CERTAIN REFERENCES, TO REMOVE PROVISIONS RELATING TO

FEEES FOR LICENSURE BY EXAMINATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1214, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO WRITTEN EXAMINATIONS; AMENDING SECTION 54-1216, IDAHO CODE, TO REVISE RENEWAL REQUIREMENTS AND EXPIRATION DAYS FOR CERTIFICATES OF AUTHORIZATION ISSUED TO BUSINESS ENTITIES; AMENDING SECTION 54-1220, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY RELATING TO ADMINISTRATIVE PROCEEDINGS; AND AMENDING SECTION 54-1223, IDAHO CODE, TO PROVIDE FOR THE DUTY OF RESPONSIBLE CHARGE OF A PROJECT WHEN A LICENSEE IS NOT AVAILABLE TO SEAL, SIGN AND DATE FINAL DOCUMENTS.

**HOUSE BILL NO. 479**  
**BY REVENUE AND TAXATION COMMITTEE**  
**AN ACT**

RELATING TO INCOME TAXATION; TO PROVIDE A SHORT TITLE; TO PROVIDE LEGISLATIVE INTENT; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 47, TITLE 63, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE A VENTURE CAPITAL TAX CREDIT, TO PROVIDE LIMITATIONS AND OTHER PROVISIONS ON CREDITS AGAINST INCOME TAXES, TO PROVIDE RECAPTURE AND TO PROVIDE FOR ADMINISTRATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION AND A SUNSET DATE.

[H 473](#), [H 474](#), [H 475](#), [H 476](#), [H 477](#), [H 478](#), and [H 479](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Second Reading of Bills and Joint Resolutions**

[HCR 36](#), [H 412](#), [H 413](#), [H 414](#), and [H 404](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 438](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 445](#), by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

[H 449](#), [H 450](#), [H 451](#), [H 452](#), and [H 453](#), by Environment, Energy, and Technology Committee, were read the second time by title and filed for third reading.

[H 435](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

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

**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

February 4, 2010

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 386](#), [H 391](#), and [H 444](#) and report them back without recommendation, amended as follows:

**HOUSE AMENDMENT TO H.B. NO. 386**

AMENDMENT TO SECTION 4

On page 5 of the printed bill, delete lines 31 and 32 and insert: "declared to exist, Section 1 of this act shall be in full force and effect on and after passage approval and retroactively to January 1, 2008. Sections 2 and 3 of this act shall be in full force and effect on and after passage and approval, and retroactively to January 1, 2010."

**HOUSE AMENDMENT TO H.B. NO. 391**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 27, following "consequence" insert: ","; in line 28, delete "a government" and insert: "the federal government of the United States of America"; also in line 28, following "agency" insert: ","; in line 38, following "services" insert: "free from the imposition of penalties, or the threat thereof, by the federal government of the United States of America relating thereto".

On page 2, in line 5, following "threat of penalty" insert: "by the federal government of the United States of America".

**HOUSE AMENDMENT TO H.B. NO. 444**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 17, delete "he" and insert: "one (1) of the following applies. He". On page 5, in line 5, delete "which one (1)" and insert: "which one whichever of the following applies".

We have also had under consideration [H 405](#), report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

[H 386](#), as amended, [H 391](#), as amended, and [H 444](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[H 405](#) was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

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

**Third Reading of Bills and Joint Resolutions**

[H 390](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 390](#) pass?"



Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo(Brown), Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Labrador, Palmer. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 390](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 423](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 423](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Patrick, Pence, Raybould, Ringo(Brown), Roberts, Ruchti, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Durst, King, Pasley-Stuart, Rusche. Total – 4.

Absent and excused – Labrador, Palmer. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 423](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 443](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 5, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:59 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

—————  
TWENTY-SIXTH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 5, 2010

House of Representatives

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

Roll call showed 66 members present.

Absent and excused – Labrador, Loertscher, Raybould, Shirley. Total –4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

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

### Approval of Journal

February 5, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

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

### Report of Standing Committees

February 5, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 37](#), [HCR 38](#), [H 473](#), [H 474](#), [H 475](#), [H 476](#), [H 477](#), [H 478](#), [H 479](#), and House amendments to [H 386](#), [H 391](#), and [H 444](#).

CLARK, Chairman

[HCR 37](#) and [HCR 38](#) were filed for second reading.

[H 473](#), [H 474](#), [H 475](#), [H 476](#), [H 477](#), and [H 478](#) were referred to the Business Committee.

[H 479](#) was referred to the Revenue and Taxation Committee.

February 5, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 386](#), as amended, [H 391](#), as amended, and [H 444](#), as amended.

CLARK, Chairman

[H 386](#), as amended, [H 391](#), as amended, and [H 444](#), as amended, were filed for first reading of engrossed bills.

February 4, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [HJM 10](#) and recommend that it do pass.

WOOD, Chairman

[HJM 10](#) was filed for second reading.

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

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

#### HOUSE BILL NO. 480 BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 54-1733, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR REQUESTING A REFILL OF AN EXISTING PRESCRIPTION DRUG ORDER BY FACSIMILE TRANSMITTAL AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 481 BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 54-1734, IDAHO CODE, TO EXTEND THE LENGTH OF TIME IN WHICH VETERINARIANS ARE REQUIRED TO PROVIDE WRITTEN CONFIRMATION OF ORAL DRUG ORDERS AND TO MAKE A TECHNICAL CORRECTION.

#### HOUSE BILL NO. 482 BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 54-1732, IDAHO CODE, TO ALLOW CERTAIN PERSONS TO DELIVER A LAWFULLY OBTAINED LEGEND DRUG TO AN AUTHORIZED PERSON FOR PURPOSES OF DISPOSAL, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE CORRECT TERMINOLOGY.

#### HOUSE BILL NO. 483 BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 54-1718, IDAHO CODE, TO REQUIRE CERTAIN APPLICANTS SUBMIT TO AND PAY THE COST OF A FINGERPRINT-BASED CRIMINAL HISTORY CHECK.

#### HOUSE BILL NO. 484 BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO NURSES; AMENDING SECTION 54-1403, IDAHO CODE, TO REMOVE ARCHAIC LANGUAGE AND TO REVISE PROVISIONS RELATING TO BOARD MEMBER TERMS OF OFFICE.

#### HOUSE BILL NO. 485 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE UNCLAIMED PROPERTY LAW; AMENDING SECTION 14-113, IDAHO CODE, TO PROVIDE FOR TRANSFER OF MONEYS AND EFFECTS OF AN ESTATE TO THE STATE TREASURER;

AMENDING SECTION 14-501, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 14-518, IDAHO CODE, TO PROVIDE FOR NOTICE AND PUBLICATION OF LISTS OF ABANDONED PROPERTY TO BE ON A WEBSITE MAINTAINED BY THE STATE TREASURER; AMENDING SECTION 14-523, IDAHO CODE, TO PROVIDE FOR DISPOSITION OF MONEY RECEIVED TO THE STATE TREASURER; AMENDING SECTION 14-532, IDAHO CODE, TO PROVIDE TO THE STATE TREASURER POWERS, DUTIES AND ADMINISTRATIVE RULE AUTHORITY RELATED TO UNCLAIMED PROPERTY LAW FORMERLY GRANTED TO THE STATE TAX COMMISSION; AMENDING SECTION 14-534, IDAHO CODE, TO PROVIDE FOR THE STATE TREASURER TO DELIVER CERTAIN PROPERTY TO THE STATE HISTORICAL SOCIETY; AND PROVIDING AN EFFECTIVE DATE, PROVIDING FOR TRANSFER OF EMPLOYEES, CERTAIN TANGIBLE PERSONAL PROPERTIES AND ENCUMBERED AND APPROPRIATED MONEYS OF THE STATE TAX COMMISSION FOR ADMINISTERING THE UNCLAIMED PROPERTY LAW TO THE STATE TREASURER AND TO PROVIDE FOR THE EMPLOYMENT STATUS OF THOSE EMPLOYEES.

**HOUSE BILL NO. 486**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-419E, IDAHO CODE, TO ESTABLISH AN IDAHO MOUNTAIN BIKING SPECIAL LICENSE PLATE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

[H 480](#), [H 481](#), [H 482](#), [H 483](#), [H 484](#), [H 485](#), and [H 486](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**First Reading of Engrossed Bills**

[H 386](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

[H 391](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

[H 444](#), as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title, and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

[HP 3](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 421](#) and [H 422](#), by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

[H 430](#) and [H 432](#), by Business Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [HCR 36](#) retain its place on the Third Reading Calendar until Monday, February 8, 2010. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 414](#) retain its place on the Third Reading Calendar until Monday, February 8, 2010. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 451](#) retain its place on the Third Reading Calendar until Monday, February 8, 2010. There being no objection, it was so ordered.

[H 443](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 443](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Labrador, Loertscher, Raybould, Shirley. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 443](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 412](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 412](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Labrador, Loertscher, Raybould, Shirley. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 412](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 413](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 413](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Labrador, Loertscher, Raybould, Shirley. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 413](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 438](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 438](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Barrett, Kren, Palmer, Schaefer, Shepherd(08). Total – 5.

Absent and excused – Labrador, Loertscher, Raybould, Shirley. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 438](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 445](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 445](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin,

Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Labrador, Loertscher, Raybould, Shirley. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 445](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 449](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 449](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Labrador, Loertscher, Raybould, Shirley. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 449](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 450](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 450](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Labrador, Lake, Loertscher, Raybould, Shirley. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 450](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 452](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 452](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Labrador, Loertscher, Raybould, Shirley. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 452](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 8, 2010. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Monday, February 8, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:37 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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TWENTY-NINTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 8, 2010

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Stephen Grammer, Page.

### Approval of Journal

February 8, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 5, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1268](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1268](#) and, when so signed, ordered it returned to the Senate.

February 5, 2010

Mr. Speaker:

I transmit herewith [S 1254](#), [S 1255](#), [S 1256](#), [S 1257](#), [S 1292](#), and [S 1293](#) which have passed the Senate.

WOOD, Secretary

[S 1254](#), [S 1255](#), [S 1256](#), [S 1257](#), [S 1292](#), and [S 1293](#) were filed for first reading.

February 5, 2010

Mr. Speaker:

I return herewith [H 406](#) which has passed the Senate.

WOOD, Secretary

[H 406](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 8, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 480](#), [H 481](#), [H 482](#), [H 483](#), [H 484](#), [H 485](#), and [H 486](#).

CLARK, Chairman

[H 480](#), [H 481](#), [H 482](#), [H 483](#), and [H 484](#) were referred to the Health and Welfare Committee.

[H 485](#) was referred to the State Affairs Committee.

[H 486](#) was referred to the Transportation and Defense Committee.

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

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

#### HOUSE BILL NO. 487 BY BUSINESS COMMITTEE AN ACT

RELATING TO GROUP INSURANCE; AMENDING SECTION 67-5767, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION MAY PROVIDE GROUP INSURANCE BENEFITS TO IDAHO EMPLOYERS.

#### HOUSE BILL NO. 488 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622VV, IDAHO CODE, TO PROVIDE FOR A REBATE OF SALES OR USE TAX PAID FOR CERTAIN AIRCRAFT REPAIRS, TO PROVIDE PROCEDURES AND TO PROVIDE FOR A DEFINITION OF "NONRESIDENT"; AND PROVIDING A SUNSET DATE.

#### HOUSE BILL NO. 489 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO LOCAL IMPROVEMENT DISTRICTS; AMENDING SECTION 50-1722, IDAHO CODE, TO PROVIDE WHEN A LOCAL IMPROVEMENT DISTRICT IS CREATED BY RESOLUTION OF THE CITY COUNCIL THAT NO BONDS, REGISTERED WARRANTS OR INTERIM WARRANTS IN AN AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS OR MORE MAY BE ISSUED UNLESS SUCH ISSUANCE IS APPROVED, EITHER BY NOT LESS THAN SIXTY PERCENT OR MORE OF THE RESIDENT OWNERS OF TAXABLE PROPERTY WITHIN THE DISTRICT OR TWO-THIRDS OF THE OWNERS OF TAXABLE PROPERTY SUBJECT TO ASSESSMENT WITHIN SUCH LOCAL IMPROVEMENT DISTRICT VOTING ON THE QUESTION AT AN ELECTION CALLED FOR THAT PURPOSE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

#### HOUSE BILL NO. 490 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO PROPERTY TAXATION; AMENDING SECTION 63-602, IDAHO CODE, TO PROVIDE THE ANNUAL APPROVAL PROVISION SHALL NOT APPLY TO A CERTAIN PROPERTY TAX EXEMPTION AS LONG AS CERTAIN CONDITIONS OCCUR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-602NN, IDAHO CODE, TO REVISE THE DEFINITIONS OF "NEW PLANT AND BUILDING FACILITIES" AND "TAX INCENTIVE CRITERIA" AND TO PROVIDE THE EFFECT OF THE ANNUAL APPROVAL PROVISION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 491**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO STATEMENTS REGARDING PROPOSED CONSTITUTIONAL AMENDMENTS; AMENDING SECTION 67-453, IDAHO CODE, TO PROVIDE THAT THE SECRETARY OF STATE SHALL CAUSE TO BE PRINTED IN THE VOTERS' PAMPHLET THE ARGUMENTS FOR AND AGAINST CONSTITUTIONAL AMENDMENTS PREPARED BY THE LEGISLATIVE COUNCIL AND THE QUESTION TO APPEAR ON THE BALLOT; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 492**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO COUNTY CORONERS AND VITAL STATISTICS; AMENDING SECTION 39-252, IDAHO CODE, TO REVISE FEES THE STATE REGISTRAR SHALL BE ENTITLED TO RECEIVE, TO PROVIDE A FEE FOR CERTIFIED COPIES OF DEATH CERTIFICATES, TO PROVIDE FOR REMITTANCE OF FEES, TO PROVIDE FOR WHAT THE FEES MAY BE USED AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-622, IDAHO CODE, TO REQUIRE NEWLY ELECTED OR APPOINTED COUNTY CORONERS WITHIN ONE YEAR OF TAKING OFFICE TO ATTEND A CORONER'S SCHOOL EITHER SPONSORED OR ENDORSED BY THE IDAHO STATE ASSOCIATION OF COUNTY CORONERS; AND AMENDING CHAPTER 28, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-2810, IDAHO CODE, TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR COUNTY CORONERS.

[H 487](#), [H 488](#), [H 489](#), [H 490](#), [H 491](#), and [H 492](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1254](#), [S 1255](#), [S 1256](#), and [S 1257](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1292](#) and [S 1293](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

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

**Second Reading of Bills and Joint Resolutions**

[HCR 37](#), [HCR 38](#), and [H 391](#), as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

[HJM 10](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 386](#), as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 444](#), as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [HCR 36](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 414](#), [H 404](#), and [H 430](#) retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 451](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 451](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 451](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 453](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 453](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 453](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 435](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 435](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 435](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HP 3](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HP 3](#) be adopted?"

Whereupon the Speaker declared [HP 3](#) adopted by voice vote and ordered the proclamation transmitted to the Senate.

[H 421](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 421](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 69.

NAYS – Wood(35). Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 421](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 422](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 422](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 69.

NAYS – Wood(35). Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 422](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 432](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 432](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Hart, Shepherd(08). Total – 2.

Absent and excused – Smith(24). Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 432](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, February 9, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:13 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**THIRTIETH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 9, 2010**

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Danica Lupton, Page.

### Approval of Journal

February 9, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 8, 2010

Mr. Speaker:

I transmit herewith [S 1294](#) which has passed the Senate.

WOOD, Secretary

[S 1294](#) was filed for first reading.

February 8, 2010

Mr. Speaker:

I return herewith [H 379](#) which has passed the Senate.

WOOD, Secretary

[H 379](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 9, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 487](#), [H 488](#), [H 489](#), [H 490](#), [H 491](#), and [H 492](#).

CLARK, Chairman

[H 487](#) was referred to the Business Committee.

[H 488](#), [H 489](#), and [H 490](#) were referred to the Revenue and Taxation Committee.

[H 491](#) and [H 492](#) were referred to the State Affairs Committee.

February 9, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 406](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 406](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 8, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 456](#) and recommend that it do pass.

TRAIL, Chairman

[H 456](#) was filed for second reading.

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

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 39 BY HEALTH AND WELFARE COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE HEALTH QUALITY PLANNING COMMISSION WITHIN THE DEPARTMENT OF HEALTH AND WELFARE TO STUDY STROKE SYSTEMS OF CARE IN IDAHO AND DEVELOP A PLAN TO ADDRESS STROKE IDENTIFICATION AND MANAGEMENT.

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

WHEREAS, every year about 700,000 Americans suffer stroke, and 150,000 die. Many of the survivors have severe neurologic damage; and

WHEREAS, the economic cost of stroke in the United States is estimated at \$63 billion for 2007. The cost to Idaho and its citizens is estimated at hundreds of millions of dollars; and

WHEREAS, almost one-quarter of the current Medicaid Budget is spent on chronic costs of disabled seniors, much of that for the assistance required for stroke victims; and

WHEREAS, areas that have organized systems of stroke care, including prevention, aware and informed citizens, well-trained and coordinated emergency medical services for rapid prehospital care, protocols of care with smooth transition between rural hospitals and medical centers have better survival and less morbidity from stroke.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Health Quality Planning Commission within the Department of Health and Welfare is encouraged to study stroke systems of care in Idaho and develop a plan to address stroke identification and management.

[HCR 39](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**HOUSE BILL NO. 493  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1620, IDAHO CODE, TO PROVIDE FOR A MASTERY ADVANCEMENT PILOT PROGRAM; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1621, IDAHO CODE, TO PROVIDE FOR PROGRAM PARTICIPANTS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1622, IDAHO CODE, TO PROVIDE FOR CERTAIN ASSESSMENTS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1623, IDAHO CODE, TO PROVIDE FOR A MASTERY ADVANCEMENT SCHOLARSHIP, TO PROVIDE CERTAIN REQUIREMENTS, TO PROVIDE FOR CONCURRENT ENROLLMENT OR ADVANCED PLACEMENT CLASSES, TO PROVIDE PROVISIONS RELATING TO A CERTAIN SCHOLARSHIP, TO PROVIDE FOR CERTAIN REPORTS, TO PROVIDE FOR CERTAIN SAVINGS, TO PROVIDE FOR REPORTS AND TO DIRECT COLLABORATION; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1624, IDAHO CODE, TO PROVIDE FOR RULES.

**HOUSE BILL NO. 494  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO HEALTH CARE PLANNING; AMENDING SECTION 56-1054, IDAHO CODE, TO REVISE DUTIES OF THE COMMISSION RELATED TO HEALTH INFORMATION TECHNOLOGY PLANNING, TO PERMIT THE COMMISSION TO USE DATA FROM OTHER SOURCES, TO PROMOTE HEALTH AND PATIENT SAFETY PLANNING, TO REVISE THE DUTIES OF THE COMMISSION RELATED TO HEALTH QUALITY AND PATIENT SAFETY PLANNING; AND REPEALING SECTIONS 2 AND 3, CHAPTER 364, LAWS OF 2008, THAT IS A SUNSET CLAUSE.

**HOUSE BILL NO. 495  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO CHILDHOOD IMMUNIZATION; AMENDING CHAPTER 48, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-4805, IDAHO CODE, TO PROVIDE FOR THE CHILDHOOD IMMUNIZATION POLICY COMMISSION; AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 496  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-1106, IDAHO CODE, TO PROVIDE THAT EACH ELECTOR SHALL SHOW A PHOTO IDENTIFICATION OR PERSONAL IDENTIFICATION AFFIDAVIT BEFORE RECEIVING A BALLOT; AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1113, IDAHO CODE, TO PROVIDE THAT ALL VOTERS SHALL BE REQUIRED TO PROVIDE CERTAIN PERSONAL

IDENTIFICATION AT THE POLLS OR AT THE ABSENT ELECTOR POLLING PLACES; AND AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1114, IDAHO CODE, TO PROVIDE FOR AN AFFIDAVIT IN LIEU OF PERSONAL IDENTIFICATION.

**HOUSE BILL NO. 497  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO EMPLOYMENT OF UNAUTHORIZED ALIENS; TO PROVIDE LEGISLATIVE FINDINGS; AMENDING SECTION 18-3001, IDAHO CODE, TO PROVIDE FOR A MISDEMEANOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 30, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3001A, IDAHO CODE, TO PROVIDE THAT ANY PERSON WHO WILLFULLY DESTROYS, ALTERS, FALSIFIES OR COMMITS THE THEFT OF CERTAIN PUBLIC DOCUMENTS FOR CERTAIN PURPOSES SHALL BE GUILTY OF A MISDEMEANOR OR FELONY; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 4, TITLE 44, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROHIBIT EMPLOYMENT OF UNAUTHORIZED ALIENS, TO PROVIDE PROVISIONS RELATING TO THE FILING AND INVESTIGATION OF A COMPLAINT, TO PROVIDE FOR A MISDEMEANOR RELATING TO THE FILING OF A FALSE OR FRIVOLOUS COMPLAINT, TO PROVIDE THAT AN ACTION SHALL BE BROUGHT IN A CERTAIN COUNTY, TO PROVIDE FOR AN EXCEPTION, TO PROVIDE PROVISIONS RELATING TO FINDING A VIOLATION OR VIOLATIONS, TO PROVIDE PROVISIONS RELATING TO DETERMINING WHETHER AN EMPLOYEE IS AN UNAUTHORIZED ALIEN, TO PROVIDE FOR JUDICIAL NOTICE, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE AND TO PROVIDE FOR AN ABSOLUTE DEFENSE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3035D, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO NOTICE FROM THE STATE TAX COMMISSION TO CERTAIN EMPLOYERS; AND PROVIDING SEVERABILITY.

[H 493](#), [H 494](#), [H 495](#), [H 496](#), and [H 497](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1294](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

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

**Second Reading of Bills and Joint Resolutions**

[S 1292](#) and [S 1293](#), by Finance Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [HJM 10](#) be placed at the top of the Third Reading Calendar followed by [H 391](#), as amended, [HCR 36](#), and [HRC 37](#). There being no objection, it was so ordered.

[HJM 10](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall [HJM 10](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared [HJM 10](#) adopted and ordered the memorial transmitted to the Senate.

[H 391](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark and Mr. Luker to open debate.

The question being, "Shall [H 391](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 52.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Smith(30). Total – 18.

Total – 70.

Whereupon the Speaker declared that [H 391](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 10, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:29 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 10, 2010**

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – Boyle, Labrador. Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Mary Anne Davis, Page.

### Approval of Journal

February 10, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 9, 2010

Mr. Speaker:

I transmit herewith [S 1267](#), [SCR 113](#), and [S 1287](#) which have passed the Senate.

WOOD, Secretary

[S 1267](#), [SCR 113](#), and [S 1287](#) were filed for first reading.

February 9, 2010

Mr. Speaker:

I return herewith [H 418](#) which has passed the Senate.

WOOD, Secretary

[H 418](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 10, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 39](#), [H 493](#), [H 494](#), [H 495](#), [H 496](#), and [H 497](#).

CLARK, Chairman

[HCR 39](#), [H 494](#), and [H 495](#) were referred to the Health and Welfare Committee.

[H 493](#) was referred to the Education Committee.

[H 496](#) and [H 497](#) were referred to the State Affairs Committee.

February 10, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 379](#).

CLARK, Chairman

The Speaker Pro Tem announced the Speaker was about to sign enrolled [H 379](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 9, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 408](#), [H 409](#), [H 410](#), and [H 411](#) and recommend that they do pass.

STEVENSON, Chairman

[H 408](#), [H 409](#), [H 410](#), and [H 411](#) were filed for second reading.

February 10, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 471](#) and [H 472](#) and recommend that they do pass.

LAKE, Chairman

[H 471](#) and [H 472](#) were filed for second reading.

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

### Motions, Memorials, and Resolutions

[SCR 113](#), by McGee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

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

#### HOUSE BILL NO. 498 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO THE UNIFORM POST-CONVICTION PROCEDURE ACT; AMENDING SECTION 19-2719, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 19-4901, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 19-4902, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A PETITION FOR THE PERFORMANCE OF CERTAIN FINGERPRINT OR DNA TESTING AND TO PROVIDE THAT PETITIONER MAY CHOOSE CERTAIN DNA TESTING LABORATORIES TO PERFORM DNA TESTING AND THAT SUCH TESTING SHALL BE AT PETITIONER'S EXPENSE.

**HOUSE BILL NO. 499**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO PATERNITY; AMENDING SECTION 7-1107, IDAHO CODE, TO PROVIDE THAT PATERNITY PROCEEDINGS MAY BE INSTITUTED AT ANY TIME; AMENDING SECTION 16-1501A, IDAHO CODE, TO PROVIDE FINDINGS, TO REVISE FINDINGS, TO REVISE PROVISIONS RELATING TO CONSTITUTIONAL PROTECTIONS AS THEY RELATE TO UNMARRIED BIOLOGICAL FATHERS, TO PROVIDE THAT UNMARRIED BIOLOGICAL FATHERS HAVE CERTAIN RESPONSIBILITIES, TO REVISE PROVISIONS RELATING TO THE RIGHT OF PRIVACY OF UNMARRIED MOTHERS, TO PROVIDE THAT CERTAIN DISCLOSURES SHALL BE REQUIRED OF UNMARRIED MOTHERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1504, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THOSE THAT ARE REQUIRED TO PROVIDE CONSENT TO ADOPTION, TO REVISE PROVISIONS RELATING TO THE MANIFESTATIONS OF FULL COMMITMENT TO PARENTAL RESPONSIBILITIES BY UNMARRIED BIOLOGICAL FATHERS OF CHILDREN UNDER THE AGE OF SIX MONTHS AT THE TIME OF PLACEMENT WITH ADOPTIVE PARENTS, TO PROVIDE FOR CERTAIN AFFIDAVITS BY UNMARRIED MOTHERS, TO PROHIBIT CHILDREN FROM BEING PLACED FOR ADOPTION OUTSIDE THE STATE PRIOR TO TERMINATION OF PARENTAL RIGHTS OF THE BIOLOGICAL PARENTS, TO REVISE REQUIREMENTS THAT MUST BE MET PRIOR TO AN UNMARRIED BIOLOGICAL FATHER CONTESTING AN ADOPTION, TO PROVIDE THAT IN CERTAIN INSTANCES INTERSTATE COMPACTS FOR THE PLACEMENT OF CHILDREN SHALL BE RESCINDED AND THE CHILD RETURNED AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 16-1505, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SERVICE OF NOTICES OF ADOPTION, TO DELETE REFERENCE TO AN UNMARRIED BIOLOGICAL FATHER BEING DEEMED TO BE ON NOTICE THAT A PREGNANCY AND ADOPTION PROCEEDING MAY OCCUR AND OF CERTAIN ASSOCIATED DUTIES, TO PROVIDE FOR ACTUAL NOTICE OF A BIRTH AND TO PROVIDE FOR NOTICE OF INTENDED ADOPTION PROCEEDINGS, TO PROVIDE FOR THE FILING OF REGISTRATION OF NOTICE OF COMMENCEMENT OF PATERNITY FORM, TO PROVIDE FOR COMPLAINTS OF PATERNITY AND CUSTODY, TO PROVIDE FOR AFFIDAVITS OF COMMITMENT, TO PROVIDE FOR A SEARCH FOR AN UNMARRIED BIOLOGICAL FATHER, TO PROVIDE THAT IN THE EVENT AN UNMARRIED BIOLOGICAL FATHER'S LOCATION REMAINS UNKNOWN THAT THE ADOPTION ENTITY REQUEST IN THE PETITION FOR TERMINATION OF PARENTAL RIGHTS THAT THE COURT MAKE CERTAIN DECLARATIONS AND TO PROVIDE THAT NOTICE SHALL NOT BE REQUIRED IN THE EVENT AN UNMARRIED BIOLOGICAL FATHER SIGNS A CONSENT OR AFFIDAVIT OF NONPATERNITY; AMENDING SECTION 16-1513, IDAHO CODE, TO PROVIDE FOR THE PUTATIVE FATHER REGISTRY, TO PROVIDE THAT THERE ARE ALTERNATE WAYS IN WHICH A FATHER MAY CLAIM RIGHTS TO HIS PATERNITY, TO PROVIDE FOR THE COMPLETION OF NOTICE OF COMMENCEMENT OF PATERNITY PROCEEDINGS

ONLINE, TO REVISE PROVISIONS RELATING TO FILING REQUIREMENTS FOR NOTICES OF COMMENCEMENT OF PATERNITY PROCEEDINGS, TO REVISE PROVISIONS RELATING TO WAIVERS AND ABANDONMENT RELATING TO FILING AND REGISTERING NOTICES OF COMMENCEMENT OF PATERNITY PROCEEDINGS, TO PROVIDE THAT A GOOD FAITH EFFORT BY AN UNMARRIED BIOLOGICAL FATHER SHALL BE DEEMED TO CONSTITUTE COMPLIANCE WITH REQUIREMENTS AND TO PROVIDE THAT FAILURE OF AN UNMARRIED BIOLOGICAL FATHER TO PERFORM REQUIREMENTS SHALL BE DEEMED WAIVED IF RESULTING FROM CERTAIN CONDUCT OR MISREPRESENTATIONS OF OTHERS.

**HOUSE BILL NO. 500**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO JURISDICTION IN INDIAN COUNTRY; AMENDING SECTION 19-5101, IDAHO CODE, TO REVISE A DEFINITION; AMENDING CHAPTER 51, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5104, IDAHO CODE, TO PROVIDE FOR STATE AND INDIAN TRIBAL COOPERATIVE LAW ENFORCEMENT.

**HOUSE BILL NO. 501**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO LOCAL GOVERNMENT; REPEALING SECTION 50-606, IDAHO CODE, RELATING TO POLICE POWERS OF MAYOR; AMENDING SECTION 54-1001B, IDAHO CODE, TO PROVIDE THAT CERTAIN INSPECTION PROVISIONS ARE INAPPLICABLE WHEN INSTALLATIONS ARE COVERED BY LOCAL GOVERNMENT ORDINANCES; AMENDING SECTION 54-1001C, IDAHO CODE, TO PROVIDE FOR CERTAIN INSPECTIONS WITHIN ANY LOCAL GOVERNMENT AND TO PROVIDE FOR CERTAIN COSTS; AMENDING SECTION 54-1003A, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-1005, IDAHO CODE, TO PROVIDE THAT NO PROVISION OF THIS CHAPTER SHALL PRECLUDE LOCAL GOVERNMENTS FROM COLLECTING CERTAIN FEES; AMENDING SECTION 54-1019, IDAHO CODE, TO PROVIDE THAT CERTAIN INSPECTORS EMPLOYED BY LOCAL GOVERNMENTS ELECTING TO CLAIM CERTAIN EXEMPTIONS MUST POSSESS CERTAIN QUALIFICATIONS; AMENDING SECTION 54-2601, IDAHO CODE, TO PROVIDE FOR AN EXCEPTION TO THE APPLICATION OF LAWS; AMENDING SECTION 54-2619, IDAHO CODE, TO PROVIDE THAT NO PROVISIONS OF THIS ACT SHALL DEPRIVE LOCAL GOVERNMENTS FROM COLLECTION OF CERTAIN FEES, TO PROVIDE THAT NO LOCAL GOVERNMENT SHALL REQUIRE CERTAIN OCCUPATIONAL LICENSE FEES AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-2620, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO LOCAL GOVERNMENTS AND REQUIREMENTS FOR PERMITS AND TO PROVIDE PROVISIONS RELATING TO CERTAIN EXCEPTIONS; AND AMENDING SECTION 54-2627, IDAHO CODE, TO PROVIDE THAT CERTAIN INSPECTORS POSSESS CERTAIN REQUIREMENTS.

**HOUSE BILL NO. 502**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE MODULAR BUILDING ADVISORY BOARD; AMENDING SECTION 39-4302, IDAHO CODE, TO PROVIDE FOR AN HONORARIUM.

**HOUSE BILL NO. 503**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE DIVISION OF BUILDING SAFETY AND EXAMINATION FEES; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE FOR A FEE.

**HOUSE BILL NO. 504**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE UNIFORM SCHOOL BUILDING SAFETY ACT; AMENDING SECTION 39-8005, IDAHO CODE, TO REVISE MEMBERSHIP OF THE IDAHO UNIFORM SCHOOL BUILDING SAFETY CODE COMMITTEE; AMENDING SECTION 39-8007, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN POWERS AND DUTIES; AMENDING SECTION 39-8008, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DESIGNATING A LICENSED PROFESSIONAL, TO REVISE PROVISIONS RELATING TO AN EVALUATION, TO REVISE LANGUAGE RELATING TO A WRITTEN ORDER OR NOTICE, TO REMOVE LANGUAGE RELATING TO THE DEPARTMENT OF ADMINISTRATION AND TO REVISE LANGUAGE RELATING TO AN IMMINENT SAFETY HAZARD; AND AMENDING SECTION 39-8010, IDAHO CODE, TO REMOVE A REQUIREMENT TO NOTIFY THE DEPARTMENT OF ADMINISTRATION.

**HOUSE BILL NO. 505**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO SECURITY DEPOSITS IN A LANDLORD-TENANT SITUATION; AMENDING SECTION 6-321, IDAHO CODE, TO PROVIDE FOR INTEREST TO BE PAID ON SECURITY DEPOSITS TO BE PAID TO THE TENANT.

**HOUSE BILL NO. 506**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE STATE ATHLETIC COMMISSION; AMENDING SECTION 54-402, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-406, IDAHO CODE, TO PROVIDE THE COMMISSION AUTHORITY TO ESTABLISH CERTAIN FEES, TO PROVIDE ADDITIONAL NATIONALLY RECOGNIZED SANCTIONING ASSOCIATIONS, TO PROVIDE REQUIREMENTS FOR CERTAIN PROMOTERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-408, IDAHO CODE, TO REVISE PROVISIONS RELATING TO BOND OR OTHER SECURITY FILED BY PROMOTERS; AMENDING SECTION 54-410, IDAHO CODE, TO REQUIRE A PAYMENT OF FEES FOR THE ISSUANCE OF A LICENSE OR SANCTIONING PERMIT; AMENDING SECTION 54-411, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A STATEMENT AND REPORT OF AN EVENT AND THE PAYMENT OF A TAX TO THE COMMISSION; AMENDING SECTION 54-413,

IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-419, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AN INACCURATE STATEMENT AND REPORT OF AN EVENT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-420, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PROHIBITIONS AND PENALTIES.

**HOUSE BILL NO. 507**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO CONTRACTOR REGISTRATION ACT; AMENDING SECTION 54-5210, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO AN APPLICATION FOR REGISTRATION AS A CONTRACTOR; AND AMENDING SECTION 54-5215, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE BOARD'S AUTHORITY TO INVESTIGATE AND DISCIPLINE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 508**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO CRIME VICTIMS COMPENSATION; AMENDING CHAPTER 10, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1026, IDAHO CODE, TO PROVIDE FOR PAYMENTS TO MEDICAL PROVIDERS.

**HOUSE BILL NO. 509**  
**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 72-1336A, IDAHO CODE, TO PROVIDE FOR YOUTH EMPLOYMENT AND JOB TRAINING PROGRAMS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 510**  
**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 72-1318A, IDAHO CODE, TO DEFINE "DECISION"; AMENDING CHAPTER 13, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1318B, IDAHO CODE, TO DEFINE "DETERMINATION," "REVISED DETERMINATION," "REDETERMINATION" OR "SPECIAL REDETERMINATION"; AMENDING SECTION 72-1346, IDAHO CODE, TO ALLOW THE DIRECTOR TO DETERMINE THE METHOD OF PAYING BENEFITS AND REFUNDS; AMENDING SECTION 72-1349, IDAHO CODE, TO PROVIDE LIMITATIONS OF ACTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 72-1368, IDAHO CODE, TO REVISE APPELLATE PROCEDURE; AMENDING SECTION 72-1369, IDAHO CODE, TO ALLOW THE DIRECTOR OF THE DEPARTMENT OF LABOR TO COMPROMISE OVERPAYMENTS, PENALTIES, INTEREST AND DISQUALIFICATION PERIODS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 511  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO STATE GOVERNMENT; AMENDING SECTION 67-2319, IDAHO CODE, TO PROVIDE FOR THE IDAHO COUNCIL FOR PURCHASES FROM PEOPLE WITH SEVERE DISABILITIES, TO PROVIDE FOR THE APPOINTMENT OF COUNCIL MEMBERS, TO PROVIDE FOR THE LENGTH OF TERM OF COUNCIL MEMBERS, TO PROVIDE FOR APPOINTMENT TO COUNCIL AS VACANCIES OCCUR, TO PROVIDE THAT MEMBERS SHALL SERVE WITHOUT HONORARIUM AND TO PROVIDE FOR COUNCIL DUTIES AND RESPONSIBILITIES.

**HOUSE BILL NO. 512  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3089, IDAHO CODE, TO PROVIDE DESIGNATION BY INDIVIDUALS OF INCOME TAX REFUNDS TO THE ELECTION CAMPAIGN FUND AND TO PROVIDE THAT INDIVIDUALS WITH INCOME TAX LIABILITY MAY DESIGNATE TO THE ELECTION CAMPAIGN FUND, TO DEFINE TERMS AND TO PROVIDE ADMINISTRATIVE PROCEDURES FOR USE OF MONEYS IN THE ELECTION CAMPAIGN FUND; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 513  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO TAXES; AMENDING SECTION 63-3622FF, IDAHO CODE, TO DELETE UNNECESSARY VERBIAGE AND TO PROVIDE THAT PURCHASES MADE WITH COUPONS ISSUED UNDER THE FEDERAL FOOD, CONSERVATION, AND ENERGY ACT OF 2008 ARE EXEMPT FROM SPECIFIED TAXES; AND DECLARING AN EMERGENCY

[H 498](#), [H 499](#), [H 500](#), [H 501](#), [H 502](#), [H 503](#), [H 504](#), [H 505](#), [H 506](#), [H 507](#), [H 508](#), [H 509](#), [H 510](#), [H 511](#), [H 512](#), and [H 513](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1267](#) and [S 1287](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

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

**Second Reading of Bills and Joint Resolutions**

[H 456](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[S 1294](#), by Finance Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Bedke asked unanimous consent that the bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

**Adjournment**

Mr. Bedke moved that the House adjourn until 11:30 a.m., Thursday, February 11, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 11:20 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

THIRTY-SECOND LEGISLATIVE DAY  
THURSDAY, FEBRUARY 11, 2010

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – McGeachin, Nielsen. Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Emily Hurst, Page.

### Approval of Journal

February 11, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 10, 2010

Mr. Speaker:

I return herewith enrolled [H 406](#) which has been signed by the President.

WOOD, Secretary

Enrolled [H 406](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 10, 2010

Mr. Speaker:

I transmit herewith [S 1302](#), [S 1296](#), [S 1297](#), [S 1307](#), and [S 1301](#) which have passed the Senate.

WOOD, Secretary

[S 1302](#), [S 1296](#), [S 1297](#), [S 1307](#), and [S 1301](#) were filed for first reading.

February 10, 2010

Mr. Speaker:

I return herewith [H 388](#), [H 439](#), and [H 440](#) which have passed the Senate.

WOOD, Secretary

[H 388](#), [H 439](#), and [H 440](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 498](#), [H 499](#), [H 500](#), [H 501](#), [H 502](#), [H 503](#), [H 504](#), [H 505](#), [H 506](#), [H 507](#), [H 508](#), [H 509](#), [H 510](#), [H 511](#), [H 512](#), and [H 513](#).

CLARK, Chairman

[H 498](#), [H 499](#), and [H 500](#) were referred to the Judiciary, Rules, and Administration Committee.

[H 501](#), [H 502](#), [H 503](#), [H 504](#), [H 505](#), [H 506](#), and [H 507](#) were referred to the Business Committee.

[H 508](#), [H 509](#), and [H 510](#) were referred to the Commerce and Human Resources Committee.

[H 511](#) was referred to the Education Committee.

[H 512](#) was referred to the Revenue and Taxation Committee.

[H 513](#) was filed for second reading.

February 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 418](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 418](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 10, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 464](#), [H 465](#), [H 466](#), and [H 467](#) and recommend that they do pass.

TRAIL, Chairman

[H 464](#), [H 465](#), [H 466](#), and [H 467](#) were filed for second reading.

February 11, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 398](#) and [H 457](#) and recommend that they do pass.

WOOD, Chairman

[H 398](#) and [H 457](#) were filed for second reading.

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

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 40 BY AGRICULTURAL AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING THE FINDINGS OF THE LEGISLATURE, ENCOURAGING HEALTHY, LOCALLY GROWN FOOD PRODUCTION, DISTRIBUTION AND CONSUMPTION IN THE STATE OF IDAHO, SUPPORT OF LOCAL FARMING, THE CONSUMPTION OF LOCALLY GROWN FOODS AND THE PROMOTION OF GREATER FOOD SELF-SUFFICIENCY WITHIN THE STATE, AND FURTHER ENCOURAGING IDAHOANS AND IDAHO BUSINESSES TO CELEBRATE AND GET TO KNOW THEIR LOCAL



**GROWERS AND TO PURCHASE AND CONSUME MORE FOOD PRODUCED IN OR NEAR IDAHO.**

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

WHEREAS, the State of Idaho recognizes the industriousness of Idaho farmers and ranchers throughout Idaho's history who have been and continue to be of major importance to the state's economy; and

WHEREAS, with Idaho's climate, soil and water, farmers and ranchers have created an agriculture that is famous around the world and Idaho-raised vegetables, fruits, grains, meats, dairy and eggs have an outstanding reputation for quality and flavor; and

WHEREAS, in the years preceding 1960, Idaho farmers grew a large percentage of the food eaten in the state. There has, however, been a steady shift away from Idaho's food self-sufficiency. Today a majority of the food eaten by Idahoans is not from Idaho, creating an unhealthy reliance on other regions of the United States and the world. Idahoans are spending millions of dollars annually on food that is grown or produced elsewhere, and it is prudent for the economy and state jobs to keep those dollars in Idaho; and

WHEREAS, locally produced food makes farming more economically viable, keeps farmers in business, provides new agricultural opportunities, promotes stewardship of resources and saves valuable farmland from development. When a farmer is producing food that will not travel a long distance, a shorter shelf life allows the farmer to experiment and diversify, making farming more profitable and providing consumers with more choices. Produce purchased locally has often been picked within 24 hours and such freshness not only improves the taste of food, but also the nutritional value of food which declines over time; and

WHEREAS, populations whose diets are high in fruits and vegetables experience better health, with lower rates of obesity and related chronic conditions. The ability to grow, sell and easily obtain a consistent, adequate supply of fresh, local food can increase food security and empower families and communities to be more healthy and self-sufficient; and

WHEREAS, states across the United States are increasingly focusing on providing healthy, locally grown food supplies for their residents by developing local food policies that encourage investment in local food-related jobs and infrastructure, community gardens, as well as better relationships with farmers in their region. The growing local food interest has increased demand among Idaho residents for healthy, locally grown foods and strengthened interest in developing partnerships between urban consumers and regional growers; and

WHEREAS, small business is the backbone of Idaho's economy and local food production can help promote entrepreneurship and self-sufficiency in Idaho's small towns, revitalizing regional small farms, creating local jobs, business opportunities and the recirculation of capital within Idaho. Idaho has already undertaken beginning steps to increase the amount of locally grown food available to Idaho consumers through the Idaho Department of Agriculture's Idaho Preferred™ program and the University of Idaho Extension Service has undertaken steps to encourage family food production through such programs as Master Gardeners, Master Food Preservers, Master Composters and Victory Garden.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that in order to promote the economic vitality and public health and safety of Idaho communities, provide incentives for job creation, attract economic investment, increase state per capita

income, support the future of agriculture and promote the health and economic security of Idaho citizens and communities, it encourages healthy, locally grown food production, distribution and consumption in the State of Idaho.

BE IT FURTHER RESOLVED that it encourages the support of local farming and the consumption of locally grown foods as a means for protecting our region's agricultural land, topsoil, genetic diversity and the skills upon which we all rely for our sustenance and survival.

BE IT FURTHER RESOLVED that it encourages the promotion of greater food self-sufficiency within the state and the recognition that it is in the best interests of Idaho families, Idaho businesses and our state's economy to further this self-sufficiency. It also encourages all Idahoans and Idaho businesses to celebrate and get to know their local growers and to purchase and consume more food that is produced in or near Idaho and their own kitchen pantries and dinner tables.

**HOUSE CONCURRENT RESOLUTION NO. 41  
BY AGRICULTURAL AFFAIRS COMMITTEE  
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE; RECOGNIZING AND ENCOURAGING THE WORK OF GRASSROOTS ORGANIZATIONS SUCH AS HISTORICAL PRESERVATION COMMISSIONS AND HISTORICAL SOCIETIES, AS WELL AS THE WORK OF THE STATE HISTORICAL SOCIETY AND THE IDAHO HERITAGE TRUST, TO PRESERVE IDAHO'S AGRICULTURAL HISTORY; APPRECIATING THE EFFORTS AND INVESTMENT IN HISTORIC PRESERVATION AT THE LOCAL LEVEL AS VITAL TO IDAHO'S STATEWIDE PRESERVATION EFFORT; AND STATING THERE IS NO STATE FINANCIAL COMMITMENT TO ACHIEVING THE RESOLUTION'S GOALS.

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

WHEREAS, Idaho historic agricultural buildings are witnesses to the role of agriculture in our state's history and economy and serve as scenic landmarks for residents and visitors alike; and

WHEREAS, historic agricultural structures across Idaho symbolize important Idaho values of heritage, hard work, productivity and an attachment to the land and the people who built them; and

WHEREAS, historic agricultural buildings uphold the historic rural qualities of Idaho's landscape, along with providing a picturesque atmosphere for the state's citizens and visitors to enjoy; and

WHEREAS, these structures provide insight into our distinctive agricultural history and heritage, as well as a visual description of rural life, both past and present, in Idaho; and

WHEREAS, the Idaho State Historical Society, the Idaho Heritage Trust, local historic preservation commissions and local historical societies across Idaho have made efforts to preserve these significant structures and make residents aware of their importance including, but not limited to, the following:

The Bear River Heritage Area's publication of "Historic Barns of Southeastern Idaho: A Self-Guided Driving Tour";

The Dry Creek Historical Society's preservation of the Schick-Ostolasa Farmstead in Ada County, which won the American Association for State and Local History Corey Award in 2009, the highest national award given in the field of state and local history to all-volunteer organizations;

The Adams County Historical Society's publication of "Meadows Valley Barns";

The Idaho Heritage Trust's assistance in preserving the 1922 log barn at the Landmark Forest Service Ranger Station in Valley County;

The Latah County Historic Preservation Commission's identification of the "Historic Agricultural Properties of Latah County, 1855-1955"; and

The White Spring Ranch Museum's preservation of the White Spring Ranch in Latah County as an example of early ranching in northern Idaho;

The Idaho State Historic Preservation Office's technical assistance in listing on the National Register of Historic Places seven barns in the Buhl area built by farmers attracted from Tillamook, along with related agricultural properties including Salmon Falls Dam, Milner Dam and the Twin Falls Main Canal; and

WHEREAS, as a result of various threats, Idaho's built agricultural environment is rapidly disappearing and with it an invaluable part of Idaho's history is also disappearing, as are opportunities for rural economic development.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the work of grassroots organizations such as historical preservation commissions and historical societies, as well as the work of the Idaho State Historical Society and the Idaho Heritage Trust to preserve Idaho's agricultural history is hereby recognized and encouraged.

BE IT FURTHER RESOLVED that the state of Idaho appreciates that efforts and investment in historic preservation at the local level are vital to Idaho's statewide preservation effort.

BE IT FURTHER RESOLVED that there is no state financial commitment to achieving the goals set forth in this resolution.

[HCR 40](#) and [HCR 41](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**HOUSE BILL NO. 514  
BY LOCAL GOVERNMENT COMMITTEE  
AN ACT**

RELATING TO CLASSIFICATION AND RETENTION OF COUNTY RECORDS; AMENDING SECTION 31-871, IDAHO CODE, TO PROVIDE THAT DISPOSITION OF RECORDS SHALL BE UNDER THE DIRECTION AND SUPERVISION OF THE ELECTED OFFICIAL OR DEPARTMENT HEAD RESPONSIBLE FOR SUCH RECORDS.

**HOUSE BILL NO. 515  
BY LOCAL GOVERNMENT COMMITTEE  
AN ACT**

RELATING TO SALE OF PERSONAL PROPERTY UPON DELINQUENCY; AMENDING SECTION 63-1012, IDAHO CODE, TO PROVIDE AN ALTERNATIVE PROCEDURE FOR THE COLLECTION OF A DELINQUENCY OF ANY PERSONAL PROPERTY TAX.

**HOUSE BILL NO. 516  
BY LOCAL GOVERNMENT COMMITTEE  
AN ACT**

RELATING TO WARRANTS OF DISTRRAINT; AMENDING SECTION 63-1013, IDAHO CODE, TO

PROVIDE THAT FEES ALLOWED FOR ISSUING WARRANTS OF DISTRRAINT, COLLECTION, LEVY AND RETURN OF THE SAME SHALL BE SET BY ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS.

**HOUSE BILL NO. 517  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO PHARMACISTS; AMENDING SECTION 54-1723A, IDAHO CODE, TO REVISE THE ANNUAL REGISTRATION RENEWAL DATE TO ENGAGE IN THE PRACTICE OF PHARMACY ACROSS STATE LINES; AND AMENDING SECTION 54-1724, IDAHO CODE, TO REVISE THE ANNUAL LICENSE RENEWAL DATE TO ENGAGE IN THE PRACTICE OF PHARMACY.

**HOUSE BILL NO. 518  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE I CONTROLLED SUBSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2707, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE II DRUGS AND OTHER SUBSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2709, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE III DRUGS AND OTHER SUBSTANCES; AMENDING SECTION 37-2711, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE IV DRUGS AND OTHER SUBSTANCES; AMENDING SECTION 37-2713, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE V DRUGS AND OTHER SUBSTANCES; AND AMENDING SECTION 37-2732C, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 519  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 18-1502C, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 37-2701, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 37-2732, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 520  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO VIDEO SERVICE ACT; AMENDING TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 30, TITLE 50, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR FRANCHISING AUTHORITY, USE OF PUBLIC RIGHTS-OF-WAY AND MODIFICATIONS OF EXISTING FRANCHISE AGREEMENTS, TO PROVIDE FOR FEES, TO REQUIRE THE HOLDER OF A CERTIFICATE TO PROVIDE SERVICE WITHIN A CERTAIN PERIOD

AND TO PROVIDE FOR REVOCATION OF CERTIFICATE FOR NONCOMPLIANCE, TO PROVIDE CUSTOMER ACCESS TO COMMUNITY PROGRAMMING, TO PROVIDE A VIDEO SERVICE PROVIDER FEE WITH DEFINITIONS, TO PROVIDE FOR NONDISCRIMINATION BY GOVERNMENTAL ENTITIES RELATING TO USE OF PUBLIC RIGHTS-OF-WAY, TO PROHIBIT DISCRIMINATION AMONG POTENTIAL RESIDENTIAL SUBSCRIBERS, TO PROVIDE FOR CUSTOMER SERVICE STANDARDS, TO PROVIDE FOR APPLICABILITY OF OTHER LAW; AND TO PROVIDE SEVERABILITY.

**HOUSE BILL NO. 521**  
**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO COUNTY RECORDER FEES; AMENDING SECTION 31-3205, IDAHO CODE, TO REVISE FEES THAT MAY BE CHARGED BY A COUNTY RECORDER TO THE PARTY PROCURING HIS SERVICES AND TO CLARIFY TERMS.

**HOUSE BILL NO. 522**  
**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO ACTIONS IN PARTICULAR CASES; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 28, TITLE 6, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE PROVISIONS RELATING TO LIABILITY OF OUT-OF-STATE EMERGENCY RESPONDERS WHO ENTER THIS STATE IN RESPONSE TO AN EMERGENCY; AMENDING SECTION 49-623, IDAHO CODE, TO PROVIDE THAT PROVISIONS RELATING TO AUTHORIZED EMERGENCY AND POLICE VEHICLES SHALL APPLY TO CERTAIN DRIVERS OF AUTHORIZED EMERGENCY OR POLICE VEHICLES OF OTHER STATES; AMENDING SECTION 56-1014, IDAHO CODE, TO PROVIDE THAT LIABILITY PROVISIONS APPLY TO CERTAIN OUT-OF-STATE LICENSED PERSONNEL WHO ENTER THIS STATE IN RESPONSE TO AN EMERGENCY; AND DECLARING AN EMERGENCY.

**HOUSE JOINT RESOLUTION NO. 3**  
**BY REVENUE AND TAXATION COMMITTEE**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 3D, ARTICLE VIII, RELATING TO AUTHORIZED INDEBTEDNESS FOR MUNICIPAL ELECTRIC SYSTEMS, TO PROVIDE THAT ANY CITY OWNING A MUNICIPAL ELECTRIC SYSTEM MAY ACQUIRE, CONSTRUCT, INSTALL AND EQUIP ELECTRIC GENERATING, TRANSMISSION AND DISTRIBUTION FACILITIES FOR THE PURPOSE OF SUPPLYING ELECTRICITY TO CUSTOMERS LOCATED WITHIN THE SERVICE AREA OF EACH SYSTEM ESTABLISHED BY LAW AND FOR THE PURPOSE OF PAYING THE COST THEREOF, ISSUE REVENUE BONDS WITH THE ASSENT OF A MAJORITY OF THE QUALIFIED ELECTORS VOTING AT AN ELECTION HELD AS PROVIDED BY LAW AND INCUR INDEBTEDNESS OR LIABILITY UNDER AGREEMENTS TO PURCHASE, SHARE, EXCHANGE OR TRANSMIT WHOLESALE ELECTRICITY FOR THE USE AND BENEFIT OF CUSTOMERS LOCATED WITHIN SUCH SERVICE AREA AND PROVIDED THAT ANY REVENUE BONDS,

INDEBTEDNESS OR LIABILITY SHALL BE PAYABLE SOLELY FROM THE RATES, CHARGES OR REVENUES DERIVED FROM THE MUNICIPAL ELECTRIC SYSTEM AND SHALL NOT BE SECURED BY THE FULL FAITH AND CREDIT OR THE TAXING POWER OF THE CITY, THE STATE OR ANY POLITICAL SUBDIVISION; 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.

**HOUSE JOINT RESOLUTION NO. 4**  
**BY REVENUE AND TAXATION COMMITTEE**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 3C, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO HOSPITALS AND HEALTH SERVICES TO AUTHORIZE PUBLIC HOSPITALS, ANCILLARY TO THEIR OPERATIONS AND IN FURTHERANCE OF HEALTH CARE NEEDS IN THEIR SERVICE AREAS, TO INCUR INDEBTEDNESS OR LIABILITY TO PURCHASE, CONTRACT, LEASE OR CONSTRUCT OR OTHERWISE ACQUIRE FACILITIES, EQUIPMENT, TECHNOLOGY AND REAL PROPERTY FOR HEALTH CARE OPERATIONS, PROVIDED THAT NO AD VALOREM TAX REVENUES SHALL BE USED FOR SUCH ACTIVITIES; 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.

**HOUSE JOINT RESOLUTION NO. 5**  
**BY REVENUE AND TAXATION COMMITTEE**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 3E, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO REVENUE BOND FINANCING OF POLITICAL SUBDIVISIONS OF THE STATE AND REGIONAL AIRPORT AUTHORITIES TO PROVIDE FOR THE ISSUANCE OF REVENUE AND SPECIAL FACILITY BONDS BY POLITICAL SUBDIVISIONS OF THE STATE AND REGIONAL AIRPORT AUTHORITIES AS DEFINED BY LAW, IF OPERATING AN AIRPORT TO ACQUIRE, CONSTRUCT, INSTALL, AND EQUIP LAND, FACILITIES, BUILDINGS, PROJECTS OR OTHER PROPERTY, WHICH ARE HEREBY DEEMED TO BE FOR A PUBLIC PURPOSE, TO BE FINANCED FOR, OR TO BE LEASED, SOLD OR OTHERWISE DISPOSED OF TO PERSONS, ASSOCIATIONS OR CORPORATIONS, OR TO BE HELD BY THE SUBDIVISION OR REGIONAL AIRPORT AUTHORITY, AND MAY IN THE MANNER PRESCRIBED BY LAW ISSUE REVENUE AND SPECIAL FACILITY BONDS TO FINANCE THE COSTS THEREOF, PROVIDED THAT ANY SUCH BONDS SHALL BE PAYABLE SOLELY FROM FEES, CHARGES, RENTS, PAYMENTS, GRANTS, OR ANY OTHER REVENUES DERIVED FROM THE AIRPORT OR ANY OF ITS FACILITIES, STRUCTURES, SYSTEMS, OR PROJECTS, OR FROM ANY LAND, FACILITIES, BUILDINGS, PROJECTS OR OTHER PROPERTY FINANCED BY SUCH BONDS,

AND SHALL NOT BE SECURED BY THE FULL FAITH AND CREDIT OR THE TAXING POWER OF THE SUBDIVISION OR REGIONAL AIRPORT AUTHORITY; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[H 514](#), [H 515](#), [H 516](#), [H 517](#), [H 518](#), [H 519](#), [H 520](#), [H 521](#), [H 522](#), [HJR 3](#), [HJR 4](#), and [HJR 5](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1302](#) and [S 1307](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

[S 1296](#) and [S 1297](#), by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1301](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

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

#### Second Reading of Bills and Joint Resolutions

[H 408](#), [H 409](#), [H 410](#), and [H 411](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 471](#) and [H 472](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [HCR 36](#), [HCR 37](#), and [H 404](#) retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 414](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 414](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Mathews, McGeachin, Nielsen, Roberts, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 414](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 430](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 430](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Mathews, McGeachin, Nielsen, Roberts, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 430](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 38](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 38](#) be adopted?"

Whereupon the Speaker declared [HCR 38](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[H 386](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall [H 386](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Mathews, McGeachin, Nielsen, Roberts, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 386](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 444](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 444](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Moyle, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Chavez, Pasley-Stuart. Total – 2.

Absent and excused – Mathews, McGeachin, Nielsen, Roberts, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 444](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1292](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [S 1292](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Mathews, McGeachin, Nielsen, Roberts, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1292](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1293](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1293](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould,

Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Barrett, Boyle, Clark, Kren, Shepherd(08). Total – 5.

Absent and excused – Mathews, McGeachin, Nielsen, Roberts, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1293](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 12, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:15 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY  
FRIDAY, FEBRUARY 12, 2010

House of Representatives

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

Roll call showed 65 members present.

Absent and excused – Bedke, Clark, Loertscher, Ruchti,  
Smith(24). Total – 5.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Sara Carter, Page.

### Approval of Journal

February 12, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

At this time, the Speaker put the House at ease.

A Lincoln Day Memorial Service was presented to the members of the House.

Opening Remarks ..... Representative Darrell Bolz

Posting of the Colors ..... Boy Scouts

Pledge of Allegiance..... Taylor Takasugi

"Swing Low Sweet Chariot" ..... Cheri Buckner-Webb, soloist  
& Michael Boney, pianist

"Finding the Underground Railroad" ..... David Leroy

"Wade in the Water" ..... Cheri Buckner-Webb & Michael Boney

"Lincoln, the Emancipator and Idaho" ..... David Leroy

"Battle Hymn of the Republic" ..... Cheri Buckner-Webb  
& Michael Boney

Concluding Remarks ..... Representative Darrell Bolz

Prior to going at ease, the House was at the Fourth Order of Business.

February 11, 2010

Mr. Speaker:

I return herewith enrolled [H 379](#) which has been signed by the President.

WOOD, Secretary

Enrolled [H 379](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 11, 2010

Mr. Speaker:

I return herewith [HP 3](#) which has passed the Senate.

WOOD, Secretary

[HP 3](#) was ordered filed in the office of the Chief Clerk.

### Report of Standing Committees

February 12, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 40](#), [HCR 41](#), [H 514](#), [H 515](#), [H 516](#), [H 517](#), [H 518](#), [H 519](#), [H 520](#), [H 521](#), [H 522](#), [HJR 3](#), [HJR 4](#), and [HJR 5](#).

CLARK, Chairman

[HCR 40](#) and [HCR 41](#) were referred to the Agricultural Affairs Committee.

[H 514](#), [H 515](#), and [H 516](#) were referred to the Local Government Committee.

[H 517](#), [H 518](#), and [H 519](#) were referred to the Health and Welfare Committee.

[H 520](#), [H 521](#), [H 522](#), [HJR 3](#), [HJR 4](#), and [HJR 5](#) were referred to the State Affairs Committee.

February 12, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 388](#), [H 439](#), and [H 440](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 388](#), [H 439](#), and [H 440](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 12, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 406](#) to the Governor at 12:54 p.m., as of this date, February 11, 2010.

CLARK, Chairman

February 11, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [HJM 9](#), [H 415](#), [H 416](#), [H 417](#), and [H 463](#) and recommend that they do pass.

STEVENSON, Chairman

[HJM 9](#), [H 415](#), [H 416](#), [H 417](#), and [H 463](#) were filed for second reading.

February 12, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 488](#) and recommend that it do pass.

LAKE, Chairman

[H 488](#) was filed for second reading.

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

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 11 BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

##### A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Cap-and-Trade will dramatically affect American farmers as it is estimated that this legislation will cause farm income to drop 94 percent, or over \$50 billion by 2035; and

WHEREAS, the cost for hard-working American families will be staggering, totaling \$890 per family per year according to the Congressional Budget Office, and at least \$1,218 per average annual household burden, or approximately two percent of the average household income; and

WHEREAS, these huge costs per family will fail to accomplish environmental goals because climate models and environmental groups show that reductions would have little or no detectable impact on global average temperatures; and

WHEREAS, under the Waxman-Markey Cap-and-Trade system, once carbon emissions allowances are distributed, entities will be free to buy and sell allowances, creating a billion dollar commodity and derivatives market subjecting energy prices to Wall Street speculation and market volatility; and

WHEREAS, Cap-and-Trade could increase greenhouse gas emissions, as the cost of complying with the legislation could force companies to move their industrial operations to countries with inferior pollution control technology resulting in five-times greater emissions of greenhouse gases and causes lost jobs at a time when we cannot afford it; and

WHEREAS, the Waxman-Markey bill expands the realm of the federal government over energy utilities and manufacturers, establishes new federal agencies, and allocates taxpayer funds to be handed out at the discretion of the EPA Administrator and the U.S. Secretary of Energy.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize that Cap-and-Trade is a tax on energy that falls on hard-working Idaho families and that the cost of this tax greatly exceeds any benefit, especially in this time of economic crises and that we urge our members of Congress to vote "NO" on Cap-and-Trade and Congress as a whole to reject all efforts to use global warming as a pretext to increase federal revenues.

BE IT FURTHER RESOLVED that we support the use of all energy sources that will reduce carbon emissions, especially

nuclear, clean-coal and renewable energy technologies including wind, solar, geothermal and hydropower.

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

[HJM 11](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

#### HOUSE BILL NO. 523 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

##### AN ACT

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-507, IDAHO CODE, TO PROVIDE THAT THE COURT RETAINS JURISDICTION OVER VIOLATIONS OF PROBATION OR INFORMAL DISPOSITION FILED PRIOR TO A FORMER JUVENILE'S TWENTY-FIRST BIRTHDAY.

#### HOUSE BILL NO. 524 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

##### AN ACT

RELATING TO FEES; AMENDING SECTION 1-1623, IDAHO CODE, TO PROVIDE AN ADDITIONAL SOURCE OF MONEYS FOR THE IDAHO STATEWIDE TRIAL COURT AUTOMATED RECORDS SYSTEM TECHNOLOGY FUND; AMENDING SECTION 1-1625, IDAHO CODE, TO PROVIDE AN ADDITIONAL SOURCE OF MONEYS FOR THE DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT SERVICES FUND; AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3201H, IDAHO CODE, TO ESTABLISH AN EMERGENCY SURCHARGE FEE AND TO REQUIRE THE DEPOSIT OF SUCH FEES INTO CERTAIN FUNDS; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 525 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO THE FILM AND TELEVISION PRODUCTION BUSINESS REBATE FUND; AMENDING SECTION 67-4728, IDAHO CODE, TO CLARIFY THAT THE FILM AND TELEVISION PRODUCTION BUSINESS REBATE FUND MAY CONSIST OF GRANTS, FEDERAL MONEYS, DONATIONS OR FUNDS FROM ANY OTHER SOURCE.

#### HOUSE BILL NO. 526 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO SECURITY INTERESTS; AMENDING SECTION 28-9-310, IDAHO CODE, TO PROVIDE THAT FILING A FINANCING STATEMENT IS NOT NECESSARY TO PERFECT A SECURITY INTEREST IN TIMBER SOLD BY THE STATE OF IDAHO.

**HOUSE BILL NO. 527**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
 AN ACT

RELATING TO THE INDUSTRIAL COMMISSION; AMENDING SECTION 72-528, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REQUIRED STATISTICAL INFORMATION AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 528**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2872, IDAHO CODE, TO PROVIDE CERTAIN CONTRACTUAL OBLIGATIONS OF AN INSURANCE COMPANY ISSUING BENEFITS PURSUANT TO CHAPTER 28, TITLE 41, IDAHO CODE; AND AMENDING SECTION 41-3927, IDAHO CODE, TO PROVIDE CERTAIN CONTRACTUAL OBLIGATIONS OF A MANAGED CARE ORGANIZATION.

**HOUSE BILL NO. 529**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO INSURANCE CONTRACTS WITH PROVIDERS OF DENTAL SERVICES; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1849, IDAHO CODE, TO PROVIDE PROVISIONS FOR CONTRACTS WITH PROVIDERS OF DENTAL SERVICES, TO DEFINE "COVERED SERVICES" AND TO PROVIDE APPLICATION; AMENDING CHAPTER 34, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-3444, IDAHO CODE, TO PROVIDE PROVISIONS FOR CONTRACTS WITH PROVIDERS OF DENTAL SERVICES, TO DEFINE "COVERED SERVICES" AND TO PROVIDE APPLICATION.

**HOUSE BILL NO. 530**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO INSURANCE; REPEALING SECTION 41-2872, IDAHO CODE, RELATING TO HEALTH CARE PROVIDER CONTRACTS AND TO GRIEVANCE PROCEDURE; AMENDING SECTION 41-2801, IDAHO CODE, TO DELETE A CODE REFERENCE; REPEALING SECTION 41-3927, IDAHO CODE, RELATING TO HEALTH CARE PROVIDERS, PARTICIPATION BY ANY QUALIFIED, WILLING PROVIDER, CONTRACTS AND GRIEVANCE PROCEDURE; AND AMENDING SECTION 41-3904, IDAHO CODE, TO DELETE A CODE REFERENCE.

**HOUSE BILL NO. 531**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 9-340C, IDAHO CODE, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION RELATING TO IDAHO FISH AND GAME LICENSES, PERMITS AND TAGS; AMENDING SECTION 36-402, IDAHO CODE, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION RELATING TO IDAHO FISH AND GAME LICENSES, PERMITS AND TAGS; AMENDING SECTION 36-1510, IDAHO CODE, TO CLARIFY THAT CERTAIN PROVISIONS RELATING TO INTERFERENCE WITH THE TAKING OR CONTROL OF WILDLIFE ALSO

APPLY TO TRAPPING, TO PROHIBIT INTENTIONAL INTERFERENCE WITH LAWFUL WILDLIFE CONTROL BY ANOTHER, TO DELETE THE PROHIBITION OF ENTERING OR REMAINING IN AN AREA WHERE AN ANIMAL MAY BE TAKEN WITH THE INTENT TO INTERFERE WITH THE LAWFUL TAKING OR PURSUIT OF WILDLIFE, TO PROHIBIT CERTAIN HARASSMENT, INTIMIDATION OR THREATS RELATING TO THE LAWFUL TAKING AND CONTROL OF FISH AND WILDLIFE AND TO CLARIFY THAT CERTAIN PROHIBITIONS SHALL NOT APPLY TO CONSTITUTIONALLY PROTECTED ACTIVITIES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 532**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO PROVIDE FOR MONEYS RECEIVED FROM THE SALE OF CONSERVATION PERMITS; AMENDING CHAPTER 4, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-409B, IDAHO CODE, TO AUTHORIZE THE FISH AND GAME COMMISSION TO PROMULGATE RULES RELATING TO THE ENTRY UPON CERTAIN DEPARTMENT LANDS AND TO PROVIDE FOR CONSERVATION PERMITS; AMENDING SECTION 36-416, IDAHO CODE, TO PROVIDE FOR FEES FOR CONSERVATION PERMITS; AND AMENDING SECTION 36-1401, IDAHO CODE, TO PROVIDE THAT CERTAIN CONDUCT SHALL CONSTITUTE AN INFRACTION.

**HOUSE BILL NO. 533**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO INVASIVE SPECIES; AMENDING SECTION 67-7008A, IDAHO CODE, TO PROVIDE THAT SAILBOATS SHALL BE ASSESSED A FEE, TO REVISE FEE PROVISIONS, TO PROVIDE FOR FEES FOR ADDITIONAL VESSELS IN EXCESS OF ONE HUNDRED VESSELS FOR LICENSED OUTFITTERS, TO PROVIDE FEE RATES FOR CERTAIN GROUPS EXEMPT FROM SPECIFIED LICENSING, TO PROVIDE FOR THE RETENTION OF CERTAIN FEES, TO PROVIDE FOR REPLACEMENT STICKERS, AND TO PROVIDE FOR STICKERS FOR THOSE ENGAGED IN THE MANUFACTURE AND SALE OF VESSELS; AND DECLARING AN EMERGENCY.

[H 523](#), [H 524](#), [H 525](#), [H 526](#), [H 527](#), [H 528](#), [H 529](#), [H 530](#), [H 531](#), [H 532](#), and [H 533](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Second Reading of Bills and Joint Resolutions**

[H 513](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 464](#), [H 465](#), [H 466](#), and [H 467](#), by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

[H 398](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.



[H 457](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[S 1302](#) and [S 1307](#), by Finance Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[HCR 36](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 36](#) be adopted?"

Whereupon the Speaker declared [HCR 36](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[HCR 37](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 37](#) be adopted?"

Whereupon the Speaker declared [HCR 37](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 15, 2010. There being no objection, it was so ordered.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, February 15, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:47 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 15, 2010

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Danica Lupton, Page.

Approval of Journal

February 15, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

Consideration of Messages from the
Governor and the Senate

At this time, the Speaker put the House at ease.

MEMORIAL SERVICE

Opening Remarks ..... Representative Leon Smith

Boise State University Meistersingers
"America the Beautiful"

Introduction of Memorial Speakers ... Representative Leon Smith

Presentation of Memorials

- Bruce L Sweeney..... Representative Liz Chavez
Carol A. Pietsch..... Representative Wendy Jaquet
Rich Orme..... Representative JoAn Wood
Wayne Meyer..... Representative Bob Nonini
S. Lynn Loosli ..... Representative Dell Raybould
M. Reed Hansen ..... Representative Tom Loertscher
Charles F. Cook ..... Representative Dick Harwood
John Wilkins Batt, Jr ..... Representative Carlos Bilbao

Boise State University Meistersingers
"Here We Have Idaho"

Benediction ..... "Irish Blessing"
Boise State University Meistersingers

A HOUSE MEMORIAL

WHEREAS, Representative Bruce L. Sweeney has passed
on since the close of First Regular Session of the Sixtieth Idaho
Legislature; and

WHEREAS, the late Representative Bruce L. Sweeney
served in this House, in the interest of Nez Perce County, during
the Forty-first through Forty-second Legislatures, covering the
years 1971 through 1974.

NOW, THEREFORE, BE IT RESOLVED that the House of
Representatives of the Sixtieth Legislature draw public attention
by this Memorial to the life and works of Bruce L. Sweeney.

BE IT FURTHER RESOLVED that the House of
Representatives of the Sixtieth Idaho Legislature extend to
the bereaved family the heartfelt sympathy of this entire body;
and

BE IT FURTHER RESOLVED that the Chief Clerk of the
House of Representatives be, and she is hereby instructed to
spread this Memorial upon the Journal of the House, and to
forward copies to the members of the Sweeney family.

Representative Liz Chavez paid tribute to the former
Representative Bruce L. Sweeney.

A HOUSE MEMORIAL

WHEREAS, Representative Carol A. Pietsch has passed on
since the close of First Regular Session of the Sixtieth Idaho
Legislature; and

WHEREAS, the late Representative Carol A. Pietsch served
in this House, in the interest of Bonner and Boundary counties,
during the Fifty-third Legislature, covering the years 1995
through 1996.

NOW, THEREFORE, BE IT RESOLVED that the House of
Representatives of the Sixtieth Legislature draw public attention
by this Memorial to the life and works of Carol A. Pietsch.

BE IT FURTHER RESOLVED that the House of
Representatives of the Sixtieth Idaho Legislature extend to
the bereaved family the heartfelt sympathy of this entire body;
and

BE IT FURTHER RESOLVED that the Chief Clerk of the
House of Representatives be, and she is hereby instructed to
spread this Memorial upon the Journal of the House, and to
forward copies to the members of the Pietsch family.

Representative Wendy Jaquet paid tribute to the former
Representative Carol A. Pietsch.

A HOUSE MEMORIAL

WHEREAS, Representative Rich Orme has passed on
since the close of First Regular Session of the Sixtieth Idaho
Legislature; and

WHEREAS, the late Representative Rich Orme served in this
House, in the interest of Fremont and Madison counties, during
the Forty-sixth through Forty-seventh Legislatures, covering the
years 1981 through 1984.

NOW, THEREFORE, BE IT RESOLVED that the House of
Representatives of the Sixtieth Legislature draw public attention
by this Memorial to the life and works of Rich Orme.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Orme family.

Representative JoAn Wood paid tribute to the former Representative Rich Orme.

#### A HOUSE MEMORIAL

WHEREAS, Representative Wayne Meyer has passed on since the close of First Regular Session of the Sixtieth Idaho Legislature; and

WHEREAS, the late Representative Wayne Meyer served in this House, in the interest of Bonner and Kootenai counties, during the Fifty-third through Fifty-seventh Legislatures, covering the years 1995 through 2004.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of Wayne Meyer.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Meyer family.

Representative Bob Nonini paid tribute to the former Representative Wayne Meyer.

#### A HOUSE MEMORIAL

WHEREAS, Representative S. Lynn Loosli has passed on since the close of First Regular Session of the Sixtieth Idaho Legislature; and

WHEREAS, the late Representative S. Lynn Loosli served in this House, in the interest of Bonneville, Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison, and Teton counties, during the Fifty-first through Fifty-third Legislatures, covering the years 1991 through 1996.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of S. Lynn Loosli.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Loosli family.

Representative Dell Raybould paid tribute to the former Representative S. Lynn Loosli.

#### A HOUSE MEMORIAL

WHEREAS, Representative M. Reed Hansen has passed on since the close of First Regular Session of the Sixtieth Idaho Legislature; and

WHEREAS, the late Representative M. Reed Hansen served in this House, in the interest of Bonneville and Teton counties, during the Forty-eighth through Fifty-first Legislatures, and

during the Fifty-third through Fifty-fifth Legislatures, covering the years 1985 through 1992, and 1995 through 2000.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of M. Reed Hansen.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Hansen family.

Representative Thomas F. Loertscher paid tribute to the former Representative M. Reed Hansen.

#### A HOUSE MEMORIAL

WHEREAS, Representative Charles F. Cook has passed on since the close of First Regular Session of the Sixtieth Idaho Legislature; and

WHEREAS, the late Representative Charles F. Cook served in this House, in the interest of Benewah County, during the Thirty-second through Thirty-third Legislatures, covering the years 1953 through 1956.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of Charles F. Cook.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Cook family.

Representative R. J. "Dick" Harwood paid tribute to the former Representative Charles F. Cook.

#### A HOUSE MEMORIAL

WHEREAS, Representative John W. Batt, Jr. has passed on since the close of First Regular Session of the Sixtieth Idaho Legislature; and

WHEREAS, the late Representative John W. Batt, Jr. served in this House, in the interest of Canyon County, during the Thirty-seventh Legislature, covering the years 1963 through 1964.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixtieth Legislature draw public attention by this Memorial to the life and works of John W. Batt, Jr.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixtieth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Batt family.

Representative Carlos Bilbao paid tribute to the former Representative John W. Batt, Jr.

Prior to going at ease, the House was at the Fourth Order of Business.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 11, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 406](#)

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

February 12, 2010

Mr. Speaker:

I return herewith enrolled [H 418](#) which has been signed by the President.

WOOD, Secretary

Enrolled [H 418](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

**Report of Standing Committees**

February 15, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HJM 11](#), [H 523](#), [H 524](#), [H 525](#), [H 526](#), [H 527](#), [H 528](#), [H 529](#), [H 530](#), [H 531](#), [H 532](#), and [H 533](#).

CLARK, Chairman

[HJM 11](#) was referred to the Environment, Energy, and Technology Committee.

[H 523](#) and [H 524](#) were referred to the Judiciary, Rules, and Administration Committee.

[H 525](#), [H 526](#), and [H 527](#) were referred to the Commerce and Human Resources Committee.

[H 528](#), [H 529](#), and [H 530](#) were referred to the Business Committee.

[H 531](#), [H 532](#), and [H 533](#) were referred to the Resources and Conservation Committee.

February 15, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 379](#) to the Governor at 12:20 p.m., as of this date, February 12, 2010.

CLARK, Chairman

February 12, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 486](#) and recommend that it do pass.

WOOD, Chairman

[H 486](#) was filed for second reading.

February 15, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 491](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 491](#) was filed for second reading.

February 15, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 493](#) and recommend that it do pass.

NONINI, Chairman

[H 493](#) was filed for second reading.

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

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 42**

**BY STATE AFFAIRS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS AND AMENDING THE RETROACTIVE COST OF LIVING ADJUSTMENT APPROVED BY THE PUBLIC EMPLOYEE RETIREMENT SYSTEM BOARD AT ITS DECEMBER 2009 MEETING.

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

WHEREAS, the Board of the Public Employee Retirement System of Idaho approved a retroactive cost of living adjustment to retired members' retirement allowance payments pursuant to Section 59-1355, Idaho Code, at their December 2009 meeting; and

WHEREAS, subsection (7) of Section 59-1355, Idaho Code, gives the Legislature the authority to amend or reject the cost of living adjustment by adoption of a concurrent resolution; and

WHEREAS, national and state economic conditions are requiring necessary reductions across all levels of state and local government services and the continuing uncertainty regarding the economy requires a responsible and cautious approach with public funds; and

WHEREAS, most active state and local government employees have not received compensation increases for the current fiscal year and in fact have seen compensation reduced; and

WHEREAS, the retirement contribution rates for both employees and employers is already scheduled to increase in fiscal year 2012, bringing more pressure to bear not only upon active employees, but also upon state and local government financial resources.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the retroactive cost of living adjustment approved by the Public Employee Retirement System Board at its December 2009 meeting to become effective March 1, 2010, be, and the same is hereby amended to 1.5022%.

[HCR 42](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**HOUSE BILL NO. 534  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO PHARMACISTS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1770, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE CERTAIN LIMITATIONS ON DRUG PRODUCT SELECTION FOR EPILEPSY AND SEIZURE DRUGS.

**HOUSE BILL NO. 535  
BY LOCAL GOVERNMENT COMMITTEE  
AN ACT**

RELATING TO ATTORNEY'S FEES, WITNESS FEES AND EXPENSES AWARDED IN CERTAIN INSTANCES; AMENDING SECTION 12-117, IDAHO CODE, TO REVISE WHEN ATTORNEY'S FEES, WITNESS FEES AND EXPENSES MAY BE AWARDED.

**HOUSE BILL NO. 536  
BY LOCAL GOVERNMENT COMMITTEE  
AN ACT**

RELATING TO COMMUNITY INFRASTRUCTURE DISTRICTS; AMENDING SECTION 50-3102, IDAHO CODE, TO REVISE CERTAIN DEFINITIONS; AMENDING SECTION 50-3103, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTICE AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-3104, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE MANAGER, TREASURER AND CLERK OF A DISTRICT; AMENDING SECTION 50-3105, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE USE OF CERTAIN PUBLIC EASEMENTS AND RIGHTS-OF-WAY AND TO REVISE PROVISIONS RELATING TO COMMUNITY INFRASTRUCTURE LOCATION; AMENDING SECTION 50-3108, IDAHO CODE, TO PROVIDE THAT IN NO EVENT SHALL THE AGGREGATE OUTSTANDING PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS AND ANY OTHER INDEBTEDNESS FOR WHICH THE FULL FAITH AND CREDIT OF THE DISTRICT ARE PLEDGED EXCEED SEVEN PERCENT OF THE ACTUAL OR ADJUSTED MARKET VALUE FOR ASSESSMENT PURPOSES ON CERTAIN PROPERTY AS SUCH VALUATION EXISTED ON A CERTAIN DATE; AMENDING SECTION 50-3109, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ADOPTION OF A CERTAIN RESOLUTION; REPEALING SECTION 50-3113, IDAHO CODE, RELATING TO THE COST OF ADMINISTRATION; AND AMENDING SECTION 50-3119, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN APPEALS.

**HOUSE BILL NO. 537  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO THE SOCIAL WORK LICENSING ACT; AMENDING SECTION 54-3202, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 54-3206, IDAHO CODE, TO REVISE LICENSING QUALIFICATIONS.

**HOUSE BILL NO. 538  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO THE FREEDOM OF CHOICE OF DENTURES ACT; AMENDING SECTION 54-3308, IDAHO CODE, TO REVISE LAY BOARD MEMBER COMPENSATION; AND AMENDING SECTION 54-3312, IDAHO CODE, TO RAISE THE LICENSE RENEWAL FEE MAXIMUM.

**HOUSE BILL NO. 539  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO THE IDAHO RESIDENTIAL CARE ADMINISTRATORS ACT; AMENDING SECTION 54-4203, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-4204, IDAHO CODE, TO REMOVE REFERENCE TO THE INITIAL BOARD, TO REVISE BOARD MEMBER COMPENSATION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-4206, IDAHO CODE, TO REVISE CANDIDATE QUALIFICATIONS FOR A LICENSURE EXAMINATION AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 540  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420J, IDAHO CODE, TO ESTABLISH THE SELWAY-BITTERROOT WILDERNESS SPECIAL LICENSE PLATE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 541  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE THAT THE STATE OF IDAHO SHALL NOT EXTEND FULL FAITH AND CREDIT TO CERTAIN OUT-OF-STATE DRIVER'S LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE THAT A DRIVER'S LICENSE PHOTOGRAPH SHALL BE LIMITED TO A TWO-DIMENSIONAL PHOTOGRAPH, TO PROVIDE RESTRICTIONS ON CERTAIN MACHINE-READABLE CODES, TO PROHIBIT THE USE OF CERTAIN DEVICES OR TECHNIQUES THAT CAN TRANSMIT CERTAIN INFORMATION AND TO PROVIDE FOR CONSENT OR VOLUNTARY PARTICIPATION.

**HOUSE BILL NO. 542  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO MOTOR VEHICLE REGISTRATION AND CERTIFICATION; AMENDING SECTION 49-401B, IDAHO CODE, TO PROVIDE THAT CERTAIN BUSINESSES, TRUSTS OR OTHER STATUTORILY CREATED ENTITIES SHALL PROVIDE A WRITTEN STATEMENT; AMENDING SECTION 49-504, IDAHO CODE, TO PROVIDE THAT CERTAIN BUSINESSES, TRUSTS OR OTHER STATUTORILY CREATED ENTITIES SHALL PROVIDE A WRITTEN STATEMENT AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 543**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO FIREARMS, EXPLOSIVES AND OTHER DEADLY WEAPONS; AMENDING SECTION 18-3318, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3319A, IDAHO CODE, TO PROVIDE FOR UNLAWFUL ACTS RELATING TO A HOAX DESTRUCTIVE DEVICE AND TO PROVIDE PENALTIES.

**HOUSE BILL NO. 544**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO THE HIGHER EDUCATION STABILIZATION FUND; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3726, IDAHO CODE, TO CREATE THE HIGHER EDUCATION STABILIZATION FUND, TO CREATE THE STRATEGIC INTEREST ACCOUNT, TO PROVIDE MONEYS FOR THE STRATEGIC INTEREST ACCOUNT, TO CREATE SURPLUS STABILIZATION ACCOUNTS, TO PROVIDE MONEYS FOR THE SURPLUS STABILIZATION ACCOUNTS AND TO PROVIDE THAT EXPENDITURES FROM SUCH ACCOUNTS SHALL BE SUBJECT TO LEGISLATIVE APPROPRIATION.

**HOUSE BILL NO. 545**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-206, IDAHO CODE, TO PROVIDE FOR A DESIGNEE RELATING TO THE BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 546**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO PURCHASING BY POLITICAL SUBDIVISIONS; AMENDING SECTION 67-2803, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PROCUREMENT REQUIREMENTS FOR CERTAIN CONTRACTS OR PURCHASES BY SCHOOL DISTRICTS AND TO PROVIDE THAT PROCUREMENT REQUIREMENTS SHALL NOT APPLY TO THE PROCUREMENT OF CERTAIN FINANCIAL SERVICES; AMENDING SECTION 67-2806, IDAHO CODE, TO PROVIDE FOR AN EXCEPTION, TO PROVIDE THAT CERTAIN PROCUREMENT PROVISIONS SHALL APPLY TO SCHOOL DISTRICTS, TO PROVIDE FOR THE AWARD OF CONTRACTS, TO PROVIDE THAT A POLITICAL SUBDIVISION MAY ACQUIRE PROPERTY FROM A RESPONSIBLE BIDDER WHOSE BID MEETS CERTAIN REQUIREMENTS, TO PROVIDE THAT CERTAIN PROCUREMENT PROCEDURES SHALL APPLY TO SCHOOL DISTRICTS, TO PROVIDE FOR PROCUREMENT TO BE MADE FROM THE LOWEST RESPONSIBLE BIDDER COMPLYING WITH CERTAIN REQUIREMENTS, TO REVISE TERMINOLOGY AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.

**HOUSE JOINT RESOLUTION NO. 6**  
**BY EDUCATION COMMITTEE**  
 A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 2, ARTICLE IX, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE STATE BOARD OF EDUCATION, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL SUPERVISE THE PUBLIC INSTITUTIONS OF POSTSECONDARY EDUCATION IN THE STATE OF IDAHO AND TO PROVIDE THAT THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL SUPERVISE THE PUBLIC SCHOOL SYSTEM OF THE STATE OF IDAHO; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[H 534](#), [H 535](#), [H 536](#), [H 537](#), [H 538](#), [H 539](#), [H 540](#), [H 541](#), [H 542](#), [H 543](#), [H 544](#), [H 545](#), [H 546](#), and [HJR 6](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Second Reading of Bills and Joint Resolutions**

[HJM 9](#), [H 415](#), [H 416](#), [H 417](#), and [H 463](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 488](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Loertscher asked unanimous consent that [H 404](#) be returned to the State Affairs Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:45 a.m., Tuesday, February 16, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:02 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:  
 BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 16, 2010

House of Representatives

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

Roll call showed 68 members present.  
Absent and excused – Hartgen, Patrick. Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Andrew Nilsen, Page.

### Approval of Journal

February 16, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 15, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1292](#) and [S 1293](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1292](#) and [S 1293](#) and, when so signed, ordered them returned to the Senate.

February 15, 2010

Mr. Speaker:

I return herewith enrolled [H 388](#), [H 439](#), and [H 440](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 388](#), [H 439](#), and [H 440](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 15, 2010

Mr. Speaker:

I transmit herewith [S 1299](#) which has passed the Senate.

WOOD, Secretary

[S 1299](#) was filed for first reading.

February 15, 2010

Mr. Speaker:

I transmit herewith [H 441](#), [H 380](#), and [H 381](#) which have passed the Senate.

WOOD, Secretary

[H 441](#), [H 380](#), and [H 381](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 16, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 42](#), [H 534](#), [H 535](#), [H 536](#), [H 537](#), [H 538](#), [H 539](#), [H 540](#), [H 541](#), [H 542](#), [H 543](#), [H 544](#), [H 545](#), [H 546](#), and [HJR 6](#).

CLARK, Chairman

[HCR 42](#), [H 543](#), and [HJR 6](#) were referred to the State Affairs Committee.

[H 534](#), [H 537](#), [H 538](#), and [H 539](#) were referred to the Health and Welfare Committee.

[H 535](#) and [H 536](#) were referred to the Local Government Committee.

[H 540](#), [H 541](#), and [H 542](#) were referred to the Transportation and Defense Committee.

[H 544](#), [H 545](#), and [H 546](#) were referred to the Education Committee.

February 16, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 418](#) to the Governor at 1:15 p.m., as of this date, February 15, 2010.

CLARK, Chairman

February 15, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 498](#), [S 1253](#), [S 1254](#), and [S 1255](#) and recommend that they do pass.

CLARK, Chairman

[H 498](#), [S 1253](#), [S 1254](#), and [S 1255](#) were filed for second reading.

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

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 43 BY RESOURCES AND CONSERVATION COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE THAT EXISTING CONDITIONS RELATING TO WOLVES DEFINE AN EMERGENCY CONDITION FOR ALL RURAL IDAHOANS AND, IN THE FACE OF THIS EMERGENCY, THE LEGISLATURE ENCOURAGES THE GOVERNOR OF THE STATE OF IDAHO TO DECLARE THAT A STATE OF EMERGENCY EXISTS IN IDAHO AND TO AUTHORIZE AND REQUIRE THE IDAHO DEPARTMENT OF FISH AND GAME TO USE ANY MEANS TO REDUCE WOLF NUMBERS TO THOSE DESIGNATED FOR RECOVERY OF THE SPECIES.

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

WHEREAS, wolf populations have grown to a level of over eight times the number designated for recovery of the species in Idaho and no effective management plan exists for reducing wolf populations to the number designated for recovery of the species; and

WHEREAS, growing and unacceptable levels of wolf predation against livestock and pets exist and many claims relating to losses by wolves are not fully compensated; and

WHEREAS, wolf packs have moved into densely populated areas and unnecessarily large numbers of wolves constitute a threat, not only to property, but to human life itself, with particular threat to children; and

WHEREAS, the time and costs expended in an effort to protect livestock against wolf attacks is never compensated; and

WHEREAS, people living in most rural parts of the state are threatened by wolves and must change their habits and lose the safe use of, and travel upon, their own property. Individuals must now arm themselves to face the threat of growing, unchecked numbers of wolves in many parts of the state; and

WHEREAS, unchecked numbers of wolves are destroying the culture and heritage of rural Idahoans including, but not limited to, their use of real estate, their use of hounds for legal hunting of big game, their livelihood in professional hunting, such as outfitting and guiding, and their choice of type and location of livestock animals for food production and recreation; and

WHEREAS, excessive wolf populations reduce livestock production through direct loss of life and loss of productivity, with higher costs to producers, which creates devaluation of established livestock businesses in areas of high wolf populations; and

WHEREAS, excessive numbers of wolves are hindering recovery of elk populations in parts of the state, are reducing the big game populations available to hunters in the state, and are preventing the Idaho Department of Fish and Game from exercising its mandate to manage big game for the benefit of hunters in the state; and

WHEREAS, in 2006, Governor Jim Risch issued Executive Order No. 2006-32, finding that there was an imminent threat to the health of wild elk herds, as well as to the public health and safety of the citizens of Idaho, due to escape of domestic elk from the Conant Creek Facility in eastern Idaho and ordered the Idaho Department of Fish and Game to "identify and shoot on site, any domestic elk that have escaped from the Conant Creek Facility." The large number of wolves in the state presents a far greater threat.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the above described conditions define an emergency condition for all rural Idahoans and, in the face of this emergency, the Legislature hereby encourages the Governor of the State of Idaho to declare that a state of emergency exists in Idaho and to authorize and require the Idaho Department of Fish and Game to use any legal means to reduce wolf numbers to those designated for recovery of the species.

[HCR 43](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

House of Representatives  
State of Idaho

February 12, 2010

The Honorable Robert Schaefer, Chairman  
Commerce & Human Resources Committee

Dear Representative Schaefer:

I hereby designate the Commerce & Human Resources Committee a privileged committee on Monday, February 15, 2010, for the purpose of introducing RS 19500 (**H 548**) and RS 19531 (**H 547**).

Sincerely,  
/s/ Lawrence Denney  
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

House of Representatives  
State of Idaho

February 11, 2010

The Honorable Max Black, Chairman  
Business Committee

Dear Representative Black:

I hereby designate the Business Committee a privileged committee on Monday, February 15, 2010, for the purpose of introducing RS 19160 (**H 552**), RS 19232 (**H 553**), RS 19360 (**H 549**), RS 19506, (**H 550**), RS 19509 (**H 551**), and RS 19529 (**H 554**).

Sincerely,  
/s/ Lawrence Denney  
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

House of Representatives  
State of Idaho

February 12, 2010

The Honorable Bert Stevenson, Chairman  
Resources & Conservation Committee

Dear Representative Stevenson:

I hereby designate the Resources & Conservation Committee a privileged committee on Monday, February 15, 2010, for the purpose of introducing: RS 19331 (**H 562**), RS 19451C1 (**H 561**), RS 19539 (**H 555**), RS 19540 (**H 556**), RS 19541 (**H 557**), RS 19542 (**H 558**), RS 19544 (**H 559**), RS 19545 (**H 560**), RS 19608 (**H 563**), RS 19649 (**HCR 43**).

Sincerely,  
/s/ Lawrence Denney  
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

**HOUSE BILL NO. 547  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**



RELATING TO EQUAL PAY DAY; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2356, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT AND TO RECOGNIZE EQUAL PAY DAY.

**HOUSE BILL NO. 548**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO BRIBERY AND CORRUPTION; AMENDING SECTION 18-1351, IDAHO CODE, TO REVISE A DEFINITION.

**HOUSE BILL NO. 549**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO SMALL BUSINESS INCUBATORS; PROVIDING A SHORT TITLE; AMENDING SECTION 67-4703, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES TO THE DEPARTMENT OF COMMERCE AND THE DEPARTMENT OF LABOR; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 550**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO TRUST DEEDS; AMENDING SECTION 45-1510, IDAHO CODE, TO SPECIFY THE EFFECTIVE DATE OF A TRUSTEE'S DEED AND TO PROVIDE A PROCEDURE TO RESTORE THE CONDITION OF RECORD TITLE TO THE REAL PROPERTY DESCRIBED IN A TRUSTEE'S DEED AND THE EXISTENCE AND PRIORITY OF ALL LIENHOLDERS TO THE STATUS QUO PRIOR TO THE RECORDATION OF THE TRUSTEE'S DEED UPON SALE WHEN THE TRUSTEE'S SALE IS INVALID FOR CERTAIN REASONS.

**HOUSE BILL NO. 551**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO TRUST DEEDS; AMENDING SECTION 45-1506, IDAHO CODE, TO PROVIDE PROCEDURES FOR POSTPONING A TRUSTEE'S SALE DATE WHEN CERTAIN AFFIDAVITS ARE RECORDED LATER THAN REQUIRED BY LAW AND TO PROVIDE THAT CERTAIN AFFIDAVITS ARE VALID IF RECORDED WITHIN A CERTAIN TIME PERIOD AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 552**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO HEATING, VENTILATION AND AIR CONDITIONING INSTALLATIONS; AMENDING SECTION 54-5001, IDAHO CODE, TO REVISE CERTAIN CODE REFERENCES.

**HOUSE BILL NO. 553**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO THE ELECTRICAL BOARD FUND; AMENDING SECTION 54-1015, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PAYMENT OF CERTAIN MONEYS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 554**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO CHANGE OF NAMES; AMENDING SECTION 7-803, IDAHO CODE, TO REMOVE REFERENCE TO CERTAIN PERSONAL IDENTIFYING INFORMATION IN A NOTICE OF HEARING OF A PETITION PROPOSING A NAME CHANGE.

**HOUSE BILL NO. 555**  
**BY RESOURCES AND CONSERVATION COMMITTEE**

AN ACT

RELATING TO ADMINISTRATIVE PROCEDURES; AMENDING SECTION 67-5243, IDAHO CODE, TO PROVIDE THAT MOTIONS FOR RECONSIDERATION OF CERTAIN RECOMMENDED AND PRELIMINARY ORDERS BE FILED WITHIN FOURTEEN DAYS OF THE SERVICE DATE OF SUCH ORDERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5245, IDAHO CODE, TO PROVIDE THAT PETITIONS FOR REVIEW OF CERTAIN PRELIMINARY ORDERS BE FILED WITHIN FOURTEEN DAYS AFTER THE SERVICE DATE OF SUCH ORDERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5246, IDAHO CODE, TO PROVIDE THAT MOTIONS FOR RECONSIDERATION OF CERTAIN FINAL ORDERS BE FILED WITHIN FOURTEEN DAYS OF THE SERVICE DATE OF SUCH ORDERS, TO PROVIDE THAT CERTAIN FINAL ORDERS SHALL BE EFFECTIVE FOURTEEN DAYS AFTER THE SERVICE DATE OF SUCH ORDERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5248, IDAHO CODE, TO PROVIDE FOR THE SERVICE OF ORDERS AND PROOF OF SERVICE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-5273, IDAHO CODE, TO PROVIDE THAT PETITIONS FOR JUDICIAL REVIEW OF SPECIFIED ORDERS, DECISIONS AND ACTIONS BE FILED WITHIN TWENTY-EIGHT DAYS OF THE SERVICE DATE OF SUCH ORDERS OR DECISIONS.

**HOUSE BILL NO. 556**  
**BY RESOURCES AND CONSERVATION COMMITTEE**

AN ACT

RELATING TO FLOOD PROTECTION; AMENDING SECTION 46-1021, IDAHO CODE, TO REVISE THE DEFINITIONS OF "DEVELOPMENT" AND "FLOODWAY"; AND AMENDING SECTION 46-1022, IDAHO CODE, TO PROVIDE THAT FLOODPLAIN ZONING ORDINANCES SHALL NOT REGULATE CERTAIN ACTIVITIES RELATING TO IRRIGATION AND DRAINAGE WORKS THAT ARE PERFORMED OR AUTHORIZED BY THE OWNER PURSUANT TO LAWFUL RIGHTS AND OBLIGATIONS.

**HOUSE BILL NO. 557**  
**BY RESOURCES AND CONSERVATION COMMITTEE**

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-119, IDAHO CODE, TO PROVIDE FOR THE RIGHTS AND PRIVILEGES OF TRUSTS IN RELATION TO THE CONDUCT OF IRRIGATION DISTRICT BUSINESS AND TO SPECIFY CERTAIN REQUIREMENTS FOR TRUSTS AND TRUSTEES.

**HOUSE BILL NO. 558**  
**BY RESOURCES AND CONSERVATION COMMITTEE**

AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1302, IDAHO CODE, TO PROVIDE THAT THE TERM "EMPLOYEE" DOES NOT INCLUDE ANY PERSON IN A POSITION THAT DOES NOT EXCEED EIGHT CONSECUTIVE MONTHS IN A CALENDAR YEAR IF THE EMPLOYER CERTIFIES THAT THE POSITION IS SEASONAL OR CASUAL AND AFFECTED BY WEATHER AND THE GROWING SEASON.

**HOUSE BILL NO. 559**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO PRESCRIPTIVE OVERFLOW EASEMENTS; AMENDING SECTION 5-246, IDAHO CODE, TO PROVIDE THAT SPECIFIED PROVISIONS RELATING TO PRESCRIPTIVE OVERFLOW EASEMENTS SHALL NOT BE CONSTRUED TO RESTRICT ANY USE OF THE UNDERLYING PROPERTY FOR ANY PURPOSE OTHERWISE CONSISTENT WITH OWNERSHIP EVEN IF THE USE REASONABLY INTERFERES WITH THE STORAGE OF WATER ON THE PROPERTY AND TO CLARIFY THAT THE USE SHALL NOT UNREASONABLY INTERFERE WITH THE STORAGE OF WATER ON THE PROPERTY.

**HOUSE BILL NO. 560**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO PROCUREMENT REQUIREMENTS; AMENDING SECTION 67-2803, IDAHO CODE, TO PROVIDE AN EXCEPTION TO CERTAIN PROCUREMENT REQUIREMENTS FOR THE PROCUREMENT OF USED PERSONAL PROPERTY BY DRAINAGE DISTRICTS.

**HOUSE BILL NO. 561**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO NAVIGATIONAL ENCROACHMENT; AMENDING SECTION 58-1305, IDAHO CODE, TO PROVIDE THAT A PERMIT IS NOT REQUIRED FOR REPLACING AN EXISTING NAVIGATIONAL ENCROACHMENT IF CERTAIN CONDITIONS ARE MET.

**HOUSE BILL NO. 562**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-501, IDAHO CODE, TO PROVIDE THAT TRAPPING AND HUNTING LICENSES SHALL ALLOW LICENSE HOLDERS TO SALVAGE FURBEARERS AT ANY TIME.

**HOUSE BILL NO. 563**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO AUTHORIZE THE FISH AND GAME COMMISSION TO ADOPT RULES RELATING TO THE INTENSIVE MANAGEMENT OF CERTAIN IDENTIFIED GAME SPECIES TO ACHIEVE HIGHER SUSTAINED YIELD FOR HUMAN HARVEST, TO AUTHORIZE THE COMMISSION TO COORDINATE WITH LAND AND MANAGEMENT PLANNING EFFORTS OF LOCAL GOVERNMENTS AND TO AUTHORIZE THE COMMISSION TO REQUIRE THE DEPARTMENT TO

CONDUCT INTENSIVE MANAGEMENT PROGRAMS UNDER SPECIFIED CONDITIONS.

**HOUSE BILL NO. 564**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO DRIVING BUSINESSES; AMENDING SECTION 54-5403, IDAHO CODE, TO REQUIRE THAT THE BOARD ADOPT RULES PROVIDING FOR CONTINUING EDUCATION; AMENDING SECTION 54-5405, IDAHO CODE, TO REQUIRE APPLICANTS FOR A PRIVATE DRIVER TRAINING BUSINESS LICENSE TO SUBMIT TO A FINGERPRINT-BASED CRIMINAL HISTORY CHECK AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-5406, IDAHO CODE, TO REVISE REQUIREMENTS FOR OBTAINING AND RENEWING A DRIVING INSTRUCTOR LICENSE; AMENDING SECTION 54-5408, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISCIPLINE OF LICENSEES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 565**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC WRITINGS; AMENDING SECTION 9-340C, IDAHO CODE, TO LIMIT DISCLOSURE OF CERTAIN PUBLIC OFFICIAL NAME INFORMATION.

**HOUSE BILL NO. 566**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO DISCLOSURE OF PERSONAL INFORMATION; AMENDING SECTION 28-51-105, IDAHO CODE, TO PROVIDE FOR APPLICATION TO CITY, COUNTY AND STATE AGENCIES, TO PROVIDE FOR NOTICE TO AFFECTED IDAHO RESIDENTS BY AGENCIES, TO PROVIDE FOR NOTICE BY AGENCIES TO THE OFFICE OF THE IDAHO ATTORNEY GENERAL IN THE EVENT OF CERTAIN BREACHES OF SECURITY, TO CLARIFY THAT CERTAIN REPORTING REQUIREMENTS CONTINUE TO APPLY TO STATE AGENCIES AND TO PROVIDE FOR VIOLATIONS AND PENALTIES.

[H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), [H 553](#), [H 554](#), [H 555](#), [H 556](#), [H 557](#), [H 558](#), [H 559](#), [H 560](#), [H 561](#), [H 562](#), [H 563](#), [H 564](#), [H 565](#), and [H 566](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1299](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

At this time, Mr. Rusche introduced Congressman Walt Minnick, who spoke briefly to the members of the House.

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

**Second Reading of Bills and Joint Resolutions**

[H 486](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 491](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 493](#), by Education Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 456](#) and [S 1294](#) retain their place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 408](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall [H 408](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Durst, Marriott. Total – 2.

Absent and excused – Hartgen, Patrick. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 408](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 409](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 409](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bedke, Hartgen, Labrador, Patrick. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 409](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 410](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 410](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Bayer, Bedke, Hartgen, Labrador, Patrick. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 410](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

At this time, Mr. Bayer introduced The Honorable James E. Risch, United States Senator, who spoke briefly to the members of the House.

[H 411](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 411](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bedke, Hartgen, Patrick, Roberts. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 411](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 471](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 471](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bedke, Hartgen, Patrick. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 471](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 472](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall [H 472](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bedke, Hartgen, Patrick. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 472](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 513](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 513](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bedke, Hartgen, Patrick. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 513](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 464](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 464](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bedke, Hartgen, Patrick. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 464](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 465](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 465](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bedke, Hartgen, Patrick. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 465](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 17, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:05 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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THIRTY-EIGHTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 17, 2010

House of Representatives

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

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

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Dani Olsen, Page.

### Approval of Journal

February 17, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 16, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 379](#) and [H 418](#)

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

OFFICE OF THE GOVERNOR  
Boise

February 16, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 388](#), [H 440](#), and [H 439](#)

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

February 16, 2010

Mr. Speaker:

I transmit herewith [S 1308](#), [S 1265](#), [S 1266](#), [S 1310](#), [S 1313](#), [S 1314](#), [S 1315](#), [S 1306](#), [S 1248](#), [S 1250](#), and [S 1251](#) which have passed the Senate.

WOOD, Secretary

[S 1308](#), [S 1265](#), [S 1266](#), [S 1310](#), [S 1313](#), [S 1314](#), [S 1315](#), [S 1306](#), [S 1248](#), [S 1250](#), and [S 1251](#) were filed for first reading.

February 16, 2010

Mr. Speaker:

I return herewith [H 384](#), [H 385](#), and [H 397](#) which have passed the Senate.

WOOD, Secretary

[H 384](#), [H 385](#), and [H 397](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 17, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 43](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), [H 553](#), [H 554](#), [H 555](#), [H 556](#), [H 557](#), [H 558](#), [H 559](#), [H 560](#), [H 561](#), [H 562](#), [H 563](#), [H 564](#), [H 565](#), and [H 566](#).

CLARK, Chairman

[HCR 43](#), [H 556](#), [H 557](#), [H 559](#), [H 561](#), [H 562](#), and [H 563](#) were referred to the Resources and Conservation Committee.

[H 547](#), [H 555](#), [H 564](#), [H 565](#), and [H 566](#) were referred to the State Affairs Committee.

[H 548](#) and [H 558](#) were referred to the Commerce and Human Resources Committee.

[H 549](#), [H 550](#), [H 551](#), [H 552](#), [H 553](#), [H 554](#), and [H 560](#) were referred to the Business Committee.

February 17, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 441](#), [H 380](#), and [H 381](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 441](#), [H 380](#), and [H 381](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 17, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 388](#), [H 439](#), and [H 440](#) to the Governor at 1:30 p.m., as of this date, February 16, 2010.

CLARK, Chairman

February 16, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 490](#) and recommend that it do pass.

LAKE, Chairman

[H 490](#) was filed for second reading.

February 16, 2010

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [HJM 11](#) and recommend that it do pass.

RAYBOULD, Chairman

[HJM 11](#) was filed for second reading.

February 15, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 477](#) and recommend that it do pass.

BLACK, Chairman

[H 477](#) was filed for second reading.

February 16, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 484](#) and [H 494](#) and recommend that they do pass.

BLOCK, Chairman

[H 484](#) and [H 494](#) were filed for second reading.

February 16, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1297](#) and recommend that it do pass.

WOOD, Chairman

[S 1297](#) was filed for second reading.

February 17, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 446](#) and [HJR 4](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 446](#) and [HJR 4](#) were filed for second reading.

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

### **Motions, Memorials, and Resolutions**

#### **HOUSE CONCURRENT RESOLUTION NO. 44 BY STATE AFFAIRS COMMITTEE**

##### **A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE THAT THE SCOPE OF POWER DEFINED BY THE TENTH AMENDMENT PROVIDES THAT THE FEDERAL GOVERNMENT WAS CREATED BY THE STATES SPECIFICALLY TO BE AN AGENT OF THE STATES, THAT CONGRESS IS URGED TO PASS LEGISLATION IMPLEMENTING THE FINDINGS PROVIDED FOR IN THIS CONCURRENT RESOLUTION, INCLUDING BALANCING THE FEDERAL BUDGET, EXTINGUISHING THE PUBLIC

DEBT, PROVIDING FOR GOVERNMENT TRANSPARENCY, MAINTAINING AN ENGLISH-SPEAKING NATION, PREVENTING FOREIGN ENTITIES FROM HAVING AUTHORITY OVER ACTIVITIES WITHIN THE UNITED STATES, RESTRAINING THE GROWTH OF THE FEDERAL GOVERNMENT, PREVENTING UNFUNDED MANDATES, PROHIBITING GOVERNMENT FROM TAKING OWNERSHIP OF PRIVATE SECTOR ENTERPRISE AND PROVIDING FOR THE PRESENCE OF "GOD" IN THE PUBLIC DOMAIN, AND URGING THE SEVERAL STATES TO ADOPT SIMILAR RESOLUTIONS.

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

WHEREAS, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

WHEREAS, it is the desire of the Legislature of the state of Idaho, that Congress adopt laws consistent with the findings hereinafter described; and

WHEREAS, in regard to a Balanced Federal Budget and the incurrence of debt, the annual expenditures of the Congress should not exceed the annual revenue for any year, save for the use of monetary reserves, and that Congress should not borrow from any source, including its own funds and trusts, for any expense, except for the extraordinary costs of a declared war or armed conflict; and

WHEREAS, in regard to Paying of the Public Debt, that all Public Debt of the United States should be extinguished within 55 years of the approval of this resolution; and

WHEREAS, in regard to Government Transparency and Congressional Procedures, all bills, orders and resolutions passed by the Congress should be limited to a single topic; and

– After all floor amendments, no bill should be voted upon by either body of Congress unless and until it has been published for general public review for at least five days, save a Declaration of War; and

WHEREAS, in regard to maintaining the United States as an English-Speaking Nation, the English language should be the exclusive language for the affairs of government and the formal language for business; and

– No business, individual, or government should suffer any penalty for requiring the usage of the English language exclusively in its affairs, nor should be liable for not speaking another language; and

WHEREAS, Congress should prevent foreign entities, including the United Nations, from having authority over activities within the United States; and

– For any domestic issue, no court should consider or use as precedent any foreign or international law, regulation, or court decision; and

WHEREAS, in regard to restraining the growth of the federal government, preventing unfunded mandates and prohibiting government from taking ownership of private sector enterprise, judicial interpretation of the division and the limits of power contained in the Tenth Amendment should lean to the side of the states or the people with the powers granted to the United States in Section 8 of Article I being limited and narrowly interpreted. The behavior of courts that do not honor this provision should be brought to question by Congress; and

– The United States should not nationalize any industry save during the time of declared war, after which control should revert to the private sector. Should the United States gain controlling interest in a private sector enterprise through default or by other means, the United States should divest itself of such interest in an orderly manner; and

WHEREAS, in regard to providing for the presence of "God" in the public domain, no religious organization should be discriminated against by any government. As a tribute to that which has endowed us with our rights and provided a moral compass for us to follow, the phrase "In God We Trust" should appear on all coin and currency and references to God should be welcome in all public places and public verse, including the display of historic symbols, which provided the foundation for the modern-day law in the United States.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature submits this Concurrent Resolution to the several states of the United States and that the several states are urged to approve, on or before March 1, 2010, a like or similar resolution as herein approved by the Legislature of the State of Idaho.

BE IT FURTHER RESOLVED that Congress is urged to pass legislation implementing the findings provided for in this Concurrent Resolution, including those findings relating to a Balanced Federal Budget, extinguishing the Public Debt, Government Transparency, maintaining an English-Speaking Nation, preventing foreign entities from having authority over activities within the United States, restraining the growth of the federal government, preventing unfunded mandates, and prohibiting government from taking ownership of private sector enterprise, and providing for the presence of "God" in the public domain.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and is hereby directed to forward copies of this resolution to the Secretary of State and presiding officers of both Houses of the Legislatures of each of the other States in the Union, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the congress of the United States representing the state of Idaho.

**HOUSE CONCURRENT RESOLUTION NO. 45  
BY REVENUE AND TAXATION COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE TAX COMMISSION RELATING TO IDAHO SALES AND USE TAX ADMINISTRATIVE RULES.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the Tax Commission relating to Idaho Sales and Use Tax Administrative Rules is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 35.01.02, Rules Governing Idaho Sales and Use Tax Administrative Rules, Section 136, only, relating to Rebates Paid to Certain Real Estate Developers, Rules of the Tax Commission, adopted as a pending rule under Docket Number 35-0102-0901, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HCR 44** and **HCR 45** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

House of Representatives  
State of Idaho

February 15, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Speaker Denney:

We, the undersigned, hereby petition the presiding officer of the House of Representatives pursuant to Joint Rule 20 to waive the provisions of Joint Rule 20 with regard to introduction of a proposed Constitutional Amendment after the 36th day of the Regular Legislative Session. This waiver would allow introduction of RS 19670 (**HJR 7**).

We would appreciate your consideration of this petition.

Sincerely,  
/s/ Mike Moyle, Majority Leader  
/s/ Scott Bedke, Assistant Majority Leader  
/s/ Ken Roberts, Caucus Chair

The Speaker announced that pursuant to the 36th day deadline, and a petition being presented, Joint Rule No. 20 would be waived for the purpose of introducing a joint resolution to make an amendment to the Constitution of the State of Idaho.

House of Representatives  
State of Idaho

February 15, 2010

The Honorable JoAn Wood, Chairman  
Transportation & Defense Committee

Dear Representative Wood:

I hereby designate the Transportation & Defense Committee a privileged committee on Tuesday, February 16, 2010, for the purpose of introducing RS 19604 (**H 574**) and RS 19614C1 (**H 573**).

Sincerely,  
/s/ Lawrence Denney  
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

**HOUSE JOINT RESOLUTION NO. 7  
BY REVENUE AND TAXATION COMMITTEE**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 3D, ARTICLE VIII, RELATING TO AUTHORIZED INDEBTEDNESS FOR MUNICIPAL ELECTRIC SYSTEMS, TO PROVIDE THAT ANY CITY OWNING A MUNICIPAL ELECTRIC SYSTEM MAY ACQUIRE, CONSTRUCT, INSTALL AND EQUIP ELECTRIC GENERATING, TRANSMISSION AND DISTRIBUTION FACILITIES FOR THE PURPOSE OF SUPPLYING ELECTRICITY TO CUSTOMERS LOCATED WITHIN THE SERVICE AREA OF EACH SYSTEM ESTABLISHED BY LAW AND FOR THE PURPOSE OF PAYING THE COST THEREOF, ISSUE REVENUE

BONDS WITH THE ASSENT OF A MAJORITY OF THE QUALIFIED ELECTORS VOTING AT AN ELECTION HELD AS PROVIDED BY LAW AND INCUR INDEBTEDNESS OR LIABILITY UNDER AGREEMENTS TO PURCHASE, SHARE, EXCHANGE OR TRANSMIT WHOLESAL ELECTRICITY FOR THE USE AND BENEFIT OF CUSTOMERS LOCATED WITHIN SUCH SERVICE AREA AND PROVIDED THAT ANY REVENUE BONDS, INDEBTEDNESS OR LIABILITY SHALL BE PAYABLE SOLELY FROM THE RATES, CHARGES OR REVENUES DERIVED FROM THE MUNICIPAL ELECTRIC SYSTEM AND SHALL NOT BE SECURED BY THE FULL FAITH AND CREDIT OR THE TAXING POWER OF THE CITY, THE STATE OR ANY POLITICAL SUBDIVISION; 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.

**HOUSE BILL NO. 567**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO URBAN RENEWAL; AMENDING SECTION 50-2002, IDAHO CODE, TO PROVIDE ADDITIONAL FINDINGS AND DECLARATIONS OF NECESSITY; AMENDING SECTION 50-2006, IDAHO CODE, TO REVISE STATUTORY PROVISIONS REGARDING AN URBAN RENEWAL AGENCY; AMENDING SECTION 50-2007, IDAHO CODE, TO REVISE POWERS OF URBAN RENEWAL; AMENDING SECTION 50-2010, IDAHO CODE, TO REVISE PROCEDURES FOR ACQUISITION OF PROPERTY; AMENDING SECTION 50-2011, IDAHO CODE, TO REVISE PROCEDURES FOR DISPOSAL OF PROPERTY IN AN URBAN RENEWAL AGENCY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2012, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF BONDS; AMENDING SECTION 50-2017, IDAHO CODE, TO REVISE PROVISIONS ON INTERESTED PUBLIC OFFICIALS, COMMISSIONERS OR EMPLOYEES; AMENDING CHAPTER 20, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2033, IDAHO CODE, TO PROVIDE FOR A PROHIBITED AMENDMENT TO AN URBAN RENEWAL PLAN; AMENDING CHAPTER 20, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2034, IDAHO CODE, TO PROVIDE FOR AMENDMENTS TO AN URBAN RENEWAL PLAN; AMENDING CHAPTER 20, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2035, IDAHO CODE, TO PROVIDE FOR TAX AND SPECIAL ASSESSMENT EXEMPTIONS; AMENDING SECTION 50-2903, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 50-2904, IDAHO CODE, TO REVISE THE AUTHORITY TO CREATE A REVENUE ALLOCATION AREA; AMENDING SECTION 50-2907, IDAHO CODE, TO REVISE REQUIREMENTS FOR FILING AN ANNUAL REPORT WITH THE STATE TAX COMMISSION; AMENDING SECTION 50-2908, IDAHO CODE, TO PROVIDE FOR AN AMENDMENT TO THE BOUNDARIES AND TO PROVIDE FOR REVENUES FOR CERTAIN NEW REVENUE ALLOCATION AREAS; AMENDING TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 32, TITLE 50, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FINDINGS AND DECLARATIONS OF NECESSITY, TO PROVIDE

FOR ENCOURAGEMENT OF PRIVATE ENTERPRISE, TO PROVIDE FOR A WORKABLE PROGRAM, TO PROVIDE FOR A FINDING OF NECESSITY BY A LOCAL GOVERNING BODY AND CREATION OF AN URBAN RENEWAL AGENCY, TO PROVIDE POWERS AND DUTIES OF AN URBAN RENEWAL AGENCY, TO PROVIDE FOR DETERIORATING AREAS, PRELIMINARY INVESTIGATIONS AND LIMITATIONS ON REVIEW, TO PROVIDE FOR A DETERIORATING AREA PLAN, CONTENTS AND APPROVAL OF A PLAN, TO PROVIDE FOR APPROVAL OF A DETERIORATING AREA PLAN BY ORDINANCE, NOTICE, DETERMINATIONS AND FINDINGS REQUIRED, TO PROVIDE FOR AMENDMENT TO A DETERIORATING AREA PLAN, TO PROVIDE A DISASTER PROVISION, TO PROVIDE FOR FINDINGS AND DECLARATIONS OF NECESSITY FOR AN ECONOMIC DEVELOPMENT AREA, TO PROVIDE ECONOMIC DEVELOPMENT AREAS, DETERIORATING AREAS, PRELIMINARY INVESTIGATION AND LIMITATIONS ON REVIEW, TO PROVIDE FOR CONTENTS AND APPROVAL OF AN ECONOMIC DEVELOPMENT PLAN, TO PROVIDE FOR APPROVAL OF AN ECONOMIC DEVELOPMENT PLAN OR A COMPETITIVELY DISADVANTAGED BORDER COMMUNITY PLAN BY ORDINANCE, NOTICE AND DETERMINATIONS AND FINDINGS REQUIRED, TO PROVIDE FOR ACQUISITION AND INCLUSION OF UNUSED OR INAPPROPRIATELY USED LAND IN AN ECONOMIC DEVELOPMENT AREA, TO PROVIDE FOR ACQUISITION AND INCLUSION OF OPEN LAND IN AN ECONOMIC DEVELOPMENT AREA, TO PROVIDE AMENDMENT TO AN ECONOMIC DEVELOPMENT PLAN, TO PROVIDE A DISASTER PROVISION, TO PROVIDE POWERS, TO PROVIDE FOR ACQUISITION OF PROPERTY, TO PROVIDE FOR DISPOSAL OF PROPERTY IN AN URBAN RENEWAL AREA, TO PROVIDE FOR ISSUANCE OF BONDS, TO PROVIDE FOR BONDS AS LEGAL INVESTMENTS, TO PROVIDE PROPERTY EXEMPT FROM TAXES AND FROM LEVY AND SALE BY VIRTUE OF AN EXECUTION, TO PROVIDE FOR COOPERATION BY PUBLIC BODIES, TO PROVIDE FOR TITLE OF PURCHASERS, TO PROVIDE FOR INTERESTED PUBLIC OFFICIALS, COMMISSIONERS OR EMPLOYEES, TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR AN ANNUAL BUDGET AND A BUDGET FOR PLAN TERMINATION, TO PROVIDE FOR LIMITATIONS ON REVIEW OF ADOPTION OR MODIFICATION OF A PLAN AND ISSUANCE OF BONDS, TO PROVIDE SEVERABILITY, TO PROVIDE LIMITATIONS ON APPLICABILITY OF PLANS ADOPTED BEFORE JANUARY 1, 2011, AND TO PROVIDE AMENDMENT OF PREVIOUSLY ADOPTED URBAN RENEWAL PLANS, TO PROVIDE AN URBAN RENEWAL AGENCY HAS NO POWER OF TAXATION, TO PROVIDE A SHORT TITLE, TO PROVIDE FINDINGS AND PURPOSE, TO DEFINE TERMS, TO PROVIDE AUTHORITY TO CREATE A REVENUE ALLOCATION AREA, TO PROVIDE TRANSMITTAL OF REVENUE ALLOCATION AREA DESCRIPTION AND OTHER DOCUMENTS TO TAXING AGENCIES, TO PROVIDE FOR DETERMINATION OF TAX LEVIES, CREATION OF A SPECIAL FUND AND LIMITATIONS, TO PROVIDE FOR ISSUANCE OF BONDS AND BOND PROVISIONS, TO PROVIDE THAT BONDS ARE NOT THE GENERAL OBLIGATION OF AN AGENCY OR MUNICIPALITY, TO PROVIDE LEGISLATIVE CONSTRUCTION, TO PROVIDE SEVERABILITY, TO PROVIDE LIMITATIONS ON APPLICABILITY OF PLANS



ADOPTED BEFORE JANUARY 1, 2011, AND AMENDMENT OF PREVIOUSLY ADOPTED URBAN RENEWAL PLANS, TO PROVIDE FOR A JOINT POWERS AGREEMENT AND TO PROVIDE FOR TAX AND SPECIAL ASSESSMENT EXEMPTIONS.

**HOUSE BILL NO. 568**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO REVENUE ALLOCATION AREAS; AMENDING SECTION 50-2904, IDAHO CODE, TO PROVIDE THAT ANY ANNUAL REVENUE ALLOCATION AREA REVENUES COLLECTED THAT EXCEED THE AMOUNT NECESSARY TO REPAY THE REVENUE ALLOCATION BOND SHALL BE RETURNED TO THE TAXING DISTRICTS IN THE REVENUE ALLOCATION AREA ON A PRO RATA BASIS.

**HOUSE BILL NO. 569**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2008, IDAHO CODE, TO PROVIDE NOTICE, TO PROVIDE FOR PUBLIC COMMENT, TO PROVIDE FOR A HEARING, TO PROVIDE FOR CONSIDERATION OF PUBLIC COMMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2027, IDAHO CODE, TO REVISE THE LENGTH OF A CERTAIN PERIOD AND TO DELETE A CODE REFERENCE; AMENDING SECTION 50-2906, IDAHO CODE, TO PROVIDE FOR A PUBLIC HEARING, TO PROVIDE A CODE REFERENCE, AND TO REVISE PROVISIONS RELATING TO NOTICE; AND AMENDING SECTION 50-2911, IDAHO CODE, TO REVISE THE LENGTH OF A CERTAIN PERIOD.

**HOUSE BILL NO. 570**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2005, IDAHO CODE, TO REQUIRE THAT A RESOLUTION PROVIDE FOR THE HOLDING OF AN ELECTION AND TO PROVIDE THAT NO URBAN RENEWAL AGENCY AND NO MUNICIPALITY SHALL EXERCISE AUTHORITY GRANTED UNDER URBAN RENEWAL LAW UNTIL APPROVED BY MAJORITY VOTE AT AN ELECTION; AND AMENDING SECTION 50-2006, IDAHO CODE, TO PROVIDE THAT AN URBAN RENEWAL AGENCY SHALL NOT TRANSACT BUSINESS OR EXERCISE POWERS CONFERRED UNDER URBAN RENEWAL LAW UNTIL OR UNLESS APPROVED BY A MAJORITY OF THOSE VOTING UPON A CERTAIN QUESTION AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 571**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE LOCAL ECONOMIC DEVELOPMENT ACT; AMENDING SECTION 50-2905, IDAHO CODE, TO PROVIDE FOR A STATEMENT DESCRIBING A CERTAIN VALUE, TO PROVIDE FOR APPROVAL OF CERTAIN PLANS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 572**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO URBAN RENEWAL AGENCIES; AMENDING SECTION 50-2006, IDAHO CODE, TO DELETE PROVISIONS FOR APPOINTMENT OF URBAN RENEWAL AGENCY COMMISSIONERS, TO PROVIDE FOR ELECTION OF URBAN RENEWAL AGENCY COMMISSIONERS, TERMS OF OFFICE, ELIGIBILITY, FILLING OF VACANCIES AND ELECTION OF A CHAIRMAN OF THE BOARD OF COMMISSIONERS OF AN URBAN RENEWAL AGENCY.

**HOUSE BILL NO. 573**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO HOMELAND SECURITY; AMENDING TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 9, TITLE 46, IDAHO CODE, TO PROVIDE FOR LIMITATIONS ON WHOLE-BODY IMAGING, TO PROVIDE REQUIREMENTS RELATING TO WHOLE-BODY IMAGING, TO PROVIDE FOR AN ALTERNATIVE TO WHOLE-BODY IMAGING, TO PROVIDE RESTRICTIONS RELATING TO IMAGES, TO PROVIDE THAT THE CHIEF OF THE BUREAU OF HOMELAND SECURITY FOR THE STATE OF IDAHO SHALL MAKE CERTAIN FINDINGS PRIOR TO USE OF ANY WHOLE-BODY SCANNERS IN THE STATE, TO PROVIDE FOR REPORTING BY THE CHIEF AND TO DEFINE TERMS.

**HOUSE BILL NO. 574**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO VEHICLE RENTALS; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-451, IDAHO CODE, TO PROVIDE FOR THE INCLUSION OF CERTAIN FEES AND CHARGES IN VEHICLE RENTAL AGREEMENTS, TO PROVIDE FOR THE AMOUNT OF VEHICLE LICENSE COST RECOVERY FEE THAT MAY BE INCLUDED, TO PROVIDE FOR ADJUSTMENTS IN THE AMOUNT OF VEHICLE LICENSE COST RECOVERY FEES AND TO DEFINE A TERM.

**HOUSE BILL NO. 575**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE JURISDICTION OF THE PUBLIC UTILITIES COMMISSION; AMENDING SECTION 61-113, IDAHO CODE, TO DELETE THE PUBLIC UTILITIES COMMISSION'S JURISDICTION OVER VESSELS ENGAGED IN THE TRANSPORTATION OF PERSONS AND PROPERTY IN IDAHO; REPEALING SECTIONS 61-126, 61-127 AND 61-128, IDAHO CODE, RELATING TO VESSELS, WHARFINGERS AND WAREHOUSEMEN; AND AMENDING SECTION 61-129, IDAHO CODE, TO DELETE REFERENCE TO WHARFINGER AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 576**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE SOIL CONSERVATION DISTRICT LAW; AMENDING SECTION 22-2716, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 22-2717, IDAHO CODE, TO DEFINE A TERM, TO REMOVE DEFINITIONS, TO

REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2718, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION, TO REVISE REQUIREMENTS RELATING TO THE QUALIFICATIONS AND APPOINTMENT OF SUCH COMMISSION MEMBERS, TO DELETE REFERENCE TO THE IDAHO ASSOCIATION OF SOIL CONSERVATION DISTRICTS, TO REVISE PROVISIONS RELATING TO THE POWERS AND DUTIES OF SUCH COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2719, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2720, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION, TO PROVIDE REQUIREMENTS FOR DISTRICTS FORMED BY CONSOLIDATION, TO PROVIDE FOR THE ALLOCATION OF FUNDS TO DISTRICTS FORMED BY CONSOLIDATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2721, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION, TO REVISE AUDIT REQUIREMENTS FOR DISTRICTS, TO PROVIDE THAT SUPERVISORS ARE SUBJECT TO RECALL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2721, IDAHO CODE, AS AMENDED BY SECTION 4, CHAPTER 341, LAWS OF 2009, TO REVISE THE NAME OF A CERTAIN COMMISSION, TO REVISE AUDIT REQUIREMENTS FOR DISTRICTS, TO PROVIDE THAT SUPERVISORS ARE SUBJECT TO RECALL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2723, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2724, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2725, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2725, IDAHO CODE, AS AMENDED BY SECTION 5, CHAPTER 341, LAWS OF 2009, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2727, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION, TO INCREASE THE MAXIMUM ALLOCATION OF FUNDS TO DISTRICTS, TO SPECIFY THAT CERTAIN ALLOCATIONS TO DISTRICTS ARE BASED UPON A PREVIOUS FISCAL YEAR ALLOCATION, TO PROVIDE THAT A DISTRICT ALLOCATION SHALL NOT EXCEED A CERTAIN AMOUNT IN A FISCAL YEAR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2730, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2731, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2732, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION, TO REQUIRE SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION TO KEEP EACH OTHER INFORMED OF LOAN APPLICATIONS RECEIVED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2733, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2734, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE

TECHNICAL CORRECTIONS; AMENDING SECTION 22-2735, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION, TO REQUIRE THAT CERTAIN VOUCHERS BE APPROVED BY THE CHAIRMAN AND THE ADMINISTRATOR OF THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-5201, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 22-5202, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 22-5203, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 22-5205, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 22-5206, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 36-2404, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 39-3602, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 39-6407, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-6609, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-3703, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 42-3705, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 42-3706, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AMENDING SECTION 42-3707, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-3717, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-818, IDAHO CODE, TO REVISE THE NAME OF A CERTAIN COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 577**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO HIGHWAYS, BRIDGES AND CONTRACTS; AMENDING SECTION 40-102, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-103, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-104, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-105, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-107, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-108, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-113, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-116, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-117, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 1, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-119, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING SECTION 40-120, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION;

AMENDING SECTION 40-121, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-902, IDAHO CODE, TO REVISE PROVISIONS RELATING TO BIDS AND ADVERTISEMENTS FOR SEALED BIDS AND TO PROVIDE FOR EXCEPTIONS; AMENDING CHAPTER 9, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-904, IDAHO CODE, TO PROVIDE FOR A PREFERRED CONTRACTING METHOD, TO PROVIDE FOR THE SELECTION OF DESIGN-BUILD FIRMS AND FOR THE AWARD OF DESIGN-BUILD CONTRACTS, TO PROVIDE CRITERIA, TO PROVIDE CONSTRUCTION BUDGET LIMITS ON CERTAIN CONTRACTS, TO PROVIDE MINIMUMS TO BE PERFORMED BY THE DESIGN-BUILD FIRM, TO PROVIDE FOR RESPONSIBLE CHARGE, TO PROVIDE FOR AN EVALUATION COMMITTEE, TO PROVIDE FOR COMPLIANCE OF LAWS, TO PROVIDE FOR THE EMPLOYMENT OF A PROFESSIONAL ENGINEER, TO PROVIDE THAT CERTAIN LICENSES MUST BE OBTAINED AT CERTAIN TIMES, TO PROVIDE THAT THE DEPARTMENT MAY DISCONTINUE A SELECTION PROCESS, TO PROVIDE FOR DEBRIEFING, TO PROVIDE THAT THE DEPARTMENT MAY ESTABLISH AND DETERMINE CERTAIN METHODS TO SELECT FIRMS AND AWARD CONTRACTS, TO PROVIDE FOR A TWO-STEP SELECTION PROCESS, TO PROVIDE FOR DESIGN-BUILD SELECTION AND CONTRACT METHODS THAT MAY BE USED, TO PROVIDE THAT THE DEPARTMENT SHALL ADVERTISE, TO PROVIDE THAT THE REQUEST FOR QUALIFICATIONS AND THE REQUEST FOR PROPOSAL ADDRESS CONFLICTS OF INTEREST, TO PROVIDE THAT EACH REQUEST FOR QUALIFICATIONS INCLUDE CERTAIN INFORMATION, TO PROVIDE CRITERIA FOR EVALUATION, TO PROVIDE THAT THE REQUEST FOR QUALIFICATION SHALL NOT INCLUDE CERTAIN FACTORS, TO PROVIDE FOR A SUMMARY OF SCORES, TO PROVIDE FOR A CHALLENGE, TO PROVIDE THAT THE DEPARTMENT SHALL PREPARE A REQUEST FOR PROPOSALS, TO PROVIDE THAT THE REQUEST FOR PROPOSAL INCLUDE CERTAIN INFORMATION, TO PROVIDE THAT THE REQUEST FOR PROPOSAL SELECTION AND AWARD CRITERIA INCLUDE CERTAIN INFORMATION, TO PROVIDE THAT THE DEPARTMENT MAKE CERTAIN MATERIALS AVAILABLE, TO PROVIDE THAT THE REQUEST FOR PROPOSAL ADDRESS AND IDENTIFY CERTAIN CONTRACT PROVISIONS, TO PROVIDE FOR ALTERNATE TECHNICAL CONCEPTS, TO PROVIDE FOR ONE-ON-ONE MEETINGS, TO PROVIDE FOR DISCLOSURE OF CERTAIN INFORMATION, TO PROVIDE THAT THE DEPARTMENT SHALL NOT DISCLOSE CERTAIN INFORMATION, TO PROVIDE FOR SUBMITTAL, TO PROVIDE FOR SCORING OR OTHERWISE EVALUATING CERTAIN PROPOSALS, TO PROVIDE FOR DISCUSSIONS, TO PROVIDE THAT CERTAIN PROPOSALS BE KEPT SECURE, TO PROVIDE THAT SCORES AND BEST VALUES SHALL BE READ PUBLICLY, TO PROVIDE FOR ADJUSTMENT OF PRICE, TO PROVIDE FOR THE BASIS FOR DESIGN-BUILD FIRM SELECTION AND CONTRACT AWARD, TO PROVIDE FOR EXCLUDING REQUESTS FOR PROPOSALS, TO PROVIDE PROVISIONS RELATING TO A STIPEND, TO PROVIDE FOR THE DEPARTMENT TO ACT ON PROPOSALS, TO PROVIDE THAT THE DEPARTMENT IS NOT REQUIRED TO AWARD A CONTRACT, TO PROVIDE FOR A SUMMARY OF SCORES AND TO PROVIDE FOR A CHALLENGE TO THE DEPARTMENT'S

DETERMINATION; AMENDING CHAPTER 9, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-905, IDAHO CODE, TO PROVIDE FOR A PREFERRED CONTRACTING METHOD, TO PROVIDE THAT THE DEPARTMENT MAY SELECT CONSTRUCTION MANAGER/GENERAL CONTRACTOR FIRMS AND AWARD CERTAIN CONTRACTS, TO PROVIDE CRITERIA FOR DETERMINING WHEN TO USE CM/GC CONTRACT PROCEDURES, TO PROVIDE CONSTRUCTION BUDGET LIMITS ON CERTAIN CONTRACTS, TO PROVIDE MINIMUMS TO BE PERFORMED BY THE CM/GC FIRM, TO PROVIDE FOR A PROFESSIONAL ENGINEER AND TO PROVIDE FOR RESPONSIBLE CHARGE, TO PROVIDE FOR APPLICATION OF LAWS, TO PROVIDE FOR AN EVALUATION COMMITTEE, TO PROVIDE FOR A DEBRIEFING, TO PROVIDE FOR THE AWARD OF CERTAIN CONTRACTS AND THE PUBLIC SOLICITATION OF REQUEST FOR PROPOSALS, TO PROVIDE THAT THE DEPARTMENT SHALL ADVERTISE REQUESTS FOR PROPOSALS, TO PROVIDE THAT THE REQUEST FOR PROPOSAL SHALL ADDRESS CERTAIN CONFLICTS OF INTEREST, TO PROVIDE THAT THE REQUEST FOR PROPOSAL SHALL INCLUDE CERTAIN INFORMATION, TO PROVIDE FOR EVALUATION FACTORS, TO PROVIDE FOR THE BASIS OF SELECTION, TO PROVIDE THAT THE CONTRACT SHALL BE AWARDED IN TWO PHASES, TO PROVIDE FOR PERFORMANCE AND PAYMENT BONDS, TO PROVIDE THAT THE DEPARTMENT IS NOT REQUIRED TO AWARD A CONTRACT, TO PROVIDE FOR NOTICE, TO PROVIDE FOR A SUMMARY OF SCORES, TO PROVIDE FOR A CHALLENGE TO THE DEPARTMENT'S DETERMINATION; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 578

#### BY REVENUE AND TAXATION COMMITTEE

#### AN ACT

RELATING TO THE LOCAL ECONOMIC DEVELOPMENT ACT; AMENDING SECTION 50-2905, IDAHO CODE, TO PROVIDE FOR A STATEMENT DESCRIBING A CERTAIN VALUE AND TO PROVIDE THAT A TAXING DISTRICT MAY OPT OUT OF A CERTAIN PROPOSED PLAN.

[HJR 7](#), [H 567](#), [H 568](#), [H 569](#), [H 570](#), [H 571](#), [H 572](#), [H 573](#), [H 574](#), [H 575](#), [H 576](#), [H 577](#), and [H 578](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1308](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1265](#) and [S 1266](#), by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1310](#), [S 1313](#), [S 1314](#), and [S 1315](#), by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1306](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1248](#), [S 1250](#), and [S 1251](#), by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Business Committee.

At this time, Mrs. McGeachin introduced The Honorable Mike Crapo, United States Senator, who spoke briefly to the members of the House.

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

### Second Reading of Bills and Joint Resolutions

[H 498](#), by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

[S 1253](#), [S 1254](#), and [S 1255](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

[H 456](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 456](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.  
Total – 68.

NAYS – None.

Absent and excused – Black, Clark. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 456](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1294](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1294](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.  
Total – 68.

NAYS – None.

Absent and excused – Black, Clark. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1294](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 18, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:55 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 18, 2010

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – Labrador, Shirley. Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Brown, Page.

### Approval of Journal

February 18, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 17, 2010

Mr. Speaker:

I transmit herewith [SP 102](#), [SJM 103](#), and [SCR 115](#) which have passed the Senate.

WOOD, Secretary

[SP 102](#), [SJM 103](#), and [SCR 115](#) were filed for first reading.

### Report of Standing Committees

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 44](#), [HCR 45](#), [HJR 7](#), [H 567](#), [H 568](#), [H 569](#), [H 570](#), [H 571](#), [H 572](#), [H 573](#), [H 574](#), [H 575](#), [H 576](#), [H 577](#), and [H 578](#).

CLARK, Chairman

[HCR 44](#), [HJR 7](#), and [H 575](#) were referred to the State Affairs Committee.

[H 576](#) was referred to the Agricultural Affairs Committee.

[HCR 45](#) was filed for second reading.

[H 567](#), [H 568](#), [H 569](#), [H 570](#), [H 571](#), [H 572](#), and [H 578](#) were referred to the Revenue and Taxation Committee.

[H 573](#), [H 574](#), and [H 577](#) were referred to the Transportation and Defense Committee.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 384](#), [H 385](#), and [H 397](#).

CLARK, Chairman

The Speaker Pro Tem announced the Speaker was about to sign enrolled [H 384](#), [H 385](#), and [H 397](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 17, 2010

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 458](#), [H 509](#), and [H 527](#) and recommend that they do pass.

SCHAEFER, Chairman

[H 458](#), [H 509](#), and [H 527](#) were filed for second reading.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [S 1256](#) and [S 1257](#) and recommend that they do pass.

CLARK, Chairman

[S 1256](#) and [S 1257](#) were filed for second reading.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 523](#) and report it back with amendments attached to be placed on General Orders for consideration.

CLARK, Chairman

[H 523](#) was placed on General Orders for consideration.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 544](#) and recommend that it do pass.

NONINI, Chairman

[H 544](#) was filed for second reading.

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

### Motions, Memorials, and Resolutions

[SP 102](#), by Agricultural Affairs Committee, was introduced, read the first time by title, and filed for second reading.

[SJM 103](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[SCR 115](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

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

House of Representatives  
State of Idaho

February 16, 2010

The Honorable Max Black, Chairman  
Business Committee

Dear Representative Black:

I hereby designate the Business Committee a privileged committee on Wednesday, February 17, 2010, for the purpose of introducing: RS 19352 (**H 580**), RS 19370 (**H 581**), RS 19530 (**H 582**), RS 19554 (**H 583**), RS 19626 (**H 584**), RS 19645 (**H 585**), RS 19654 (**H 587**), RS 19675 (**H 586**).

Sincerely,  
/s/ Lawrence Denney  
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

**HOUSE BILL NO. 579**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-512C, IDAHO CODE, TO PROVIDE FOR TRANSFERRING OF CERTAIN GRADES AND CREDITS TO A STUDENT'S HIGH SCHOOL TRANSCRIPT AND TO PROVIDE FOR NONAPPLICATION TO SENIOR PROJECTS.

**HOUSE BILL NO. 580**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO MOBILE HOME PARK LANDLORD-TENANT ACT; AMENDING SECTION 55-2007, IDAHO CODE, TO REQUIRE CERTAIN WRITTEN INFORMATION BE PROVIDED TO THE TENANT PRIOR TO THE EXECUTION OF A RENTAL AGREEMENT, TO REVISE THE LIST OF INFORMATION TO BE SO PROVIDED AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 581**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE MOBILE HOME PARK LANDLORD-TENANT ACT; AMENDING SECTION 55-2008, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE APPLICATION OF AN ADOPTED OR AMENDED RULE.

**HOUSE BILL NO. 582**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1848, IDAHO CODE, TO PROVIDE REIMBURSEMENT FOR EMERGENCY AIR TRANSPORT SERVICES.

**HOUSE BILL NO. 583**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO URBAN RENEWAL AND SINGLE COUNTYWIDE HIGHWAY DISTRICTS; AMENDING SECTION 40-1415, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN HIGHWAY DISTRICT FUNDING RESPONSIBILITIES, TO PROVIDE THAT ALL PARKING SPACE REVENUES MAY ONLY BE

EXPENDED ON CERTAIN IMPROVEMENTS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 584**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO CREATION OF A MICRO ENTERPRISE DEVELOPMENT AUTHORITY; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 61, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR CREATION OF THE IDAHO MICRO ENTERPRISE DEVELOPMENT AUTHORITY, TO PROVIDE A DECLARATION OF POLICY, TO PROVIDE FOR APPOINTMENT AND REMOVAL OF COMMISSIONERS, TO PROVIDE FOR APPOINTMENT OF AN EXECUTIVE DIRECTOR, TO PROVIDE FOR CONFLICTS OF INTEREST, TO PROVIDE FOR NO FORFEITURE OF OFFICE, TO PROVIDE GENERAL POWERS OF THE AUTHORITY, TO PROVIDE A PROCEDURE PRIOR TO FINANCING BUSINESS PROJECTS, TO PROVIDE FOR COOPERATION WITH MUNICIPALITIES, STATE BODIES OR COMMUNITY COLLEGE DISTRICTS, TO PROVIDE FOR EXEMPTION FROM TAXATION, TO PROVIDE FOR AN ANNUAL REPORT, TO PROVIDE BONDING PROVISIONS, TO PROVIDE FOR REFUNDING OBLIGATIONS AND ISSUANCE, TO PROVIDE FOR USE OF PROCEEDS UPON REFUNDING OBLIGATIONS, TO PROVIDE FOR DEPOSIT OF AUTHORITY MONEYS, TO PROVIDE FOR CONTRACT OF THE STATE, TO PROVIDE FOR LIMITATION OF LIABILITY ON AUTHORITY OBLIGATIONS, TO PROVIDE FOR REMEDIES OF BONDHOLDERS AND NOTEHOLDERS, TO PROVIDE FOR STATE GRANTS AND LEASES TO AUTHORITY, TO PROVIDE THAT AUTHORITY OBLIGATIONS ARE LEGAL INVESTMENTS, TO PROVIDE THE ACT IS NOT A LIMITATION OF POWERS, TO PROVIDE FOR INCONSISTENCY WITH OTHER LAWS, TO PROVIDE FOR REPAYMENT OF LOANS AND TO PROVIDE FOR JOBS CREATION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR MONEYS TO BE REMITTED FROM THE SALES TAX ACCOUNT UPON CERTAIN CIRCUMSTANCES OCCURRING; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 585**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO COSMETICIANS; AMENDING SECTION 54-828, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE MEMBERS OF THE IDAHO BOARD OF COSMETOLOGY; AND AMENDING SECTION 54-829, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE QUALIFICATIONS OF MEMBERS OF THE IDAHO BOARD OF COSMETOLOGY.

**HOUSE BILL NO. 586**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-106, IDAHO CODE, TO REVISE A DEFINITION; AMENDING THE HEADING FOR CHAPTER 18, TITLE 49, IDAHO CODE, TO PROVIDE FOR THE TOWING AND STORAGE OF MOTOR VEHICLES; AMENDING SECTION 49-1802, IDAHO CODE, TO

PROVIDE A PRESUMPTION RELATING TO OWNERS OF VEHICLES REMOVED UNDER THE AUTHORITY OF SPECIFIED LAW; AMENDING SECTION 49-1803, IDAHO CODE, TO DELETE REFERENCE TO VEHICLES FOUND UNDER EMERGENCY CIRCUMSTANCES AND TO DELETE REFERENCE TO VEHICLES INVOLVED IN ANY EXTRAORDINARY CIRCUMSTANCES; AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1803A, IDAHO CODE, TO PROVIDE THAT AUTHORIZED OFFICERS MAY CAUSE CERTAIN VEHICLES TO BE PLACED IN THE CUSTODY OF TOW TRUCK OPERATORS, TO PROVIDE FOR EXPENSES, TO PROVIDE FOR INVENTORY/NOTICE FORMS AND TO PROVIDE FOR NOTICES; AMENDING SECTION 49-1804, IDAHO CODE, TO PROVIDE FOR VEHICLES NOT WITHIN THE CLASS OF VEHICLES DEFINED UNDER EXTRAORDINARY CIRCUMSTANCES; AMENDING SECTION 49-1807, IDAHO CODE, TO DELETE REFERENCE TO VEHICLES FOUND UNDER EXTRAORDINARY CIRCUMSTANCES AND TO PROVIDE FOR VEHICLES TO BE TOWED AS PART OF AN INVESTIGATION; AMENDING SECTION 49-1807A, IDAHO CODE, TO PROVIDE FOR ITEMIZED STATEMENTS BY TOWING COMPANIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-1808, IDAHO CODE, TO PROVIDE THAT REASONABLE EFFORTS SHALL BE MADE TO PREVENT DAMAGE TO STORED VEHICLES, TO DELETE REFERENCE TO DUTIES OF EMPLOYEES, TO REQUIRE OFFICERS TO COMPLETE CERTAIN FORMS, TO REQUIRE AVAILABILITY OF CERTAIN VEHICLES FOR PHYSICAL INSPECTION AND TO PROVIDE THAT CERTAIN VEHICLES MAY BE DECLARED AS ABANDONED AND PROCESSED FOR DISPOSAL; AMENDING SECTION 49-1809, IDAHO CODE, TO PROVIDE THAT POSSESSORY LIENHOLDERS MAY SATISFY CERTAIN LIENS, TO PROVIDE THAT POSSESSORY LIENHOLDERS SHALL NOT BE RESPONSIBLE FOR PROPERTY AFTER VEHICLE DISPOSAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-1811, IDAHO CODE, TO PROVIDE FOR UNCLAIMED VEHICLES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-1812, IDAHO CODE, TO DELETE REFERENCE TO ABANDONED VEHICLES AND TO PROVIDE THAT OWNERS AND LIENHOLDERS MAY TAKE POSSESSION OF CERTAIN VEHICLES; AMENDING SECTION 49-1813, IDAHO CODE, TO DELETE REFERENCE TO ABANDONED VEHICLES, TO PROHIBIT UNAUTHORIZED REMOVAL OF VEHICLES TOWED UNDER SPECIFIED LAW AND TO PROVIDE FOR RETURN TO STORAGE; AMENDING SECTION 49-1814, IDAHO CODE, TO INCREASE THE APPRAISED VALUE AMOUNT RELATING TO APPLICABILITY OF SPECIFIED PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-1815, IDAHO CODE, TO PROVIDE FOR REQUESTS BY POSSESSORY LIENHOLDERS RELATING TO STORAGE, TO REVISE THE TITLE OF A FORM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-1816, IDAHO CODE, TO DELETE REFERENCE TO AUTOMOBILE PARTS DEALER, TO INCREASE THE VALUE OF VEHICLES SUBJECT TO DISPOSAL, TO PROVIDE THAT CERTAIN VEHICLES MAY BE DISPOSED OF TO AUTOMOBILE PARTS DEALERS, TO REVISE THE TITLE OF A FORM AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION

49-1819, IDAHO CODE, TO PROVIDE THAT SPECIFIED PROVISIONS SHALL BE UNIFORM THROUGHOUT THE STATE.

**HOUSE BILL NO. 587  
BY BUSINESS COMMITTEE**

**AN ACT**

RELATING TO LIENS FOR HEALTH CARE; AMENDING CHAPTER 7, TITLE 45, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 45-704C, IDAHO CODE, TO PROVIDE THAT CERTAIN LICENSED HEALTH CARE PROFESSIONALS SHALL BE ENTITLED TO A CERTAIN LIEN, TO PROVIDE A PROCEDURE FOR PERFECTING SUCH LIEN, TO PROVIDE REQUIREMENTS FOR RECORDING, INDEXING, ENFORCING AND RELEASING SUCH LIEN, TO ALLOW THE PREVAILING CLAIMANT OF SUCH LIEN TO RECOVER CERTAIN FEES AND DISBURSEMENTS AND TO PROVIDE THE PRIORITY OF SUCH LIEN.

[H 579](#), [H 580](#), [H 581](#), [H 582](#), [H 583](#), [H 584](#), [H 585](#), [H 586](#), and [H 587](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

At this time, the Speaker took the Chair.

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

**Second Reading of Bills and Joint Resolutions**

[H 490](#) and [HJR 4](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[HJM 11](#), by Environment, Energy, and Technology Committee, was read the second time by title and filed for third reading.

[H 477](#), by Business Committee, was read the second time by title and filed for third reading.

[H 484](#) and [H 494](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1297](#), by Transportation Committee, was read the second time by title and filed for third reading.

[H 446](#), by State Affairs Committee, was read the second time by title and filed for third reading.

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

**Report of Standing Committees**

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HCR 42](#) and recommend that it do pass.

LOERTSCHER, Chairman

[HCR 42](#) was filed for second reading.

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

**Third Reading of Bills and Joint Resolutions**

[H 466](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall [H 466](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Labrador, Shirley. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 466](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 467](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 467](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Labrador, Shirley. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 467](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 398](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall [H 398](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson,

Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Barrett, Hart, Schaefer, Shepherd(08). Total – 4.

Absent and excused – Anderson, Labrador, Moyle, Shirley.

Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 398](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 457](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 457](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Henderson, Labrador, Shirley.

Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 457](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1302](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 38(3), Mr. Simpson disclosed a conflict of interest regarding [S 1302](#).

The question being, "Shall [S 1302](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Barrett, Clark, Hart, Kren, Nielsen, Schaefer, Shepherd(08), Thayn. Total – 8.

Absent and excused – Labrador, Shirley. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1302](#) passed the House. Title was approved and the bill ordered returned to the Senate.



[S 1307](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1307](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Labrador, Shirley. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1307](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[HJM 9](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HJM 9](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Henderson, Labrador, Shirley. Total – 3.

Total – 70.

Whereupon the Speaker declared [HJM 9](#) adopted and ordered the memorial transmitted to the Senate.

[H 415](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall [H 415](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer,

Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Henderson, Labrador, Shirley. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 415](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, February 19, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:13 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

**FORTIETH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 19, 2010**

House of Representatives

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

Roll call showed 65 members present.

Absent and excused – Block, Crane, Hartgen, Labrador, Smith(24). Total – 5.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

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

### Approval of Journal

February 19, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 18, 2010

Mr. Speaker:

I return herewith enrolled [H 381](#), [H 380](#), and [H 441](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 381](#), [H 380](#), and [H 441](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 18, 2010

Mr. Speaker:

I transmit herewith [S 1323](#) which has passed the Senate.

WOOD, Secretary

[S 1323](#) was filed for first reading.

February 18, 2010

Mr. Speaker:

I return herewith [H 412](#), [H 413](#), and [H 437](#) which have passed the Senate.

WOOD, Secretary

[H 412](#), [H 413](#), and [H 437](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 19, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 579](#), [H 580](#), [H 581](#), [H 582](#), [H 583](#), [H 584](#), [H 585](#), [H 586](#), and [H 587](#).

CLARK, Chairman

[H 579](#) was referred to the Education Committee.

[H 580](#), [H 581](#), [H 582](#), [H 585](#), and [H 587](#) were referred to the Business Committee.

[H 583](#) and [H 586](#) were referred to the Transportation and Defense Committee.

[H 584](#) was referred to the Revenue and Taxation Committee.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HJR 5](#) and recommend that it do pass.

LOERTSCHER, Chairman

[HJR 5](#) was filed for second reading.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 468](#), [H 469](#), and [HCR 39](#) and recommend that they do pass.

BLOCK, Chairman

[H 468](#), [H 469](#), and [HCR 39](#) were filed for second reading.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 495](#) and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

[H 495](#) was placed on General Orders for consideration.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 514](#), [H 515](#), and [H 516](#) and recommend that they do pass.

BARRETT, Chairman

[H 514](#), [H 515](#), and [H 516](#) were filed for second reading.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 535](#) and report it back with amendments attached to be placed on General Orders for consideration.

BARRETT, Chairman

[H 535](#) was placed on General Orders for consideration.

February 18, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [HCR 40](#) and [HCR 41](#) and recommend that they do pass.

TRAIL, Chairman

[HCR 40](#) and [HCR 41](#) were filed for second reading.

February 19, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 564](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 564](#) was filed for second reading.

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

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

**HOUSE BILL NO. 588  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO OFFICE HOURS; AMENDING SECTION 59-1007, IDAHO CODE, TO REVISE PROVISIONS RELATING TO OFFICE HOURS REQUIRED TO BE KEPT BY OFFICERS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 589  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO FIREARMS MANUFACTURED IN IDAHO; TO PROVIDE A SHORT TITLE; TO PROVIDE LEGISLATIVE INTENT; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3315A, IDAHO CODE, TO PROVIDE PROHIBITIONS ON REGULATION OF CERTAIN FIREARMS, FIREARM ACCESSORIES OR AMMUNITION BY THE FEDERAL GOVERNMENT, TO PROVIDE EXCEPTIONS, TO PROVIDE REQUIREMENTS FOR MARKETING OF FIREARMS IN IDAHO, TO PROVIDE APPLICABILITY AND TO PROVIDE DUTIES OF THE CONSTITUTIONAL DEFENSE COUNCIL; AND PROVIDING SEVERABILITY.

[H 588](#) and [H 589](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1323](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

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

**Second Reading of Bills and Joint Resolutions**

[HCR 45](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 458](#), [H 509](#), and [H 527](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[S 1256](#) and [S 1257](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[H 544](#), by Education Committee, was read the second time by title and filed for third reading.

[SP 102](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[HCR 42](#), by State Affairs Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 416](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 416](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Block, Crane, Hartgen, Labrador, Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 416](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

Mr. Moyle moved the House return to the Seventh Order of Business. Seconded by Mr. Bedke.

The question being, "Shall the motion pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bolz, Boyle, Chadderdon, Clark, Collins, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Jarvis, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 47.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30). Total – 18.

Absent and excused – Block, Crane, Hartgen, Labrador, Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker declared the motion passed and the House returned to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HCR 42](#) be suspended; that the

portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HCR 42](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Bedke.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bolz, Boyle, Chadderdon, Clark, Collins, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Jarvis, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 47.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30). Total – 18.

Absent and excused – Block, Crane, Hartgen, Labrador, Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HCR 42](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

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

Pursuant to Rule 38(3), Mr. Killen disclosed a conflict of interest regarding [HCR 42](#).

The question being, "Shall [HCR 42](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 48.

NAYS – Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Smith(30), Trail. Total – 19.

Absent and excused – Block, Labrador, Smith(24). Total – 3.

Paired Votes:

AYE – Crane	NAY – Trail
AYE – Hartgen	NAY – Schaefer
AYE – Hagedorn	NAY – Shepherd(02)
AYE – Patrick	NAY – Saylor

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared [HCR 42](#) adopted and ordered the resolution transmitted to the Senate.

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

### Third Reading of Bills and Joint Resolutions

Mrs. Boe, having voted on the prevailing side, served notice that she may ask for reconsideration of the vote by which [HCR 42](#) passed the House.

[HCR 42](#) was ordered held at the Desk.

[H 417](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 417](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – None.

Absent and excused – Block, Burgoyne, Crane, Hartgen, Labrador, McGeachin, Nonini, Saylor, Shepherd(02), Smith(24). Total – 10.

Total – 70.

Whereupon the Speaker declared that [H 417](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 22, 2010. There being no objection, it was so ordered.

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

### Miscellaneous and Unfinished Business

The time having expired for reconsideration of the vote by which [HCR 42](#) passed the House, the Speaker declared [HCR 42](#) passed the House and ordered the resolution transmitted to the Senate.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, February 22, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:49 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 22, 2010

House of Representatives

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

Roll call showed 68 members present.
Absent and excused - Anderson, Ruchti. Total - 2.
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katrine Franks, Page.

Approval of Journal

February 22, 2010

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

Consideration of Messages from the
Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Marge
Chadderdon, State Representative, District 04, House Seat
A, Kootenai County, State of Idaho, pursuant to the provisions
of Section 59-917, Idaho Code, has nominated Kathleen Sims
of Coeur d'Alene, Idaho, to perform the duties of this office
temporarily as Acting State Representative.

NOW, THEREFORE, I, C. L. "BUTCH" OTTER, Governor
of the State of Idaho, by virtue of the authority vested in me by
Section 59-917, Idaho Code, do hereby appoint Kathleen Sims,
Acting State Representative, District 04, House Seat A, Kootenai
County, State of Idaho, for a term commencing on February
22, 2010, 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 18th day of
February, in the year of our Lord two thousand and ten and
of the Independence of the United States of America, the two
hundred and thirty-fourth year.

/s/ C. L. "BUTCH" OTTER
Governor
/s/ BEN T. YSURSA
Secretary of State

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

The Speaker announced the oath of office had previously
been administered to Kathleen Sims.

February 19, 2010

Mr. Speaker:
I transmit herewith enrolled S 1294 for the signature of the
Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled
S 1294 and, when so signed, ordered it returned to the Senate.

February 19, 2010

Mr. Speaker:
I return herewith enrolled H 384, H 385, and H 397 which
have been signed by the President.

WOOD, Secretary

Enrolled H 384, H 385, and H 397 were referred to the
Judiciary, Rules, and Administration Committee for delivery to
the Governor.

February 19, 2010

Mr. Speaker:
I transmit herewith S 1321, S 1282, S 1283, S 1284, S 1285,
S 1286, S 1328, and S 1338 which have passed the Senate.

WOOD, Secretary

S 1321, S 1282, S 1283, S 1284, S 1285, S 1286, S 1328,
and S 1338 were filed for first reading.

February 19, 2010

Mr. Speaker:
I return herewith HCR 38, HJM 10, H 451, H 452, H 453,
and H 390 which have passed the Senate.

WOOD, Secretary

HCR 38, HJM 10, H 451, H 452, H 453, and H 390 were
referred to the Judiciary, Rules, and Administration Committee
for enrolling.

Report of Standing Committees

February 22, 2010

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have printed H 588 and
H 589.

CLARK, Chairman

H 588 and H 589 were referred to the State Affairs
Committee.

February 19, 2010

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have enrolled H 412, H 437,
and H 413.

CLARK, Chairman

The Speaker announced he was about to sign enrolled
H 412, H 437, and H 413 and, when so signed, ordered them
transmitted to the Senate for the signature of the President.

February 22, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 381](#), [H 380](#), and [H 441](#) to the Governor at 2 p.m., as of this date, February 19, 2010.

CLARK, Chairman

February 19, 2010

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 525](#) and recommend that it do pass.

SCHAEFER, Chairman

[H 525](#) was filed for second reading.

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

#### Motions, Memorials, and Resolutions

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the Second Regular Session of the Sixtieth Idaho Legislature. Seconded by Mr. Rusche.

Pages:

Briana Berreman  
Connor Cook  
Caroline Eggers  
Katrine Franks  
Bethany Kircher  
Rebecka Seward

Jonathan Bertsch  
Zach Edenfield  
Jenna Fox  
Brogan Schaeffer  
Katie Vincent  
Jared Wilson

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

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

##### HOUSE BILL NO. 590 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO HEALTH AND SAFETY; AMENDING CHAPTER 4, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-427, IDAHO CODE, TO PROVIDE AUTHORITY FOR THE REGULATION OF RESIDENTIAL SEPTIC TANKS AND SEPTIC SYSTEMS.

##### HOUSE BILL NO. 591 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO VEHICLE EMISSIONS; AMENDING SECTION 39-116B, IDAHO CODE, TO REVISE CONDITIONS UNDER WHICH RULEMAKING FOR MOTOR VEHICLE INSPECTIONS AND MAINTENANCE PROGRAMS SHALL BE INITIATED, TO DELETE REFERENCE TO CERTAIN EQUIVALENT VEHICLE EMISSION INSPECTION PROGRAMS, TO DELETE REFERENCE TO DEPARTMENT OF ENVIRONMENTAL QUALITY MOTOR VEHICLE INSPECTION AND MAINTENANCE PROGRAMS AND TO PROVIDE AN EXCEPTION FOR VEHICLES THAT ARE DRIVEN LESS THAN ONE THOUSAND MILES ANNUALLY; AND DECLARING AN EMERGENCY.

##### HOUSE BILL NO. 592 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO PARI-MUTUEL BETTING; AMENDING SECTION 54-2512, IDAHO CODE, TO AUTHORIZE PARI-MUTUEL BETTING ON THE RESULT OF A LIVE HORSE RACE MEET AT A FACILITY NOT LOCATED ON THE GROUNDS WHERE THE WAGERING OCCURS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE PROCEDURES, TO PROVIDE FEES AND TO PROVIDE FOR THE CREATION OF THE LIVE HORSE RACE DISTRIBUTION FUND AND TO PROVIDE FOR DISTRIBUTION OF EXCESS PROCEEDS FROM THE FUND.

##### HOUSE BILL NO. 593 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ATTORNEY'S FEES IN SUITS OR ARBITRATION WITH INSURERS; AMENDING SECTION 41-1839, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AWARD OF ATTORNEY'S FEES IN ACTIONS OR ARBITRATIONS INVOLVING INSURERS AND TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

##### HOUSE BILL NO. 594 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE COMMISSION FOR REAPPORTIONMENT; AMENDING SECTION 72-1501, IDAHO CODE, TO DELETE LANGUAGE ALLOWING A COMMISSION FOR REAPPORTIONMENT TO BE RECONVENED AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-1508, IDAHO CODE, TO PROVIDE THAT ANY LEGAL CHALLENGE TO THE REAPPORTIONMENT PLAN AS CONTAINED IN THE COMMISSION'S FINAL REPORT WILL BE HEARD ON AN EXPEDITED BASIS BY THE IDAHO SUPREME COURT, TO PROVIDE PROCEDURES IF THE IDAHO SUPREME COURT IS UNABLE TO COMPLETE REVIEW OF A CONTESTED PLAN BY A TIME CERTAIN, TO PROVIDE PROCEDURES FOR THE LEGISLATURE IF CERTAIN CIRCUMSTANCES OCCUR AND TO MAKE A TECHNICAL CORRECTION.

[H 590](#), [H 591](#), [H 592](#), [H 593](#), and [H 594](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1321](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), and [S 1328](#), by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1338](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

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

### Second Reading of Bills and Joint Resolutions

Mr. Trail asked unanimous consent that [HCR 40](#) be returned to the Agricultural Affairs Committee. There being no objection, it was so ordered.

[HJR 5](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 468](#), [H 469](#), and [HCR 39](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 514](#), [H 515](#), and [H 516](#), by Local Government Committee, were read the second time by title and filed for third reading.

[HCR 41](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[H 564](#), by State Affairs Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

[H 463](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [H 463](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Ringo. Total – 1.

Absent and excused – Anderson, Higgins, Ruchti. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 463](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 488](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche and Mr. Moyle to open debate.

The question being, "Shall [H 488](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Anderson, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 488](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 486](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 486](#) pass?"

Roll call resulted as follows:

AYES – Bayer, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Marriott, Mathews, McGeachin, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 49.

NAYS – Andrus, Barrett, Bedke, Bell, Bilbao, Clark, Hartgen, Harwood, Labrador, Lake, Loertscher, Luker, Moyle, Nielsen, Roberts, Smith(24), Stevenson, Wood(35). Total – 18.

Absent and excused – Anderson, Kren, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 486](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 491](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pasley-Stuart to open debate.

The question being, "Shall [H 491](#) pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 63.

NAYS – Andrus, Hart, Harwood, Wood(35). Total – 4.

Absent and excused – Anderson, Kren, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 491](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 493](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayn and Mr. Durst to open debate.

The question being, "Shall [H 493](#) pass?"

Roll call resulted as follows:

AYES – Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Andrus, Gibbs, Loertscher, Ringo, Saylor, Shepherd(02), Smith(30). Total – 7.

Absent and excused – Anderson, Ruchti. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 493](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 498](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 498](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Anderson, Ruchti. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 498](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1253](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1253](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Hagedorn, Ruchti.  
Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1253](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1254](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1254](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Hart. Total – 1.

Absent and excused – Anderson, Hagedorn, Palmer, Ruchti.  
Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1254](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1255](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1255](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Hart, Nielsen. Total – 2.

Absent and excused – Anderson, Hagedorn, Ruchti.  
Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1255](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[H 490](#) was read the third time at length, section by section, and placed before the House for final consideration.



At this time, the Speaker recognized Mr. Moyle and Mr. Bayer to open debate.

The question being, "Shall [H 490](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 62.

NAYS – Marriott, Patrick, Ringo, Roberts, Shepherd(08), Wood(35). Total – 6.

Absent and excused – Anderson, Ruchti. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 490](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

Mrs. Barrett asked unanimous consent that [H 515](#) be returned to the Local Government Committee. There being no objection, it was so ordered.

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

### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, February 23, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:13 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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FORTY-FOURTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 23, 2010

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Stephen Grammer, Page.

### Approval of Journal

February 23, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 22, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1302](#) and [S 1307](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1302](#) and [S 1307](#) and, when so signed, ordered them returned to the Senate.

February 22, 2010

Mr. Speaker:

I transmit herewith [SCR 119](#), [SJM 104](#), [S 1339](#), [S 1319](#), [S 1324](#), and [S 1327](#) which have passed the Senate.

WOOD, Secretary

[SCR 119](#), [SJM 104](#), [S 1339](#), [S 1319](#), [S 1324](#), and [S 1327](#) were filed for first reading.

### Report of Standing Committees

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 590](#), [H 591](#), [H 592](#), [H 593](#), and [H 594](#).

CLARK, Chairman

[H 590](#) and [H 591](#) were referred to the Environment, Energy, and Technology Committee.

[H 592](#) and [H 594](#) were referred to the State Affairs Committee.

[H 593](#) was referred to the Judiciary, Rules, and Administration Committee.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 38](#), [HJM 10](#), [H 451](#), [H 452](#), [H 453](#), and [H 390](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 38](#), [HJM 10](#), [H 451](#), [H 452](#), [H 453](#), and [H 390](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 384](#), [H 385](#), and [H 397](#) to the Governor at 1:40 p.m., as of this date, February 22, 2010.

CLARK, Chairman

February 22, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HJR 7](#) and recommend that it do pass.

LOERTSCHER, Chairman

[HJR 7](#) was filed for second reading.

February 22, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 481](#), [H 482](#), and [H 483](#) and recommend that they do pass.

BLOCK, Chairman

[H 481](#), [H 482](#), and [H 483](#) were filed for second reading.

February 22, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 480](#) and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

[H 480](#) was placed on General Orders for consideration.

February 22, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 576](#) and recommend that it do pass.

TRAIL, Chairman

[H 576](#) was filed for second reading.

February 22, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 540](#) and [H 542](#) and recommend that they do pass.

WOOD, Chairman

[H 540](#) and [H 542](#) were filed for second reading.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 492](#), [H 496](#), and [H 522](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 492](#), [H 496](#), and [H 522](#) were filed for second reading.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 579](#) and recommend that it do pass.

NONINI, Chairman

[H 579](#) was filed for second reading.

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

#### Motions, Memorials, and Resolutions

[SCR 119](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[SJM 104](#), by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

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

##### HOUSE BILL NO. 595 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAX NET OPERATING LOSS; AMENDING SECTION 63-3021, IDAHO CODE, TO PROVIDE FOR APPLICATION OF A THEFT LOSS FROM A FRAUDULENT INVESTMENT ARRANGEMENT ALLOWABLE AS A DEDUCTION UNDER SECTION 165(c)(2) OF THE INTERNAL REVENUE CODE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

##### HOUSE BILL NO. 596 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO COLLEGE AND UNIVERSITY IMPROVEMENTS; AMENDING SECTION 63-301A, IDAHO CODE, TO PROVIDE THAT CERTAIN IMPROVEMENTS ON STATE COLLEGE OR STATE UNIVERSITY LANDS MAY BE INCLUDED ON THE NEW CONSTRUCTION ROLL; AMENDING SECTION 63-602E, IDAHO CODE, TO PROVIDE THAT CERTAIN IMPROVEMENTS ON STATE COLLEGE OR STATE UNIVERSITY OWNED LAND SHALL BE EXEMPT FROM TAXATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

##### HOUSE BILL NO. 597 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3029F, IDAHO CODE, TO REVISE THE SPECIAL INCOME TAX CREDIT AVAILABLE FOR NEW EMPLOYEES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 595](#), [H 596](#), and [H 597](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1339](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1319](#), by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

[S 1324](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1327](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

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

#### Second Reading of Bills and Joint Resolutions

[H 525](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [SP 102](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[SP 102](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [SP 102](#) be adopted?"

Whereupon the Speaker declared [SP 102](#) adopted by voice vote and ordered the proclamation returned to the Senate.

[HJM 11](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HJM 11](#) be adopted?"

Whereupon the Speaker declared [HJM 11](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

[H 477](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 477](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 63.

NAYS – Barrett, Harwood, Marriott, Nielsen, Shepherd(08), Thayn, Wood(35). Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 477](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 484](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 484](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 484](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 494](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 494](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Hagedorn, Kren. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 494](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1297](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1297](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1297](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[H 446](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 446](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 446](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HJR 4](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Pursuant to Rule 38(3), Mr. Wood(27) disclosed a conflict of interest regarding [HJR 4](#).

Pursuant to Rule 38(3), Mr. Bilbao disclosed a conflict of interest regarding [HJR 4](#).

The question being, "Shall [HJR 4](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Bayer, Hartgen, Marriott, Nonini, Palmer. Total – 5.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HJR 4](#) passed the House. Title was approved and the resolution ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, February 24, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:09 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

**FORTY-FIFTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 24, 2010**

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Zach Edenfield, Page.

### Approval of Journal

February 24, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

### CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Phil Hart, State Representative, District 03, House Seat B, Kootenai County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Steve Vick of Dalton Gardens, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, C. L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Steve Vick, Acting State Representative, District 03, House Seat B, Kootenai County, State of Idaho, for a term commencing on February 24, 2010, 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 22nd day of February, in the year of our Lord two thousand and ten and of the Independence of the United States of America, the two hundred and thirty-fourth year.

/s/ C. L. "BUTCH" OTTER  
Governor

/s/ BEN T. YSURSA  
Secretary of State

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

The Speaker announced the oath of office had previously been administered to Steve Vick.

OFFICE OF THE GOVERNOR  
Boise

February 23, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 380](#), [H 381](#), and [H 441](#)

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

February 23, 2010

Mr. Speaker:

I return herewith enrolled [H 412](#), [H 437](#), and [H 413](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 412](#), [H 437](#), and [H 413](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 23, 2010

Mr. Speaker:

I transmit herewith [S 1322](#), [S 1329](#), [S 1247](#), [S 1316](#), [S 1332](#), and [S 1325](#) which have passed the Senate.

WOOD, Secretary

[S 1322](#), [S 1329](#), [S 1247](#), [S 1316](#), [S 1332](#), and [S 1325](#) were filed for first reading.

### Report of Standing Committees

February 24, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 595](#), [H 596](#), and [H 597](#).

CLARK, Chairman

[H 595](#), [H 596](#), and [H 597](#) were referred to the Revenue and Taxation Committee.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [S 1267](#), [S 1287](#), and [S 1308](#) and recommend that they do pass.

CLARK, Chairman

[S 1267](#), [S 1287](#), and [S 1308](#) were filed for second reading.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 425](#), [H 478](#), [H 550](#), and [H 551](#) and recommend that they do pass.

BLACK, Chairman

[H 425](#), [H 478](#), [H 550](#), and [H 551](#) were filed for second reading.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 508](#), [H 526](#), and [H 510](#) and recommend that they do pass.

SCHAEFER, Chairman

[H 508](#), [H 526](#), and [H 510](#) were filed for second reading.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 558](#) and report it back with amendments attached to be placed on General Orders for consideration.

SCHAEFER, Chairman

[H 558](#) was placed on General Orders for consideration.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 533](#), [H 561](#), [S 1265](#), and [S 1266](#) and recommend that they do pass.

STEVENSON, Chairman

[H 533](#), [H 561](#), [S 1265](#), and [S 1266](#) were filed for second reading.

February 23, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 531](#) and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

[H 531](#) was placed on General Orders for consideration.

February 24, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, request that [SCR 119](#) be returned to the Desk for re-referral.

CLARK, Chairman

[SCR 119](#) was filed for second reading.

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

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 12 BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE UNITED STATES IN CONGRESS ASSEMBLED,  
AND TO THE CONGRESSIONAL DELEGATION

REPRESENTING THE STATE OF IDAHO IN THE  
CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the people of the state of Idaho are endowed with certain inalienable rights expressly conveyed to individuals in the Constitution of the United States; and

WHEREAS, in its ruling in *Citizens United v. Federal Election Commission*, No. 08-205, Slip Opinion (U.S. January 21, 2010), <http://www.supremecourtus.gov/opinions/09pdf/08-205.pdf>, the United States Supreme Court departed from a century of legal precedent affirming the public interest of and government authority in limiting corporate and labor organization campaign spending; and

WHEREAS, at the federal level, the concerns about unchecked political spending on elections extends back to the early twentieth century when President Theodore Roosevelt called for campaign finance reform in his annual messages to Congress in 1905 and 1906, resulting in the Tillman Act of 1907, which, in an effort to expressly distinguish between corporate and individual political spending on elections, banned direct contributions by corporations to federal candidates; and

WHEREAS, in its opinion in *Federal Election Comm'n v. National Right to Work Comm.*, 459 U.S. 197 (1982), the United States Supreme Court unanimously observed that "In order to prevent both actual and apparent corruption, Congress aimed a part of its regulatory scheme at corporations. The statute reflects a legislative judgment that the special characteristics of the corporate structure require particularly careful regulation. While 441b restricts the solicitation of corporations and labor unions without great financial resources, as well as those more fortunately situated, we accept Congress' judgment that it is the potential for such influence that demands regulation;" and

WHEREAS, the Supreme Court of the United States, for many decades, has repeatedly and consistently upheld reasonable limits on campaign spending, including independent expenditures; and

WHEREAS, corporations and labor organizations are neither citizens nor voters, yet through the expenditure of unlimited amounts of money, now have within their power the ability to disproportionately influence the outcome of an election; and

WHEREAS, as a result of the *Citizens United v. Federal Election Commission* ruling, there is likely to be a chilling effect on candidates and elected officials deterred from advocating and implementing policies that advance the public interest but may injure corporations or labor organizations.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge and petition the Congress of the United States and particularly the members of Congress representing the state of Idaho to use their efforts, energies and diligence in applying the powers vested in the legislative branch to negate the harmful effects of the United States Supreme Court's decision in *Citizens United v. Federal Election Commission*.

BE IT FURTHER RESOLVED that we urge the United States Congress to place limits, through lawmaking or constitutional amendment, on independent expenditures made by corporations and labor organizations with the primary purpose of influencing the outcome of any federal election.

BE IT FURTHER RESOLVED that we urge the United States Congress to affirm the power of the states to set limits, through lawmaking or constitutional amendment, on all forms of

contributions and expenditures made by corporations and labor organizations to influence the outcome of elections in the states.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

[HJM 12](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

[S 1322](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1329](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1247](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[S 1316](#) and [S 1332](#), by Agricultural Affairs Committee, were introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

[S 1325](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

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

#### **Second Reading of Bills and Joint Resolutions**

[HJR 7](#) and [H 576](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[H 481](#), [H 482](#), and [H 483](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 540](#) and [H 542](#), by Transportation and Defense Committee, were read the second time by title and filed for third reading.

[H 492](#), [H 496](#), and [H 522](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 579](#), by Education Committee, was read the second time by title and filed for third reading.

#### **Third Reading of Bills and Joint Resolutions**

[HCR 45](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 45](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews,

McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared [HCR 45](#) adopted and ordered the resolution transmitted to the Senate.

[H 458](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 458](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 458](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 509](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 509](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 509](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 527](#) was read the third time at length, section by section, and placed before the House for final consideration.

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



Pursuant to Rule 38(3), Mr. Luker disclosed a conflict of interest regarding [H 527](#).

The question being, "Shall [H 527](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Clark, Collins, Eskridge, Gibbs, Hartgen, Henderson, Higgins, Jarvis, Lake, Marriott, Moyle, Pasley-Stuart, Patrick, Raybould, Ringo, Schaefer, Shepherd(02), Shirley, Simpson, Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Mr. Speaker. Total – 36.

NAYS – Boe, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Crane, Cronin, Durst, Hagedorn, Hart(Vick), Harwood, Jaquet, Killen, King, Kren, Labrador, Loertscher, Luker, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pence, Roberts, Ruchti, Rusche, Saylor, Shepherd(08), Smith(30), Smith(24), Thompson, Wood(35). Total – 34.

Total – 70.

Whereupon the Speaker declared that [H 527](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1256](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1256](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Bolz. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1256](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1257](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1257](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick,

Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Palmer. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1257](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[H 544](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 544](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Palmer. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 544](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HJR 5](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [HJR 5](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Luker, Mathews, McGeachin, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Barrett, Bayer, Boyle, Chadderdon(Sims), Hart(Vick), Hartgen, Harwood, Labrador, Loertscher, Marriott, Nonini, Thayn. Total – 12.

Absent and excused – Palmer. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HJR 5](#) passed the House. Title was approved and the resolution ordered transmitted to the Senate.

[H 468](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 468](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Black, Labrador, Palmer, Schaefer.  
Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 468](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

#### **Adjournment**

Mr. Bedke moved that the House adjourn until 10:30 a.m., Thursday, February 25, 2010. Seconded by Mr. Rusche. Motion carried.

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

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**FORTY-SIXTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 25, 2010**

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bethany Kircher, Page.

### Approval of Journal

February 25, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 24, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 384](#), [H 385](#), and [H 397](#)

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

February 24, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1253](#), [S 1254](#), and [S 1255](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1253](#), [S 1254](#), and [S 1255](#) and, when so signed, ordered them returned to the Senate.

February 24, 2010

Mr. Speaker:

I return herewith enrolled [HCR 38](#), [HJM 10](#), [H 451](#), [H 452](#), [H 453](#), and [H 390](#) which have been signed by the President.

WOOD, Secretary

Enrolled [HCR 38](#) and [HJM 10](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 451](#), [H 452](#), [H 453](#), and [H 390](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 24, 2010

Mr. Speaker:

I transmit herewith [SCR 120](#), [SCR 118](#), [S 1347](#), [S 1367](#), [S 1252](#), as amended, and [S 1320](#), as amended, which have passed the Senate.

WOOD, Secretary

[SCR 120](#), [SCR 118](#), [S 1347](#), [S 1367](#), [S 1252](#), as amended, and [S 1320](#), as amended, were filed for first reading.

February 24, 2010

Mr. Speaker:

I return herewith [H 443](#) and [H 421](#) which have passed the Senate.

WOOD, Secretary

[H 443](#) and [H 421](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

February 24, 2010

Mr. Speaker:

I return herewith [H 382](#), as amended in the Senate, which has passed the Senate.

WOOD, Secretary

[H 382](#), as amended in the Senate, was ordered held at the Desk.

Mr. Smith(24) asked unanimous consent that the House concur in the Senate amendments to [H 382](#), as amended in the Senate. There being no objection, it was so ordered.

[H 382](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

### Report of Standing Committees

February 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HJM 12](#).

CLARK, Chairman

[HJM 12](#) was referred to the State Affairs Committee.

February 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 412](#), [H 437](#), and [H 413](#) to the Governor at 1:20 p.m., as of this date, February 24, 2010.

CLARK, Chairman

February 24, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 545](#) and recommend that it do pass.

NONINI, Chairman

[H 545](#) was filed for second reading.

February 24, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 555](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 555](#) was filed for second reading.

February 24, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 470](#), [H 517](#), [H 518](#), and [H 519](#) and recommend that they do pass.

BLOCK, Chairman

[H 470](#), [H 517](#), [H 518](#), and [H 519](#) were filed for second reading.

February 24, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 583](#) and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

[H 583](#) was placed on General Orders for consideration.

February 25, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1306](#) and [SJM 103](#) and recommend that they do pass.

NONINI, Chairman

[S 1306](#) and [SJM 103](#) were filed for second reading.

February 25, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 575](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 575](#) was filed for second reading.

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

#### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 46 BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND REAFFIRMING THE STATE OF IDAHO'S COMMITMENT TO THE STRONG AND DEEPENING RELATIONSHIP BETWEEN THE STATE OF IDAHO AND TAIWAN.

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

WHEREAS, the state of Idaho has a strong and vibrant economic relationship with the Republic of China (Taiwan); and

WHEREAS, the state of Idaho and Taiwan have enjoyed a long and mutually beneficial relationship with the prospect of further growth, and that Taiwan was Idaho's 4th largest export destination in 2008; and

WHEREAS, the trade volume from the state of Idaho to Taiwan totaled \$346.6 million, with major products including semiconductors, computers and capital equipment, food and agriculture and wood and building materials; and

WHEREAS, direct and unobstructed participation in the United States specialized agencies, programs and convention is crucial for all parts of the world, especially with today's greater potential for the cross-border cooperation; and

WHEREAS, Taiwan is one of the leading economies in the world; and

WHEREAS, Taipei Flight Information Region (FIR) is pivotal in the Asia Pacific region and controls 1.35 million flights with 35 million passengers using Taiwan's airports every year, as well as aviation security from terrorist boardings, safety and convenience are in line with the common interests of people from across the Taiwan Strait as well as the entire world; and

WHEREAS, the inclusion of Taiwan into the global community will help Taiwan contribute more significantly to the international community, but also benefit the state of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we reaffirm our commitment to the strong and deepening relationship between the State of Idaho and Taiwan.

BE IT FURTHER RESOLVED that the Legislature of the State of Idaho supports Taiwan's meaningful participation in the international aviation organizations promoting safe and secure travel.

#### HOUSE CONCURRENT RESOLUTION NO. 47

##### BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND CONGRATULATING LEWISTON, IDAHO, AND THE LEWIS-CLARK VALLEY FOR BEING CHOSEN AS ONE OF THE MOST SECURE PLACES TO LIVE IN THE UNITED STATES.

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

WHEREAS, in this time of economic uncertainty, a safe and secure environment in which to live, work and raise a family has become an even greater priority; and

WHEREAS, the Farmers Insurance Group of Companies annually ranks communities as the most secure places to live; and

WHEREAS, the rankings took into consideration crime statistics, extreme weather, risk of natural disasters, housing depreciation, foreclosures, air quality, terrorist threats, environmental hazards, life expectancy and job loss numbers in 379 municipalities; and

WHEREAS, in 2009 the Lewiston, Idaho, and the Lewis-Clark Valley area ranks as the most secure small town with a population of less than 150,000 in 2009; and

WHEREAS, the Lewiston and Lewis-Clark Valley area's access to the Pacific Ocean through a network of river, rail and highway transportation facilities provides an excellent business climate for what is regarded as the most inland seaport in the western United States and it scored high in the study

due to excellent job growth, low crime and minimal housing depreciation.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we congratulate the city of Lewiston, Idaho, and the Lewis-Clark Valley for being chosen as one of the most secure places to live in the United States.

HCR 46 and HCR 47 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 120, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

SCR 118, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

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

House of Representatives  
State of Idaho

February 23, 2010

The Honorable JoAn E. Wood, Chairman  
Transportation and Defense Committee

Dear Representative Wood:

I hereby designate the Transportation and Defense Committee a privileged committee on Wednesday, February 24, 2010, for the purpose of introducing RS 19721 (**H 600**).

Sincerely,  
/s/ Lawrence Denney  
Speaker of the House

The letter was ordered filed in the office of the Chief Clerk.

**HOUSE BILL NO. 598  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-202, IDAHO CODE, TO PROVIDE AN EXCEPTION TO SPECIFIED BOND REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 599  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO SOLID WASTE LANDFILLS; AMENDING CHAPTER 74, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-7421, IDAHO CODE, TO PROVIDE FOR RESEARCH, DEVELOPMENT AND DEMONSTRATION PERMITS AND TO PROVIDE PROCEDURES.

**HOUSE BILL NO. 600  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO HIGHWAYS, BRIDGES AND CONTRACTS; AMENDING SECTION 40-102, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-103, IDAHO CODE, TO REVISE DEFINITIONS;

AMENDING SECTION 40-104, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-105, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-107, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-108, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-113, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-116, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-117, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 1, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-119, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING SECTION 40-120, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-121, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 40-902, IDAHO CODE, TO REVISE PROVISIONS RELATING TO BIDS AND ADVERTISEMENTS FOR SEALED BIDS AND TO PROVIDE FOR EXCEPTIONS; AMENDING CHAPTER 9, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-904, IDAHO CODE, TO PROVIDE FOR A PREFERRED CONTRACTING METHOD, TO PROVIDE FOR THE SELECTION OF DESIGN-BUILD FIRMS AND FOR THE AWARD OF DESIGN-BUILD CONTRACTS, TO PROVIDE CRITERIA, TO PROVIDE CONSTRUCTION BUDGET LIMITS ON CERTAIN CONTRACTS, TO PROVIDE MINIMUMS TO BE PERFORMED BY THE DESIGN-BUILD FIRM, TO PROVIDE FOR RESPONSIBLE CHARGE, TO PROVIDE FOR AN EVALUATION COMMITTEE, TO PROVIDE FOR COMPLIANCE OF LAWS, TO PROVIDE FOR THE EMPLOYMENT OF A PROFESSIONAL ENGINEER, TO PROVIDE THAT CERTAIN LICENSES MUST BE OBTAINED AT CERTAIN TIMES, TO PROVIDE THAT THE DEPARTMENT MAY DISCONTINUE A SELECTION PROCESS, TO PROVIDE FOR DEBRIEFING, TO PROVIDE THAT THE DEPARTMENT MAY ESTABLISH AND DETERMINE CERTAIN METHODS TO SELECT FIRMS AND AWARD CONTRACTS, TO PROVIDE FOR A TWO-STEP SELECTION PROCESS, TO PROVIDE FOR DESIGN-BUILD SELECTION AND CONTRACT METHODS THAT MAY BE USED, TO PROVIDE THAT THE DEPARTMENT SHALL ADVERTISE, TO PROVIDE THAT THE REQUEST FOR QUALIFICATIONS AND THE REQUEST FOR PROPOSAL ADDRESS CONFLICTS OF INTEREST, TO PROVIDE THAT EACH REQUEST FOR QUALIFICATIONS INCLUDE CERTAIN INFORMATION, TO PROVIDE CRITERIA FOR EVALUATION, TO PROVIDE THAT THE REQUEST FOR QUALIFICATION SHALL NOT INCLUDE CERTAIN FACTORS, TO PROVIDE FOR A SUMMARY OF SCORES, TO PROVIDE FOR A CHALLENGE, TO PROVIDE THAT THE DEPARTMENT SHALL PREPARE A REQUEST FOR PROPOSALS, TO PROVIDE THAT THE REQUEST FOR PROPOSAL INCLUDE CERTAIN INFORMATION, TO PROVIDE THAT THE REQUEST FOR PROPOSAL SELECTION AND AWARD CRITERIA INCLUDE CERTAIN INFORMATION, TO PROVIDE THAT THE DEPARTMENT MAKE CERTAIN MATERIALS AVAILABLE, TO PROVIDE THAT THE REQUEST FOR PROPOSAL ADDRESS AND IDENTIFY CERTAIN CONTRACT PROVISIONS, TO PROVIDE FOR ALTERNATE TECHNICAL CONCEPTS, TO PROVIDE FOR ONE-ON-ONE MEETINGS, TO PROVIDE FOR DISCLOSURE OF CERTAIN INFORMATION, TO PROVIDE THAT THE DEPARTMENT SHALL NOT DISCLOSE CERTAIN INFORMATION, TO PROVIDE

FOR SUBMITTAL, TO PROVIDE FOR SCORING OR OTHERWISE EVALUATING CERTAIN PROPOSALS, TO PROVIDE FOR DISCUSSIONS, TO PROVIDE THAT CERTAIN PROPOSALS BE KEPT SECURE, TO PROVIDE THAT SCORES AND BEST VALUES SHALL BE READ PUBLICLY, TO PROVIDE FOR ADJUSTMENT OF PRICE, TO PROVIDE FOR THE BASIS FOR DESIGN-BUILD FIRM SELECTION AND CONTRACT AWARD, TO PROVIDE FOR EXCLUDING REQUESTS FOR PROPOSALS, TO PROVIDE PROVISIONS RELATING TO A STIPEND, TO PROVIDE FOR THE DEPARTMENT TO ACT ON PROPOSALS, TO PROVIDE THAT THE DEPARTMENT IS NOT REQUIRED TO AWARD A CONTRACT, TO PROVIDE FOR A SUMMARY OF SCORES AND TO PROVIDE FOR A CHALLENGE TO THE DEPARTMENT'S DETERMINATION; AMENDING CHAPTER 9, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-905, IDAHO CODE, TO PROVIDE FOR A PREFERRED CONTRACTING METHOD, TO PROVIDE THAT THE DEPARTMENT MAY SELECT CONSTRUCTION MANAGER/GENERAL CONTRACTOR FIRMS AND AWARD CERTAIN CONTRACTS, TO PROVIDE CRITERIA FOR DETERMINING WHEN TO USE CM/GC CONTRACT PROCEDURES, TO PROVIDE CONSTRUCTION BUDGET LIMITS ON CERTAIN CONTRACTS, TO PROVIDE MINIMUMS TO BE PERFORMED BY THE CM/GC FIRM, TO PROVIDE FOR A PROFESSIONAL ENGINEER AND TO PROVIDE FOR RESPONSIBLE CHARGE, TO PROVIDE FOR APPLICATION OF LAWS, TO PROVIDE FOR AN EVALUATION COMMITTEE, TO PROVIDE FOR A DEBRIEFING, TO PROVIDE FOR THE AWARD OF CERTAIN CONTRACTS AND THE PUBLIC SOLICITATION OF REQUEST FOR PROPOSALS, TO PROVIDE THAT THE DEPARTMENT SHALL ADVERTISE REQUESTS FOR PROPOSALS, TO PROVIDE THAT THE REQUEST FOR PROPOSAL SHALL ADDRESS CERTAIN CONFLICTS OF INTEREST, TO PROVIDE THAT THE REQUEST FOR PROPOSAL SHALL INCLUDE CERTAIN INFORMATION, TO PROVIDE FOR EVALUATION FACTORS, TO PROVIDE FOR THE BASIS OF SELECTION, TO PROVIDE THAT THE CONTRACT SHALL BE AWARDED IN TWO PHASES, TO PROVIDE FOR PERFORMANCE AND PAYMENT BONDS, TO PROVIDE THAT THE DEPARTMENT IS NOT REQUIRED TO AWARD A CONTRACT, TO PROVIDE FOR NOTICE, TO PROVIDE FOR A SUMMARY OF SCORES, TO PROVIDE FOR A CHALLENGE TO THE DEPARTMENT'S DETERMINATION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 601**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO BUILDING CODES AND SCHOOLS; AMENDING SECTION 39-4113, IDAHO CODE, TO REVISE CRITERIA FOR PLAN REVIEWS AND FOR INSPECTIONS FOR PUBLIC SCHOOLS; AND AMENDING 39-8007, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

[H 598](#), [H 599](#), [H 600](#), and [H 601](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1347](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1367](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1252](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[S 1320](#), as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

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

**Second Reading of Bills and Joint Resolutions**

[S 1267](#), [S 1287](#), [S 1308](#), and [SCR 119](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[H 425](#), [H 478](#), [H 550](#), and [H 551](#), by Business Committee, were read the second time by title and filed for third reading.

[H 508](#), [H 526](#), and [H 510](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[H 533](#) and [H 561](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[S 1265](#) and [S 1266](#), by Resources and Environment Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 469](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 469](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Barrett, Bell. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 469](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 39](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 39](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared [HCR 39](#) adopted and ordered the resolution transmitted to the Senate.

[H 514](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 514](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Kren. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 514](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 516](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 516](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 516](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 41](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail and Mr. Hartgen to open debate.

The question being, "Shall [HCR 41](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Harwood. Total – 1.

Total – 70.

Whereupon the Speaker declared [HCR 41](#) adopted and ordered the resolution transmitted to the Senate.

[H 564](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 564](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Barrett. Total – 1.

Absent and excused – Saylor. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 564](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 525](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 525](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Barrett. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 525](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HJR 7](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Mr. Wood(27) asked unanimous consent, pursuant to Rule 46, that [HJR 7](#) be corrected as follows:

Page 1, indent Line 41.

There being no objection, it was so ordered.

The question being, "Shall [HJR 7](#), as corrected, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Hartgen, Marriott, Palmer. Total – 3.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HJR 7](#) passed the House. Title was approved and the resolution ordered transmitted to the Senate.

[H 481](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 481](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren,

Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Harwood, Labrador. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 481](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 482](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 482](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 482](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 483](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 483](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 483](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 576](#) was read the third time at length, section by section, and placed before the House for final consideration.



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

The question being, "Shall [H 576](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 576](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 540](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 540](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bilbao, Black, Boe, Bolz, Burgoyne, Chadderdon(Sims), Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Mathews, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Smith(30), Takasugi, Trail, Wills, Wood(27), Mr. Speaker. Total – 41.

NAYS – Andrus, Barrett, Bedke, Bell, Block, Boyle, Clark, Crane, Hart(Vick), Hartgen, Harwood, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Roberts, Shepherd(08), Simpson, Smith(24), Stevenson, Thayn, Thompson, Wood(35). Total – 29.

Total – 70.

Whereupon the Speaker declared that [H 540](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 542](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall [H 542](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon(Sims), Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 542](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Bedke moved that the House adjourn until 10:30 a.m., Friday, February 26, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:54 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

—————

**FORTY-SEVENTH LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 26, 2010**

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – Boe, McGeachin. Total – 2.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jenna Fox, Page.

### Approval of Journal

February 26, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 25, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1297](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1297](#) and, when so signed, ordered it returned to the Senate.

February 25, 2010

Mr. Speaker:

I transmit herewith [SCR 122](#), [SCR 123](#), [SCR 124](#), [SJM 105](#), and [SCR 121](#) which have passed the Senate.

WOOD, Secretary

[SCR 122](#), [SCR 123](#), [SCR 124](#), [SJM 105](#), and [SCR 121](#) were filed for first reading.

February 25, 2010

Mr. Speaker:

I return herewith [H 422](#), [H 432](#), and [H 430](#) which have passed the Senate.

WOOD, Secretary

[H 422](#), [H 432](#), and [H 430](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 46](#), [HCR 47](#), [H 598](#), [H 599](#), [H 600](#), and [H 601](#).

CLARK, Chairman

[HCR 46](#) and [HCR 47](#) were filed for second reading.

[H 598](#) was referred to the Resources and Conservation Committee.

[H 599](#) was referred to the Environment, Energy, and Technology Committee.

[H 600](#) was referred to the Transportation and Defense Committee.

[H 601](#) was referred to the Education Committee.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 443](#) and [H 421](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 443](#) and [H 421](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 382](#), as amended in the Senate.

CLARK, Chairman

[H 382](#), as amended in the Senate, was filed for first reading of engrossed bills.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 38](#) and [HJM 10](#) to the Secretary of State at 1:15 p.m., as of this date, February 25, 2010.

CLARK, Chairman

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 451](#), [H 452](#), [H 453](#), and [H 390](#) to the Governor at 1:17 p.m., as of this date, February 25, 2010.

CLARK, Chairman

February 25, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 556](#), [H 557](#), and [H 559](#) and recommend that they do pass.

STEVENSON, Chairman

[H 556](#), [H 557](#), and [H 559](#) were filed for second reading.

February 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 524](#) and [H 593](#) and report them back with amendments attached to be placed on General Orders for consideration.

CLARK, Chairman

[H 524](#) and [H 593](#) were placed on General Orders for consideration.

February 25, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 528](#) and [H 560](#) and recommend that they do pass.

BLACK, Chairman

[H 528](#) and [H 560](#) were filed for second reading.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 521](#) and [H 588](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 521](#) and [H 588](#) were filed for second reading.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 597](#) and recommend that it do pass.

LAKE, Chairman

[H 597](#) was filed for second reading.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 596](#) and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

[H 596](#) was placed on General Orders for consideration.

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

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HCR 47](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HCR 47](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart(Vick), Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake,

Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, McGeachin. Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HCR 47](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche and Mrs. Chavez to open debate.

The question being, "Shall [HCR 47](#) be adopted?"

Whereupon the Speaker declared [HCR 47](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 48 BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF EDUCATION RELATING TO RULES GOVERNING UNIFORMITY.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the State Board of Education relating to Rules Governing Uniformity is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.02, Rules Governing Uniformity, Rules of the State Board of Education, adopted as a pending rule under Docket Number 08-0202-0905, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

### HOUSE CONCURRENT RESOLUTION NO. 49 BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE OFFICE OF THE GOVERNOR, MILITARY DIVISION - BUREAU OF HOMELAND SECURITY RELATING TO HAZARDOUS SUBSTANCE RESPONSE RULES.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the Office of the Governor, Military Division - Bureau of

Homeland Security relating to Hazardous Substance Response Rules is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 15.13.02, Rules Governing Hazardous Substance Response Rules, Section 100, Regional Response Teams, Designation, Location, Jurisdiction, Activation, Liability, Subsection 05, Liability for Response Costs, only, Rules of the Office of the Governor, Military Division - Bureau of Homeland Security, adopted as a pending rule under Docket Number 15-1302-0901, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 50  
BY STATE AFFAIRS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE INDUSTRIAL COMMISSION RELATING TO BOILER AND PRESSURE VESSEL SAFETY RULES.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Industrial Commission relating to Boiler and Pressure Vessel Safety Rules - General, Boiler and Pressure Vessel Safety Rules - Administration, Boiler and Pressure Vessel Safety Rules - Inspections, Boiler and Pressure Vessel Safety Rules - Repairs and Alterations and Boiler and Pressure Vessel Safety Rules - Boiler Attendants are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 17.06.01, Rules Governing Boiler and Pressure Vessel Safety Rules - General, IDAPA 17.06.02, Rules Governing Boiler and Pressure Vessel Safety Rules - Administration, IDAPA 17.06.03, Rules Governing Boiler and Pressure Vessel Safety Rules - Inspections, IDAPA 17.06.04, Rules Governing Boiler and Pressure Vessel Safety Rules - Repairs and Alterations and IDAPA 17.06.05, Boiler and Pressure Vessel Safety Rules - Boiler Attendants, Rules of the Industrial Commission, adopted as pending rules under Docket Numbers 17-0601-0901 (Chapter Repeal), 17-0602-0901 (Chapter Repeal), 17-0603-0901 (Chapter Repeal), 17-0604-0901 (Chapter Repeal) and 17-0605-0901 (Chapter Repeal), the entire rulemaking dockets, be, and the same are hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 51  
BY STATE AFFAIRS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING THE FINDINGS OF THE LEGISLATURE; ENCOURAGING IDAHO STATE AGENCY HEADS TO WORK WITH THE ENTITIES AFFECTED BY THEIR AGENCY RULES TO ASSIST THEM IN COMPLYING WITH THE RULES IN WAYS THAT WILL MAINTAIN AND ENHANCE ECONOMIC ACTIVITY AND EMPLOYMENT OPPORTUNITIES FOR IDAHO CITIZENS, REQUESTING AGENCY HEADS TO PRIORITIZE THEIR EFFORTS TO

AMEND EXISTING RULES OR TO PROPOSE NEW RULES AS LISTED AND REQUESTING STATE AGENCIES NOT TO EXPEND FUNDS TO ADDRESS ISSUES NOT COVERED BY THE LISTED PRIORITIES.

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

WHEREAS, it is the policy of the state of Idaho to protect and promote the health, safety and general welfare of the people of this state; and

WHEREAS, state agencies have the responsibility to propose new rules or amend existing rules to implement statutes enacted by the Idaho Legislature consistent with the legislative intent of those statutes; and

WHEREAS, state revenues for state fiscal year 2010 will be less than the revenue received in state fiscal year 2009; and

WHEREAS, little growth in state revenue is projected for state fiscal year 2011; and

WHEREAS, considerable private sector resources are required to engage in negotiated rulemaking with state agencies; and

WHEREAS, the Idaho Legislature has the responsibility to ensure that current and new revenues are spent appropriately.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that Idaho state agency heads are encouraged to work with the entities affected by their agency rules to assist them in complying with the rules in ways that will maintain and enhance economic activity and employment opportunities for Idaho citizens.

BE IT FURTHER RESOLVED that the Idaho Legislature requests that agency heads prioritize their efforts to amend existing rules or to propose new rules as follows:

- (1) Rules addressing an imminent and substantial threat to public health, safety or the environment.
- (2) Rules required by specific direction of the Legislature.
- (3) Rules required by the enactment of a new state statute.
- (4) Rules required by the enactment of a new federal statute.
- (5) Rules required to maintain state primacy of a federally delegated program.
- (6) Rules specifically required by a federal agency.
- (7) Rules required as a specific condition of a federal grant or appropriation.
- (8) Rules that the Governor specifically finds are necessary for an agency to meet its statutory obligations.

BE IT FURTHER RESOLVED that the Idaho Legislature requests that state agencies not expend dedicated funds, federal funds or state funds appropriated for state fiscal year 2011, to amend existing rules or to propose new rules to address issues not covered by these priorities.

**HOUSE CONCURRENT RESOLUTION NO. 52  
BY WAYS AND MEANS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF FISH AND GAME RELATING TO PUBLIC USE OF THE LANDS OWNED OR CONTROLLED BY THE DEPARTMENT OF FISH AND GAME.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Fish and Game relating to Public Use of the Lands Owned or Controlled by the Department of Fish and Game are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 13.01.03, Rules Governing Public Use of the Lands Owned or Controlled by the Department of Fish and Game, Section 010, Definitions, new Subsection 04, Designated Roads and Trails, and Section 100, Public Use Restrictions, Subsection 100.01.c, Activities Prohibited Without Director Authorization, only, Rules of the Department of Fish and Game, adopted as a pending rule under Docket Number 13-0103-0901, be, and the same are hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 53  
BY WAYS AND MEANS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF PARKS AND RECREATION RELATING TO RULES GOVERNING THE ADMINISTRATION OF PARK AND RECREATION AREAS AND FACILITIES.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Parks and Recreation relating to Rules Governing the Administration of Park and Recreation Areas and Facilities is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 26.01.20, Rules Governing the Administration of Park and Recreation Areas and Facilities, Rules of the Department of Parks and Recreation, adopted as a pending rule under Docket Number 26-0120-0901, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 54  
BY WAYS AND MEANS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF LANDS RELATING TO GRAZING LEASES AND CROPLAND LEASES.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Lands relating to Grazing Leases and Cropland Leases are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 20.03.14, Rules Governing Grazing Leases and Cropland Leases, Section 010, Definitions, deleted Subsection 12, Herd Stock; Section 020, Applications and Processing, Subsection 01, Eligible Applicant; deleted Section 021, Rights Reserved to the Department; Section 040, Rental, Subsection 01, Rental Rates, and Subsection 02, Special Uses; Section 050, Lease Cancellation, renumbered Subsection 01, Non-Compliance with Lease Provisions; deleted Section 054, Cropland Lease Hardship Claims; deleted Section 080, Grazing Management Plans; deleted Section 090, Trespass; Section 100, Construction and Maintenance of Improvements, Subsection 02, Maintenance; Section 102, Valuation of Improvements, Subsection 01, Existing Improvements, and Subsection 02, New Improvements; and Section 111, Noxious Weed Control, Subsection 02, Responsibility, only, Rules of the Department of Lands, adopted as a pending rule under Docket Number 20-0314-0901, be, and the same are hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 55  
BY WAYS AND MEANS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THE DEPARTMENT OF HEALTH AND WELFARE TO UNDERTAKE A STUDY OF THE COST OF IMPLEMENTING A RANDOM DRUG TESTING PROGRAM OF ADULTS RECEIVING PUBLIC ASSISTANCE AND REQUESTING THE DEPARTMENT TO REPORT ITS FINDINGS TO THE LEGISLATURE.

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

WHEREAS, substance abuse in and of itself impairs personal responsibility and self-sufficiency and stands in the way of the very intent of public assistance programs to care for the health and welfare of certain otherwise qualified recipients and in so doing results in welfare costs that burden the state's taxpayers; and

WHEREAS, in balancing the interests of taxpayers, participants in public assistance programs who are not substance abusers and potential employers against the interests of those adults participating in public assistance programs who are substance abusers, screening, testing and treatment of adult substance abusers who receive public assistance and, if necessary, terminating adult substance abusers who continue to abuse controlled substances from the public assistance programs serves the greater interests of all concerned; and

WHEREAS, those adults who continue to test positive for a controlled substance after ninety days should not be allowed to continue participating in public assistance programs paid for by the taxpayers; and

WHEREAS, a significant number of employers use preemployment drug testing.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Department of Health and Welfare is requested to undertake a study of the cost of implementing a random drug testing program of adults receiving public assistance in Idaho and whether such a random drug testing program could become self-funded through savings to the state General Fund through terminating adults who continue to test positive for controlled substances after ninety days from public assistance programs.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the findings of its study to the Legislature prior to the commencement of the First Regular Session of the Sixty-first Idaho Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 56**  
**BY WAYS AND MEANS COMMITTEE**  
**A CONCURRENT RESOLUTION**

STATING THE FINDINGS OF THE LEGISLATURE, ENCOURAGING HEALTHY, LOCALLY GROWN FOOD PRODUCTION, DISTRIBUTION AND CONSUMPTION IN THE STATE OF IDAHO, SUPPORT OF LOCAL FARMING, THE CONSUMPTION OF LOCALLY GROWN FOODS AND THE PROMOTION OF GREATER FOOD SELF-SUFFICIENCY WITHIN THE STATE, AND FURTHER ENCOURAGING IDAHOANS AND IDAHO BUSINESSES TO CELEBRATE AND GET TO KNOW THEIR LOCAL GROWERS AND TO PURCHASE AND CONSUME MORE FOOD PRODUCED IN OR NEAR IDAHO.

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

WHEREAS, the State of Idaho recognizes the industriousness of Idaho farmers and ranchers throughout Idaho's history who have been and continue to be of major importance to the state's economy; and

WHEREAS, with Idaho's climate, soil and water, farmers and ranchers have created an agriculture that is famous around the world and Idaho-raised vegetables, fruits, grains, meats, dairy and eggs have an outstanding reputation for quality and flavor; and

WHEREAS, in the years preceding 1960, Idaho farmers grew a large percentage of the food eaten in the state. There has, however, been a gradual shift away from eating locally grown foods. Today a majority of the food eaten by Idahoans is not from Idaho. It is prudent to seek a better balance, recognizing the importance of the agricultural products that are exported outside of the state, which help the farming community and support jobs. However, it is also important to recognize that part of the balance is the increasing trend of Idaho farms to produce food for local consumption. This is a return toward greater food self-sufficiency which creates and expands local markets, consumption, consumer choice and jobs; and

WHEREAS, locally produced food makes farming more economically viable, keeps farmers in business, provides new agricultural opportunities, promotes stewardship of resources and saves valuable farmland from development. When a farmer is producing food that will not travel a long distance, a shorter shelf life allows the farmer to experiment and diversify, making farming more profitable and providing consumers with more choices; and

WHEREAS, populations whose diets are high in fruits and vegetables experience better health, with lower rates of obesity and related chronic conditions. The ability to grow, sell and easily obtain a consistent, adequate supply of fresh, local food can increase food security and empower families and communities to be more healthy and self-sufficient; and

WHEREAS, states across the United States are increasingly focusing on providing healthy, locally grown food supplies for their residents by developing local food policies that encourage investment in local food-related jobs and infrastructure, community gardens, as well as better relationships with farmers in their region. The growing local food interest has increased demand among Idaho residents for healthy, locally grown foods and strengthened interest in developing partnerships between urban consumers and regional growers; and

WHEREAS, small business is the backbone of Idaho's economy and local food production can help promote entrepreneurship and self-sufficiency in Idaho's small towns, revitalizing regional small farms, creating local jobs, business opportunities and the recirculation of capital within Idaho. Idaho has already undertaken beginning steps to increase the amount of locally grown food available to Idaho consumers through the Idaho Department of Agriculture's Idaho Preferred™ program and the University of Idaho Extension Service has undertaken steps to encourage family food production through such programs as Master Gardeners, Master Food Preservers, Master Composters and Victory Garden.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that in order to promote the economic vitality and public health and safety of Idaho communities, provide incentives for job creation, attract economic investment, increase state per capita income, support the future of agriculture and promote the health and economic security of Idaho citizens and communities, it encourages healthy, locally grown food production, distribution and consumption in the State of Idaho.

BE IT FURTHER RESOLVED that it encourages the support of local farming and the consumption of locally grown foods as a means for protecting our region's agricultural land, topsoil, genetic diversity and the skills upon which we all rely for our sustenance and survival.

BE IT FURTHER RESOLVED that it encourages the promotion of greater food self-sufficiency within the state and the recognition that it is beneficial to Idaho families, Idaho businesses, Idaho jobs and our state's economy to increase this self-sufficiency. It also encourages all Idahoans and Idaho businesses to celebrate and get to know their local growers and to purchase and consume more food that is produced in or near Idaho and their own kitchen pantries and dinner tables.

**HOUSE CONCURRENT RESOLUTION NO. 57**  
**BY STATE AFFAIRS COMMITTEE**  
**A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS AND COMMENDING AND CONGRATULATING IDAHO STATE UNIVERSITY FOR ITS OUTSTANDING PROGRAMS IN THE HEALTH PROFESSIONS.

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

WHEREAS, per the direction of the Idaho State Board of Education, Idaho State University is a doctoral university serving a diverse population through research, state and regional public service, undergraduate and graduate programs and the university also has specific responsibilities in delivering programs in the health professions; and

WHEREAS, Idaho State University offers educational programs in more than thirty health professional disciplines, included are associate, bachelor's, master's and doctoral degrees, as well as certificate programs, internships and residencies; and

WHEREAS, Idaho State University operates fifteen professional-educational clinics throughout the state of Idaho with twelve in Pocatello and three in Boise and these professional-educational clinics operate in the areas of audiology, balance, counseling, dental hygiene, dentistry, family medicine, occupational therapy, physical therapy, psychology, senior health, speech and language, and wellness; and

WHEREAS, overseen by its Office of Research, ISU participates in areas of basic biomedical research, national

clinical trials, clinical research and imaging with emphasis in the areas of translational research and bench-to-bedside; and

WHEREAS, Idaho State University provides clinical education for its students and outstanding health care for the Idaho community through the clinics it has developed; and

WHEREAS, Idaho State University offers resources for practicing health care professionals through its Division of Continuing Education, Pharmacy Continuing Education, the Idaho Drug Utilization Review, the Idaho Drug Information Service, Rocky Mountain Learning, the Idaho Conference on Health Care, the Idaho Health Sciences Library, Human Patient Simulation Laboratories, Mental Health and Counseling Professional Development Workshops and the Nursing Office of Professional Development.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we commend and congratulate Idaho State University for its outstanding programs in the health professions and how they have enhanced the quality of life for Idaho citizens.

[HCR 48](#), [HCR 49](#), [HCR 50](#), [HCR 51](#), [HCR 52](#), [HCR 53](#), [HCR 54](#), [HCR 55](#), [HCR 56](#), and [HCR 57](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SCR 122](#), by Resources and Environment Committee, was introduced, read the first time by title, and filed for second reading.

[SCR 123](#), [SCR 124](#), and [SCR 121](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and filed for second reading.

[SJM 105](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

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

Mr. Anderson asked unanimous consent, pursuant to Rule 46, that **H 603** be corrected as follows:

Page 1, Line 5, change "provides" to "provide".

There being no objection, it was so ordered.

#### **HOUSE BILL NO. 602 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO IMMUNITY FROM LIABILITY; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-342, IDAHO CODE, TO PROVIDE FOR IMMUNITIES FOR VOLUNTEER MEMBERS OF SEARCH AND RESCUE OPERATIONS UNDER CERTAIN CIRCUMSTANCES.

#### **HOUSE BILL NO. 603 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO THE IDAHO DEPARTMENT OF LABOR'S ADMINISTRATIVE SUPPORT FOR THE IDAHO COMMISSION ON HUMAN RIGHTS; AMENDING SECTION 67-5904, IDAHO CODE, TO REVISE AUTHORITY OF THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5905, IDAHO CODE, TO PROVIDE DUTIES OF THE DEPARTMENT OF LABOR REGARDING THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5907, IDAHO CODE, TO PROVIDE DUTIES OF

THE ADMINISTRATOR OF THE HUMAN RIGHTS COMMISSION; AND AMENDING SECTION 72-1333, IDAHO CODE, TO REVISE AUTHORITY AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF LABOR.

#### **HOUSE BILL NO. 604 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5342A, IDAHO CODE, TO PROVIDE FOR APPLICATION OF LAW, TO PROVIDE EXCLUSIONS, TO PROVIDE THAT THE TERM "SEVERANCE PAY" SHALL INCLUDE CERTAIN PAYMENTS AND TO PROVIDE THAT NOTHING IN THIS SECTION SHALL CHANGE RIGHTS PROVIDED PURSUANT TO CERTAIN LAWS RELATING TO ACTIVE DUTY SERVICE.

#### **HOUSE BILL NO. 605 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6519, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE FOR THE TYPES OF APPLICATIONS FOR WHICH PROCEDURES ARE TO BE PROVIDED, TO REQUIRE CERTAIN NOTICE AND TO CLARIFY THE RIGHT OF JUDICIAL REVIEW REGARDING CERTAIN FINAL DECISIONS; AMENDING SECTION 67-6520, IDAHO CODE, TO INCLUDE ATTORNEYS AMONG THOSE PERSONS WHO MAY SERVE AS HEARING EXAMINERS, TO REVISE THE TYPES OF APPLICATIONS FOR WHICH A HEARING EXAMINER MAY BE APPOINTED, TO REVISE THE MATTERS TO BE INCLUDED IN A HEARING EXAMINER'S DECISION OR RECOMMENDATION, TO REQUIRE CERTAIN NOTICE, TO CLARIFY THE RIGHT OF JUDICIAL REVIEW REGARDING CERTAIN FINAL DECISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6521, IDAHO CODE, TO REVISE THE DEFINITION OF "AFFECTED PERSON," TO REVISE TERMINOLOGY, TO REVISE ACTION THAT MAY BE TAKEN BY A COMMISSION OR GOVERNING BOARD AFTER A HEARING, TO REQUIRE CERTAIN NOTICE, TO CLARIFY THE RIGHT OF JUDICIAL REVIEW REGARDING CERTAIN FINAL DECISIONS, AND TO REVISE THE BASIS OF THE CLAIM FOR WHICH AN AFFECTED PERSON IS MAKING CERTAIN CLAIMS; AMENDING SECTION 67-6535, IDAHO CODE, TO CLARIFY TERMINOLOGY, TO PROVIDE APPLICANTS JUDICIAL REVIEW FOR CERTAIN DENIED APPLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 606 BY WAYS AND MEANS COMMITTEE AN ACT**

RELATING TO MOTOR VEHICLE SAFETY RESTRAINTS; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-719, IDAHO CODE, TO ESTABLISH THE HIGHWAY SAFETY FUND, TO PROVIDE FOR USE OF THE FUND, TO PROVIDE FOR MONEYS TO THE FUND, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR INTEREST EARNED; AMENDING SECTION 49-673, IDAHO CODE, TO PROVIDE THAT PERSONS ISSUED A CERTAIN CITATION SHALL BE SUBJECT TO

COURT COSTS, TO PROVIDE FOR APPORTIONMENT OF MONEYS, TO PROVIDE FOR EXCEPTIONS, TO PROVIDE FOR APPLICATION OF LAW, AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 607**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1412, IDAHO CODE, TO PROVIDE AN ADDITIONAL PROCESS FOR INITIATING PROCEEDINGS FOR ANNEXATION OF TERRITORY IN AN ADJOINING COUNTY, TO PROVIDE THAT WHEN CERTAIN CONDITIONS ARE CERTIFIED IN A PETITION, AN ELECTION ON THE QUESTION OF ANNEXATION IS NOT REQUIRED.

**HOUSE BILL NO. 608**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6509, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A RECOMMENDATION FOR AN AMENDMENT OR MODIFICATION TO THE COMPREHENSIVE PLAN.

**HOUSE BILL NO. 609**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO PROJECT CHOICE AND THE IDAHO STATE POLICE; AMENDING SECTION 49-454, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONNEL SHALL CONTINUE TO PARTICIPATE IN AND BENEFIT FROM USES OF THE PROJECT CHOICE FEE AND TO PROVIDE THAT BEGINNING JULY 1, 2010, THE USE OF THE PROJECT CHOICE FEE SHALL BE RESTRICTED TO CERTAIN PERSONNEL.

**HOUSE BILL NO. 610**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1602, IDAHO CODE, TO REVISE A DEFINITION, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1624, IDAHO CODE, TO QUALIFY AN EXCEPTION TO JOINING THE DEPARTMENT AS A PARTY TO CERTAIN PETITIONS; AMENDING SECTION 16-1629, IDAHO CODE, TO REVISE THE ENVIRONMENT IN WHICH A CHILD IS TO BE PLACED, TO REMOVE CERTAIN DISCRETION OF THE DEPARTMENT IN CERTAIN CHILD PLACEMENTS, TO REQUIRE CERTAIN CONSIDERATIONS IN PLACEMENTS, TO PROVIDE A PRIORITY FOR PLACEMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1202, IDAHO CODE, TO DEFINE A TERM; AND AMENDING CHAPTER 12, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1211A, IDAHO CODE, TO REQUIRE A LICENSE FOR RELATIVE FOSTER CARE AND TO PROVIDE FOR A LIMITED VARIANCE OR WAIVER.

**HOUSE BILL NO. 611**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO AUDITS; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-450D, IDAHO CODE, TO PROVIDE FOR MINIMUM AUDIT REQUIREMENTS FOR DESIGNATED ENTITIES, TO PROVIDE AN EXCEPTION, TO PROVIDE A PROCEDURE, TO PROVIDE FOR CERTAIN UNAUDITED ANNUAL STATEMENTS AND TO PROVIDE THAT THE STATE OF IDAHO RESERVES THE RIGHT TO AUDIT FUNDS OF DESIGNATED ENTITIES AT ANY TIME.

**HOUSE BILL NO. 612**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO CIVIL OFFICES; AMENDING SECTION 59-901, IDAHO CODE, TO PROVIDE FOR VACANCIES IN ELECTIVE CIVIL OFFICES UPON THE OCCURRENCE OF CERTAIN SPECIFIED CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 613**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO CORRECTIONAL INDUSTRIES; AMENDING SECTION 20-408, IDAHO CODE, TO DELETE LANGUAGE REQUIRING AN ANNUAL AUDIT.

**HOUSE BILL NO. 614**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO ADMINISTRATIVE RULES; AMENDING SECTION 67-5229, IDAHO CODE, TO REVISE PROCEDURES FOR INCORPORATION BY REFERENCE IN RULEMAKING AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-5223, IDAHO CODE, TO PROVIDE FOR STATEMENTS OF ECONOMIC IMPACT AND COST/BENEFIT ANALYSIS TO BE FILED WITH THE DIRECTOR OF LEGISLATIVE SERVICES IN CERTAIN INSTANCES.

**HOUSE BILL NO. 615**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO OPPORTUNITY SCHOLARSHIPS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3067D, IDAHO CODE, TO ALLOW TAXPAYERS TO DESIGNATE INCOME TAX REFUNDS OR DONATIONS TO THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT AND TO PROVIDE PROCEDURES BY THE STATE TAX COMMISSION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 616**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO LOCAL IMPROVEMENT DISTRICTS; AMENDING SECTION 50-1722, IDAHO CODE, TO PROVIDE THAT WHEN A LOCAL IMPROVEMENT DISTRICT IS CREATED BY RESOLUTION OF THE COUNCIL NO BONDS, REGISTERED WARRANTS OR INTERIM WARRANTS IN AN AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS OR MORE MAY BE ISSUED UNLESS SUCH ISSUANCE IS APPROVED, EITHER BY NOT LESS THAN SIXTY PERCENT OF THE



RESIDENT OWNERS OR TWO-THIRDS OF THE OWNERS OF PROPERTY SUBJECT TO ASSESSMENT WITHIN SUCH LOCAL IMPROVEMENT DISTRICT VOTING ON THE QUESTION AT AN ELECTION CALLED FOR THAT PURPOSE OR BY PETITION SIGNED BY NOT LESS THAN SIXTY PERCENT OF THE RESIDENT OWNERS OR TWO-THIRDS OF THE OWNERS OF PROPERTY SUBJECT TO ASSESSMENT WITHIN SUCH LOCAL IMPROVEMENT DISTRICT, TO PROVIDE APPLICATION TO INTERIM WARRANTS, REGISTERED WARRANTS OR BONDS THAT HAD BEEN ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

[H 602](#), [H 603](#) as corrected, [H 604](#), [H 605](#), [H 606](#), [H 607](#), [H 608](#), [H 609](#), [H 610](#), [H 611](#), [H 612](#), [H 613](#), [H 614](#), [H 615](#), and [H 616](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### First Reading of Engrossed Bills

[H 382](#), as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

#### Second Reading of Bills and Joint Resolutions

[H 545](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1306](#) and [SJM 103](#), by Education Committee, were read the second time by title and filed for third reading.

[H 555](#), by Resources and Conservation Committee, was read the second time by title and filed for third reading.

[H 470](#), [H 517](#), [H 518](#), and [H 519](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 575](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[SCR 120](#), by State Affairs Committee, was read the second time by title and filed for third reading.

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

#### Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

#### Report of the Committee of the Whole House

February 26, 2010

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 405](#), [H 523](#), [H 495](#), [H 535](#), [H 480](#), [H 558](#), and [H 531](#) and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO H.B. NO. 405

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 33, delete "~~Further, each agency director shall make a written report to the director of the department of administration that the inventory has been completed by the end of the first week of March of each year on a form developed by and under such guidelines as are issued by the department of administration.~~" and insert: "Further, each agency director shall make a written report to the director of the department of administration that the inventory has been completed by the end of the first week of March of each year on a form developed by and under such guidelines as are issued by the department of administration."

##### CORRECTION TO TITLE

On page 1, in line 6, delete ", TO REMOVE A REQUIREMENT OF A WRITTEN REPORT,".

#### HOUSE AMENDMENT TO H.B. NO. 523

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, following "over" insert: "a juvenile until age twenty-five (25) for" in line 13, delete "a" and insert: "the".

##### CORRECTION TO TITLE

On page 1, in line 3, following "OVER" insert: "A JUVENILE UNTIL AGE TWENTY-FIVE FOR"; and in line 4, delete "A" and insert: "THE".

#### HOUSE AMENDMENT TO H.B. NO. 495

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, following line 18, insert: "(c) Make recommendations to public agencies, health care providers and others regarding policies and practices that are designed to improve Idaho's childhood immunization rates."

#### HOUSE AMENDMENT TO H.B. NO. 495

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 17, following ";," delete "and"; in line 18, delete "." and insert: ";,"; and following line 18, insert:

- (iv) Public and private partnerships to improve immunization rates; and
- (v) Other states best practices on improving immunization rates."

#### HOUSE AMENDMENT TO H.B. NO. 535

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 10, delete "or civil" and insert: "proceeding or civil"; and also in line 10, delete "~~state agency,~~" and insert: "state agency,"; in line 11, delete "governmental entity" and insert: "a public health district established pursuant to sections 39-408 and 39-409, Idaho Code, or a political subdivision"; in line 12, delete "~~or another governmental entity~~" and insert: "the state agency, public health district, political subdivision or"; and also in line 12, following "court" insert: ", as the case may be,"; in line 13, following "and" insert: "other"; and also in line 13, delete "the" and insert: "the"; in line 14, delete "court" and insert: "court it"; also in line 14, following "that the" insert: "nonprevailing"; and also in line 14, delete "against whom the judgment is rendered"; and insert:

"~~against whom the judgment is rendered~~"; in line 15, following "law" insert: "provided however, that this section shall not apply to allow an award of attorney's fees against a defendant in a regulatory enforcement action or proceeding affecting a professional license or otherwise seeking civil fines or penalties". Also on page 1, delete lines 34 through 36, and insert:

"(4) ~~For the purposes of this section:~~ In any civil judicial proceeding involving as adverse parties a governmental entity and another governmental entity, the court shall award the prevailing party reasonable attorney's fees, witness fees and other reasonable expenses. For purposes of this subsection (4), the term "governmental entity" means any state agency, city, county or other taxing district.

"(5) ~~For the purposes of this section:~~"; and in line 37, delete "(b)" and insert: "(a)"; in line 39, delete "(bc)" and insert: "(b)"; and in line 41, delete "(5)" and insert: "(56)".

#### CORRECTION TO TITLE

On page 1, in line 4, following "AWARDED" insert: "AND TO REVISE DEFINITIONS".

### HOUSE AMENDMENT TO H.B. NO. 480

#### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 8, following "PRESCRIPTION" delete "OR"; in line 9, delete "or" and insert: "~~or~~"; in line 13, following "prescription" delete "or" and insert: "~~or~~"; in line 16, following "prescription" delete "or" and insert: "~~or~~"; in line 25, following "prescription" delete "or" and insert: "~~or~~"; in line 26, following "prescription" delete "or"; in line 28, following "prescription" delete "or"; in line 29, following "prescription" insert: "drug order"; in line 31, following "prescription" delete "or"; in line 36, following "prescription" delete "or"; and in line 41, following "prescription" delete "or".

On page 2, in line 5, following "prescription" delete "or"; in line 9, following "prescription" delete "or"; in line 10, following "prescription" insert: "drug order"; in line 22, following "valid" insert: "prescription"; in line 24, following "prescription" delete "or" and insert: "~~or~~"; and in line 26, following "prescription" delete "or" and insert: "~~or~~".

#### CORRECTION TO TITLE

On page 1, in line 4, delete "TO MAKE TECHNICAL CORRECTIONS" and insert: "TO PROVIDE CORRECT TERMINOLOGY".

### HOUSE AMENDMENT TO H.B. NO. 558

#### AMENDMENT TO SECTION 1

On page 4 of the printed bill, delete lines 13 through 18, and insert:

"(g) A person occupying a position that does not exceed eight (8) consecutive months in a calendar year with a city, ~~or~~ county or irrigation district when the city, ~~or~~ county or irrigation district has certified, in writing to the system, the position is (i) seasonal or casual; and (ii) affected by weather and the growing season, including parks, ~~and~~ golf course positions and irrigation positions; or".

#### CORRECTION TO TITLE

On page 1, in line 4, following "POSITION" insert: "WITH A CITY, COUNTY OR IRRIGATION DISTRICT"; in line 5, delete "EMPLOYER" and insert: "CITY, COUNTY OR IRRIGATION DISTRICT"; and in line 6, following "SEASON" insert: "AND TO PROVIDE FOR APPLICABILITY TO IRRIGATION POSITIONS".

### HOUSE AMENDMENT TO H.B. NO. 531

#### AMENDMENT TO SECTION 1

On page 5 of the printed bill, in line 33, delete "Any" and insert: "Except as otherwise provided by law relating to the release of information to a governmental entity or law enforcement agency, any".

#### AMENDMENT TO SECTION 2

On page 5, in line 45, delete "Any" and insert: "Except as otherwise provided by law relating to the release of information to a governmental entity or law enforcement agency, any"; and on page 6, in line 1, following "tags" insert: "shall be confidential and not subject to disclosure pursuant to the provisions of chapter 3, title 9, Idaho Code".

We have also had under consideration [H 583](#), report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Roberts.

Whereupon the Speaker declared the report adopted.

[H 405](#), as amended, [H 523](#), as amended, [H 495](#), as amended, [H 535](#), as amended, [H 480](#), as amended, [H 558](#), as amended, and [H 531](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[H 583](#) was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

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

#### Third Reading of Bills and Joint Resolutions

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 1, 2010. There being no objection, it was so ordered.

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

#### Adjournment

Mr. Bedke moved that the House adjourn until 10:30 a.m., Monday, March 1, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:23 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

FIFTIETH LEGISLATIVE DAY  
MONDAY, MARCH 1, 2010

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Connor Cook, Page.

### Approval of Journal

March 1, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 26, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 390](#), [H 412](#), [H 413](#), [H 437](#), [H 451](#), [H 452](#), and [H 453](#)

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

February 26, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1256](#) and [S 1257](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1256](#) and [S 1257](#) and, when so signed, ordered them returned to the Senate.

February 26, 2010

Mr. Speaker:

I transmit herewith [S 1353](#) which has passed the Senate.

WOOD, Secretary

[S 1353](#) was filed for first reading.

### Report of Standing Committees

March 1, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 48](#), [HCR 49](#), [HCR 50](#), [HCR 51](#), [HCR 52](#), [HCR 53](#), [HCR 54](#), [HCR 55](#), [HCR 56](#), [HCR 57](#), [H 602](#), [H 603](#), [H 604](#), [H 605](#), [H 606](#), [H 607](#), [H 608](#), [H 609](#), [H 610](#), [H 611](#), [H 612](#), [H 613](#), [H 614](#), [H 615](#), [H 616](#), and House amendments to [H 405](#), [H 523](#), [H 495](#), [H 535](#), [H 480](#), [H 558](#), and [H 531](#).

CLARK, Chairman

[HCR 48](#), [HCR 49](#), [HCR 50](#), [HCR 52](#), [HCR 53](#), [HCR 54](#), and [HCR 57](#) were filed for second reading.

[HCR 51](#), [H 602](#), [H 603](#), [H 612](#), and [H 614](#) were referred to the State Affairs Committee.

[HCR 55](#) and [H 610](#) were referred to the Health and Welfare Committee.

[HCR 56](#) and [H 611](#) were referred to the Agricultural Affairs Committee.

[H 604](#) was referred to the Commerce and Human Resources Committee.

[H 605](#) and [H 613](#) were referred to the Judiciary, Rules, and Administration Committee.

[H 606](#) and [H 609](#) were referred to the Transportation and Defense Committee.

[H 607](#) and [H 608](#) were referred to the Local Government Committee.

[H 615](#) and [H 616](#) were referred to the Revenue and Taxation Committee.

March 1, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 422](#), [H 432](#), and [H 430](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 422](#), [H 432](#), and [H 430](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 1, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 405](#), as amended, [H 523](#), as amended, [H 495](#), as amended, [H 535](#), as amended, [H 480](#), as amended, [H 558](#), as amended, and [H 531](#), as amended.

CLARK, Chairman

[H 405](#), as amended, [H 523](#), as amended, [H 495](#), as amended, [H 535](#), as amended, [H 480](#), as amended, [H 558](#), as amended, and [H 531](#), as amended, were filed for first reading of engrossed bills.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 538](#) and recommend that it do pass.

BLOCK, Chairman

[H 538](#) was filed for second reading.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 537](#) and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

[H 537](#) was placed on General Orders for consideration.

February 26, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1296](#) and recommend that it do pass.

WOOD, Chairman

[S 1296](#) was filed for second reading.

March 1, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1338](#) and recommend that it do pass.

NONINI, Chairman

[S 1338](#) was filed for second reading.

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

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

#### **HOUSE BILL NO. 617 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO EMERGENCY RESPONSE; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 10, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-1026, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 10, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-1027, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS, DUTIES AND PROCEDURES TO THE MILITARY DIVISION AND THE BUREAU OF HOMELAND SECURITY AND TO PROVIDE FOR LIMITATIONS ON LIABILITY; AND DECLARING AN EMERGENCY.

[H 617](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1353](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

#### **First Reading of Engrossed Bills**

[H 405](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

[H 523](#), as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title, and filed for second reading.

[H 495](#), as amended, and [H 480](#), as amended, by Health and Welfare Committee, were introduced, read the first time by title, and filed for second reading.

[H 535](#), as amended, by Local Government Committee, was introduced, read the first time by title, and filed for second reading.

[H 558](#), as amended, and [H 531](#), as amended, by Resources and Conservation Committee, were introduced, read the first time by title, and filed for second reading.

#### **Second Reading of Bills and Joint Resolutions**

[HCR 46](#), [H 521](#), and [H 588](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 556](#), [H 557](#), [H 559](#), and [H 560](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 528](#), by Business Committee, was read the second time by title and filed for third reading.

[H 597](#) and [H 382](#), as amended in the Senate, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[SCR 122](#), by Resources and Environment Committee, was read the second time by title and filed for third reading.

[SCR 123](#), [SCR 124](#), and [SCR 121](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

#### **Third Reading of Bills and Joint Resolutions**

[H 492](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 492](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Loertscher, Luker, Mathews, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Smith(30), Stevenson, Takasugi, Thayne, Trail, Wills, Wood(27), Mr. Speaker. Total – 47.

NAYS – Barrett, Bayer, Boyle, Burgoyne, Durst, Eskridge, Hagedorn, Labrador, Lake, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Roberts, Schaefer, Shepherd(08), Simpson, Smith(24), Thompson, Wood(35). Total – 23.

Total – 70.

Whereupon the Speaker declared that [H 492](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 496](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 496](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Boe, Burgoyne, Killen, Ringo, Sayler, Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 496](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 522](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 522](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Bedke, Crane, Higgins, Labrador, Nonini, Roberts. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 522](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 579](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 579](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Bedke, Roberts. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 579](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1267](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

Pursuant to Rule 38(3), Mr. Burgoyne disclosed a conflict of interest regarding [S 1267](#).

The question being, "Shall [S 1267](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, McGeachin, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 55.

NAYS – Andrus, Barrett, Bayer, Hagedorn, Harwood, Marriott, Mathews, Moyle, Nielsen, Nonini, Schaefer, Shepherd(08), Wood(35). Total – 13.

Absent and excused – Bedke, Roberts. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1267](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1287](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1287](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bedke, Roberts, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1287](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1308](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1308](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bedke, Collins, Roberts, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1308](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[H 425](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 425](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bedke, Kren, Roberts. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 425](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 478](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 478](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Bedke, Roberts. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 478](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 550](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 550](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Bedke, Labrador, Roberts. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 550](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 551](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 551](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Collins, Crane, Durst, Eskridge, Gibbs, Henderson, Jarvis, Mathews, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Trail, Wills, Mr. Speaker. Total – 31.

NAYS – Andrus, Barrett, Bedke, Boe, Boyle, Burgoyne, Chavez, Chew, Clark, Cronin, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Smith(24), Thayn, Wood(27), Wood(35). Total – 38.

Absent and excused – Labrador. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 551](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

[H 508](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 508](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.  
Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Labrador. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 508](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that beginning Tuesday, March 2, 2010, legislation on the Third Reading Calendar be placed in the following order: House Appropriations bills, House bills, resolutions, memorials and proclamations; Senate Finance bills, Senate bills, resolutions, memorials and proclamations. There being no objection, it was so ordered.

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

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, March 2, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:06 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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FIFTY-FIRST LEGISLATIVE DAY  
TUESDAY, MARCH 2, 2010

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jared Wilson, Page.

### Approval of Journal

March 2, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 1, 2010

Mr. Speaker:

I return herewith enrolled [H 421](#) and [H 443](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 421](#) and [H 443](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 1, 2010

Mr. Speaker:

I transmit herewith [S 1342](#), [S 1317](#), and [S 1331](#) which have passed the Senate.

WOOD, Secretary

[S 1342](#), [S 1317](#), and [S 1331](#) were filed for first reading.

March 1, 2010

Mr. Speaker:

I return herewith [HJM 9](#) which has passed the Senate.

WOOD, Secretary

[HJM 9](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 2, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 617](#).

CLARK, Chairman

[H 617](#) was referred to the Transportation and Defense Committee.

March 1, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 566](#) and [HCR 44](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 566](#) and [HCR 44](#) were filed for second reading.

March 1, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 433](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 433](#) was placed on General Orders for consideration.

March 1, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 424](#), [H 431](#), [H 474](#), [H 476](#), [H 529](#), and [H 553](#) and recommend that they do pass.

BLACK, Chairman

[H 424](#), [H 431](#), [H 474](#), [H 476](#), [H 529](#), and [H 553](#) were filed for second reading.

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

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

#### HOUSE BILL NO. 618 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION AND PENALTIES; AMENDING SECTION 49-438, IDAHO CODE, TO PROVIDE FOR EXCEPTIONS, TO PROVIDE FOR A WARNING AND TO PROVIDE FOR MEASURING OF GROSS WEIGHT FOR CERTAIN VEHICLES.

#### HOUSE BILL NO. 619 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO INFORMATION TRANSPORT CONTRACTORS; AMENDING SECTION 54-1001, IDAHO CODE, TO PROVIDE THAT CERTAIN INSTALLATIONS SHALL BE MADE SUBSTANTIALLY IN ACCORD WITH THE NATIONAL ELECTRIC CODE AND STANDARDS THAT MAY BE ADOPTED BY THE IDAHO ELECTRICAL BOARD, TO CLARIFY LANGUAGE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-1001D, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1002, IDAHO CODE, TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR CERTAIN ENTITIES TO ACT OR ATTEMPT TO ACT AS



AN INFORMATION TRANSPORT CONTRACTOR UNTIL SUCH ENTITY SHALL HAVE RECEIVED A CERTAIN LICENSE, TO PROVIDE REQUIREMENTS FOR CERTAIN INSTALLATIONS, AND TO PROVIDE FOR EXCEPTIONS, TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO ACT AS AN INFORMATION TRANSPORT TECHNICIAN UNTIL SUCH PERSON SHALL HAVE RECEIVED A CERTAIN LICENSE, TO PROVIDE FOR EXCEPTIONS, TO REVISE PROVISIONS RELATING TO JURISDICTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1003, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY SHALL HAVE CERTAIN AUTHORITY OVER INFORMATION TRANSPORT CONTRACTORS, INFORMATION TRANSPORT TECHNICIANS, INFORMATION TRANSPORT TRAINEES OR INFORMATION TRANSPORT HELPERS; AMENDING SECTION 54-1003A, IDAHO CODE, TO PROVIDE FOR CLASSIFICATIONS OF INFORMATION TRANSPORT CONTRACTOR, INFORMATION TRANSPORT TECHNICIAN, INFORMATION TRANSPORT TRAINEE AND INFORMATION TRANSPORT HELPER AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1003B, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING SECTION 54-1005, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RULES AND INSPECTIONS AND TO PROVIDE FOR CERTAIN RULES; AMENDING SECTION 54-1006, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMPOSITION OF THE IDAHO ELECTRICAL BOARD AND TO REVISE PROVISIONS RELATING TO CERTAIN RULES; AMENDING SECTION 54-1007, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ISSUANCE OF LICENSES, TO PROVIDE FOR RULES, AND TO PROVIDE FOR AN EXCEPTION; AMENDING SECTION 54-1008, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DURATION OF LICENSES; AMENDING SECTION 54-1009, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE REVOCATION OR SUSPENSION OF LICENSES; AMENDING SECTION 54-1010, IDAHO CODE, TO PROVIDE THAT CERTAIN CONTRACTORS SHALL BE REQUIRED TO HAVE A CERTAIN LICENSE, TO PROVIDE THAT CERTAIN INSTALLATIONS BE PERFORMED BY OR UNDER THE SUPERVISION OF A LICENSEE, TO PROVIDE THAT THE OWNER OF AN INFORMATION TRANSPORT CONTRACTING BUSINESS MAY ACT AS HIS OWN INFORMATION TRANSPORT TECHNICIAN AND TO PROVIDE FOR A LIST; AMENDING SECTION 54-1013, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RENEWAL OF LICENSES AND TO REVISE PROVISIONS RELATING TO INACTIVE LICENSES; AMENDING SECTION 54-1014, IDAHO CODE, TO REVISE FEES; AMENDING SECTION 54-1016, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EXEMPTIONS; AND AMENDING SECTION 54-1017, IDAHO CODE, TO REVISE PROVISIONS RELATING TO VIOLATIONS OF LAW.

**HOUSE BILL NO. 620**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO VERTEBRATE PALEONTOLOGICAL SITES AND RESOURCES; AMENDING CHAPTER 30, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW

SECTIONS 33-3013, 33-3014, 33-3015 AND 33-3016, IDAHO CODE, TO PROVIDE FOR A PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR EXCAVATION PERMITS, TO PROVIDE FOR RULES, PROHIBITIONS, AUTHORITY AND LIMITATIONS AND TO PROVIDE FOR PENALTIES; AMENDING SECTION 67-4119, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL; AMENDING SECTION 67-4120, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4121, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-4122, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE A TECHNICAL CORRECTION.

[H 618](#), [H 619](#), and [H 620](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1342](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1317](#) and [S 1331](#), by Agricultural Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

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

**Second Reading of Bills and Joint Resolutions**

[HCR 48](#), [HCR 49](#), [HCR 50](#), [HCR 57](#), and [H 405](#), as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

[HCR 52](#), [HCR 53](#), and [HCR 54](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

[H 538](#), [H 495](#), as amended, and [H 480](#), as amended, by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1296](#), by Transportation Committee, was read the second time by title and filed for third reading.

[S 1338](#), by Education Committee, was read the second time by title and filed for third reading.

[H 523](#), as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

[H 535](#), as amended, by Local Government Committee, was read the second time by title and filed for third reading.

[H 558](#), as amended, and [H 531](#), as amended, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 526](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 526](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Block, Henderson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 526](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 510](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 510](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Block, Henderson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 510](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 533](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 561](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 561](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker,

Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Henderson, Shirley. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 561](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 545](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 545](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – King, Pasley-Stuart. Total – 2.

Absent and excused – Shirley. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 545](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 555](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 555](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Shirley. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 555](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 470](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 470](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Shirley. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 470](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 517](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 517](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Labrador, Shirley. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 517](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 518](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 518](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti,

Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Labrador, Shirley, Wills. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 518](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 519](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 519](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Wills. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 519](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 575](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 575](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 575](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 556](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 557](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 557](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 557](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 559](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 559](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Henderson, Kren. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 559](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 528](#) be placed at the top of the Third Reading Calendar Wednesday, March 3, 2010. There being no objection, it was so ordered.

[H 560](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 560](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Henderson, King, Kren. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 560](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 521](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 521](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 53.

NAYS – Barrett, Bayer, Burgoyne, Crane, Hagedorn, Harwood, Kren, Labrador, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Schaefer, Simpson, Thompson. Total – 17.

Total – 70.

Whereupon the Speaker declared that [H 521](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 588](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 588](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 588](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 597](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle and Mr. Rusche to open debate.

At this time, Mr. Moyle took the Chair.

The question being, "Shall [H 597](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – McGeachin, Thayn. Total – 2.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 597](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 382](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith(24) to open debate.

The question being, "Shall [H 382](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker Pro Tem declared [H 382](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

[HCR 46](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Rusche to open debate.

The question being, "Shall [HCR 46](#) be adopted?"

Whereupon the Speaker Pro Tem declared [HCR 46](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[S 1265](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. King to open debate.

The question being, "Shall [S 1265](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Lake, Schaefer, Wood(35). Total – 3.

Absent and excused – Loertscher. Total – 1.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1265](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1266](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Sayler to open debate.

The question being, "Shall [S 1266](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Loertscher. Total – 1.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1266](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1306](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gibbs to open debate.

The question being, "Shall [S 1306](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon,

Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker Pro Tem declared that [S 1306](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke asked unanimous consent that [SCR 119](#) and [SCR 120](#) retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[SCR 122](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall [SCR 122](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Palmer, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared [SCR 122](#) adopted and ordered the resolution returned to the Senate.

Mr. Bedke asked unanimous consent that [SCR 123](#) and [SCR 124](#) retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[SCR 121](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hagedorn to open debate.

The question being, "Shall [SCR 121](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thompson. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared [SCR 121](#) adopted and ordered the resolution returned to the Senate.

[SJM 103](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Boe and Mr. Nielsen to open debate.

The question being, "Shall [SJM 103](#) be adopted?"

Whereupon the Speaker Pro Tem declared [SJM 103](#) adopted by voice vote and ordered the memorial returned to the Senate.

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

### Adjournment

Mr. Bedke moved that the House adjourn until 11 a.m., Wednesday, March 3, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 11:55 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

FIFTY-SECOND LEGISLATIVE DAY  
WEDNESDAY, MARCH 3, 2010

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.  
Roll call showed all 70 members present.  
Prayer was offered by Chaplain Tom Dougherty.  
The Pledge of Allegiance was led by Rebecka Seward, Page.

### Approval of Journal

March 3, 2010

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 2, 2010

Mr. Speaker:  
I return herewith enrolled [H 422](#), [H 432](#), and [H 430](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 422](#), [H 432](#), and [H 430](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 2, 2010

Mr. Speaker:  
I transmit herewith [S 1335](#), [S 1341](#), [S 1312](#), [S 1371](#), [S 1373](#), [S 1370](#), and [S 1295](#) which have passed the Senate.

WOOD, Secretary

[S 1335](#), [S 1341](#), [S 1312](#), [S 1371](#), [S 1373](#), [S 1370](#), and [S 1295](#) were filed for first reading.

### Report of Standing Committees

March 3, 2010

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 618](#), [H 619](#), and [H 620](#).

CLARK, Chairman

[H 618](#) was referred to the Transportation and Defense Committee.

[H 619](#) was referred to the Business Committee.

[H 620](#) was referred to the State Affairs Committee.

March 3, 2010

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HJM 9](#) and [H 382](#), as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HJM 9](#) and [H 382](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 3, 2010

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 421](#) and [H 443](#) to the Governor at 1:25 p.m., as of this date, March 2, 2010.

CLARK, Chairman

March 2, 2010

Mr. Speaker:  
We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 543](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 543](#) was filed for second reading.

March 2, 2010

Mr. Speaker:  
We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 610](#) and [HCR 55](#) and recommend that they do pass.

BLOCK, Chairman

[H 610](#) and [HCR 55](#) were filed for second reading.

March 2, 2010

Mr. Speaker:  
We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [S 1316](#), [S 1332](#), and [SJM 104](#) and recommend that they do pass.

TRAIL, Chairman

[S 1316](#), [S 1332](#), and [SJM 104](#) were filed for second reading.

March 2, 2010

Mr. Speaker:  
We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [H 599](#) and recommend that it do pass.

RAYBOULD, Chairman

[H 599](#) was filed for second reading.

March 3, 2010

Mr. Speaker:  
We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 603](#), [HCR 51](#), and [SCR 115](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 603](#), [HCR 51](#), and [SCR 115](#) were filed for second reading.

March 3, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 616](#) and recommend that it do pass.

LAKE, Chairman

[H 616](#) was filed for second reading.

March 3, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 602](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 602](#) was placed on General Orders for consideration.

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

#### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 58 BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THE CONSTITUTIONAL DEFENSE COUNCIL TO INVESTIGATE THE FEASIBILITY OF PURSUING LEGAL AND OTHER ACTIONS TO ALLOW THE STATE OF IDAHO TO ASSERT CONTROL OF AND PROVIDE MAINTENANCE OPERATIONS ON BUREAU OF LAND MANAGEMENT AND UNITED STATES FOREST SERVICE LANDS.

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

WHEREAS, a vast majority of the land in Idaho is held by the United States government, the bulk of them being Bureau of Land Management lands and U.S. Forest Service lands; and

WHEREAS, these lands may not be assessed property taxes under our state Constitution; and

WHEREAS, the "Payment in Lieu of Taxes" provisions in the Craig-Wyden bill provided moneys that are not adequate or sufficient to fund schools and local units of government in our state; and

WHEREAS, the biomass industry, along with other green energy applications in Idaho, are hamstrung by the restrictive practices and regulations of the U.S. Forest Service and Bureau of Land Management; and

WHEREAS, Idahoans have the knowledge and expertise to manage these lands as well as the federal government while still providing environmental protection and encouraging responsible economic development on these lands.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we request the Constitutional Defense Council to investigate the feasibility of pursuing legal and other actions to allow the State of Idaho to assert control of and provide maintenance operations on Bureau of Land Management and U. S. Forest Service lands.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives shall send a copy of this resolution to the members of the Constitutional Defense Council.

#### HOUSE JOINT MEMORIAL NO. 13 BY WAYS AND MEANS COMMITTEE

##### A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, one of the most significant ways to improve freight system performance on the highways of the western United States is through the use of more efficient trucks and truck combinations; and

WHEREAS, longer combination vehicles (LCV) have demonstrated over the past two decades considerable benefits to the general public in terms of increased productivity, higher safety ratings, increased fuel savings, emission reductions and a straightforward method of addressing congestion mitigation; and

WHEREAS, the Federal Highway Administration's "Western State Scenario Analysis" found that expanded use of LCVs in thirteen western states would reduce heavy truck vehicle miles traveled (VMT) by 25% in 2010, reduce fuel consumption and emissions by 12%, save shippers two billion dollars a year, reduce pavement costs as much as 4% and reduce highway noise by 10%; and

WHEREAS, a Federal Highway Administration "freeze" on state authority to expand the use of LCVs has been in place since 1991; and

WHEREAS, since 1991, there has been substantial population and vehicle registration growth and significant increases in VMT, emissions and congestion growth; and

WHEREAS, Congress is now deliberating the approval of a new national transportation funding reauthorization bill that could take advantage of new transportation strategies to improve highway efficiency, reduce VMT, assist in reducing traffic congestion and reduce fuel consumption while reducing air pollution emissions.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress of the United States to support and vote to lift the LCV freeze in the 13 western states of Arizona, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming. In lifting this freeze, the Federal Highway Administration will give to these states the flexibility to establish and operate pilot test programs to evaluate LCV routes, configurations and operating conditions. These pilot programs can provide the means for these 13 western states to gain uniformity in the oversight of LCVs as means to realize the benefits from LCV operations in each of these states and throughout the western United States.

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

[HCR 58](#) and [HJM 13](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.



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

**HOUSE BILL NO. 621  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE MEDICALLY INDIGENT; AMENDING SECTION 31-3501, IDAHO CODE, TO PROVIDE AN ADDITIONAL POLICY STATEMENT AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3502, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 31-3503, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE COUNTY COMMISSIONERS AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3503A, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE CATASTROPHIC HEALTH CARE COST PROGRAM BOARD AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3503C, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3503E, IDAHO CODE, TO CLARIFY LANGUAGE AND TO PROVIDE FOR DEEMED CONSENT; AMENDING SECTION 31-3504, IDAHO CODE, TO REVISE A DEEMED CONSENT PROVISION, TO REVISE TERMINOLOGY, TO REVISE COUNTY CLERK DUTIES REGARDING DETERMINATION OF MEDICAID ELIGIBILITY, TO PROVIDE FOR A CERTAIN PROCEDURE DEPENDING ON WHETHER A PATIENT IS MEDICAID ELIGIBLE, TO PROVIDE FOR CERTAIN DISCRETION FOR THE COUNTY COMMISSIONERS AND THE BOARD AND TO PROVIDE CERTAIN PROCEDURES FOR HOSPITALS AND PROVIDERS SEEKING REIMBURSEMENT; AMENDING SECTION 31-3505, IDAHO CODE, TO CLARIFY AND REVISE TERMINOLOGY; AMENDING SECTION 31-3505A, IDAHO CODE, TO PROVIDE FOR CERTAIN PROCEDURES ESTABLISHED BY THE COUNTY COMMISSIONERS AND THE BOARD AND TO CLARIFY AND REVISE TERMINOLOGY; AMENDING SECTION 31-3505B, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3505C, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3505D, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3505E, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3505F, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3505G, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3507, IDAHO CODE, TO REMOVE CERTAIN HOSPITAL NOTIFICATION REQUIREMENTS, TO CLARIFY AND REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3508, IDAHO CODE, TO REQUIRE PARTICIPATION IN CERTAIN PROGRAMS BY CERTAIN HOSPITALS AND PROVIDERS AND TO PROVIDE LIMITATION ON PAYMENT BY THE BOARD AND COUNTIES; AMENDING SECTION 31-3509, IDAHO CODE, TO PROVIDE FOR CERTAIN PAYMENT LIMITATIONS FOR THE BOARD AND OBLIGATED COUNTIES, TO REVISE CERTAIN REQUIREMENTS FOR HOSPITALS AND PROVIDERS MAKING CLAIMS FOR REIMBURSEMENT, TO REVISE TERMINOLOGY, TO REVISE CERTAIN PAYMENT PROCEDURES AND TO PROVIDE PAYMENT PROCEDURES UNDER SPECIFIED CIRCUMSTANCES; AMENDING SECTION 31-3510, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3510A, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3511, IDAHO CODE, TO REVISE TO WHOM AND FROM

WHOM CERTAIN RESPONSIBILITIES ARE OWING, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3512, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3513, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3514, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3515, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3515A, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3517, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3518, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3519, IDAHO CODE, TO REVISE THE SERVICES FOR WHICH PAYMENT IS TO BE MADE, TO REVISE PROCEDURES FOR MAKING CERTAIN PAYMENTS AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3520, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTION 31-3521, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 622  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO GOLD AND SILVER COIN AND ELECTRONIC OUNCES; AMENDING TITLE 73, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 5, TITLE 73, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR APPLICABILITY, TO PROVIDE FOR THE DUTIES OF THE TREASURER AND OTHER FISCAL OFFICERS, TO PROVIDE QUALIFICATION REQUIREMENTS FOR ELECTRONIC SPECIE EXCHANGES, TO PROVIDE QUALIFICATION REQUIREMENTS FOR INDEPENDENT SPECIE VAULTS, TO PROVIDE FOR THE USE OF GOLD AND SILVER, TO PROVIDE THAT CERTAIN GOLD AND SILVER SHALL NOT BE SUBJECT TO TAX, TO PROVIDE FOR CERTAIN PAYMENTS WITH GOLD AND SILVER, TO PROVIDE FOR NOTIFICATION OF CHOICE OF MEDIUM OF PAYMENT, TO PROVIDE FOR INACCURATE DETERMINATIONS OF EXCHANGE RATES, TO PROVIDE A PROCEDURE FOR ACTIONS RELATING TO CLAIMS OF INACCURATE DETERMINATIONS OF EXCHANGE RATES AND TO PROVIDE CERTAIN PENALTIES.

**HOUSE BILL NO. 623  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO ENVIRONMENTAL QUALITY; AMENDING SECTION 39-114, IDAHO CODE, TO PROVIDE THAT CERTAIN USES OF FLAME-GENERATING EQUIPMENT IS PERMISSIBLE AND DOES NOT REQUIRE PREAPPROVAL OF THE DEPARTMENT OR THE PAYMENT OF A FEE.

**HOUSE BILL NO. 624  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-519, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN STUDENTS BEING EXCUSED FROM SCHOOL FOR A CERTAIN PERIOD FOR RELIGIOUS OR OTHER PURPOSES.

**HOUSE BILL NO. 625**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2011; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 626**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2011; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 627**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO CHILDREN; AMENDING CHAPTER 15, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-1501A, IDAHO CODE, TO PROVIDE THAT A PERSON EIGHTEEN YEARS OF AGE OR OLDER IS GUILTY OF A FELONY FOR CAUSING OR PERMITTING A PERSON UNDER THE AGE OF FIFTEEN TO INGEST OR INHALE, OR HAVE CONTACT WITH, CERTAIN SUBSTANCES, TO PROVIDE THAT A PERSON EIGHTEEN YEARS OF AGE OR OLDER IS GUILTY OF A MISDEMEANOR IF THE PERSON IS FOUND IN POSSESSION OF DRUG PARAPHERNALIA IN THE PRESENCE OF A PERSON UNDER THE AGE OF EIGHTEEN AND TO PROVIDE PENALTIES.

**HOUSE BILL NO. 628**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO SHEEP; AMENDING SECTION 25-156, IDAHO CODE, TO PROVIDE THAT CERTAIN FUNDS SHALL BE DEPOSITED AND EXPENDED FOR PURPOSES CONSISTENT WITH THE SHEEP, LAMB AND WOOL PROMOTION, RESEARCH AND EDUCATION ACT, TO PROVIDE THAT CERTAIN FUNDS ARE CONTINUOUSLY APPROPRIATED FOR THE PURPOSE OF CARRYING OUT THE SHEEP, LAMB AND WOOL PROMOTION, RESEARCH AND EDUCATION ACT, TO DELETE REFERENCE TO SPECIFIED RESTRICTIONS FOR THE WITHDRAWAL OF FUNDS AND TO DELETE REFERENCE TO ANNUAL AUDIT REQUIREMENTS.

**HOUSE BILL NO. 629**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO AMBULANCE DISTRICTS; AMENDING SECTION 31-3908, IDAHO CODE, TO CLARIFY A SPECIAL TAX LEVY FOR CERTAIN AMBULANCE DISTRICTS.

**HOUSE BILL NO. 630**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAX CREDITS FOR CHARITABLE CONTRIBUTIONS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 63-3029A, IDAHO CODE, TO INCREASE THE MAXIMUM AMOUNT OF THE INCOME TAX CREDIT THAT INDIVIDUAL AND CORPORATE TAXPAYERS MAY RECEIVE, TO EXPAND

THE NUMBER OF ENTITIES THAT MAY RECEIVE DONATIONS TO QUALIFY FOR THE INCOME TAX CREDIT AND TO DEFINE "CONTRIBUTION"; REPEALING SECTION 63-3029A, IDAHO CODE, RELATING TO AN INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029A, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS; AND PROVIDING EFFECTIVE DATES.

[H 621](#), [H 622](#), [H 623](#), [H 624](#), [H 625](#), [H 626](#), [H 627](#), [H 628](#), [H 629](#), and [H 630](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1335](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1341](#), [S 1312](#), [S 1371](#), and [S 1370](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1373](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1295](#), by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

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

**Second Reading of Bills and Joint Resolutions**

[H 566](#) and [HCR 44](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 424](#), [H 431](#), [H 474](#), [H 476](#), [H 529](#), and [H 553](#), by Business Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Stevenson asked unanimous consent that [H 556](#) be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Trail asked unanimous consent that [SCR 123](#) be referred to the Agricultural Affairs Committee. There being no objection, it was so ordered.

[H 528](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 38(3), Mr. Bilbao disclosed a conflict of interest regarding [H 528](#).

Pursuant to Rule 38(3), Mr. Wood(27) disclosed a conflict of interest regarding [H 528](#).

Mr. Roberts asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of [H 528](#). There being no objection it was so ordered.

The question being, "Shall [H 528](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Black, Boyle, Chadderdon, Collins, Crane, Durst, Hagedorn, Hart, Harwood, Henderson, Jarvis, Labrador, Luker, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Roberts, Shepherd(08), Shirley, Takasugi, Thayne, Thompson, Wood(35), Mr. Speaker. Total – 31.

NAYS – Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chavez, Chew, Clark, Cronin, Eskridge, Gibbs, Hartgen, Higgins, Jaquet, Killen, King, Kren, Lake, Loertscher, Marriott, Moyle, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Trail, Wills, Wood(27). Total – 39.

Total – 70.

Whereupon the Speaker declared that [H 528](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 4, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:12 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**FIFTY-THIRD LEGISLATIVE DAY**  
**THURSDAY, MARCH 4, 2010**

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Brogan Schaeffer, Page.

### Approval of Journal

March 4, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 3, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1267](#), [S 1287](#), and [S 1308](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1267](#), [S 1287](#), and [S 1308](#) and, when so signed, ordered them returned to the Senate.

March 3, 2010

Mr. Speaker:

I transmit herewith [S 1381](#), [S 1354](#), [S 1379](#), and [S 1330](#), as amended, which have passed the Senate.

WOOD, Secretary

[S 1381](#), [S 1354](#), [S 1379](#), and [S 1330](#), as amended, were filed for first reading.

### Report of Standing Committees

March 4, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 58](#), [HJM 13](#), [H 621](#), [H 622](#), [H 623](#), [H 624](#), [H 625](#), [H 626](#), [H 627](#), [H 628](#), [H 629](#), and [H 630](#).

CLARK, Chairman

[HCR 58](#) was referred to the Resources and Conservation Committee.

[HJM 13](#) was referred to the Transportation and Defense Committee.

[H 621](#) was referred to the Health and Welfare Committee.

[H 622](#) was referred to the Ways and Means Committee.

[H 623](#) and [H 628](#) were referred to the Agricultural Affairs Committee.

[H 624](#) was referred to the Education Committee.

[H 627](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 629](#) and [H 630](#) were referred to the Revenue and Taxation Committee.

[H 625](#) and [H 626](#) were filed for second reading.

March 4, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 422](#), [H 432](#), and [H 430](#) to the Governor at 2:19 p.m., as of this date, March 3, 2010.

CLARK, Chairman

March 3, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 598](#), [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), and [S 1329](#) and recommend that they do pass.

STEVENSON, Chairman

[H 598](#), [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), and [S 1329](#) were filed for second reading.

March 3, 2010

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [S 1252](#), as amended, and [S 1247](#) and recommend that they do pass.

SCHAEFER, Chairman

[S 1252](#), as amended, and [S 1247](#) were filed for second reading.

March 3, 2010

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 604](#) and [H 548](#) and report them back with amendments attached to be placed on General Orders for consideration.

SCHAEFER, Chairman

[H 604](#) and [H 548](#) were placed on General Orders for consideration.

March 3, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 426](#), [H 428](#), [H 429](#), [H 459](#), [H 460](#), and [H 461](#) and recommend that they do pass.

BLACK, Chairman

[H 426](#), [H 428](#), [H 429](#), [H 459](#), [H 460](#), and [H 461](#) were filed for second reading.

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

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

[S 1381](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

[S 1354](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Environment, Energy, and Technology Committee.

[S 1379](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1330](#), as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

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

### Second Reading of Bills and Joint Resolutions

[H 543](#), [H 599](#), [H 603](#), and [HCR 51](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 610](#) and [HCR 55](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

[S 1316](#), [S 1332](#), and [SJM 104](#), by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

[SCR 115](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 616](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

[H 533](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Mr. Anderson asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of [H 533](#). There being no objection it was so ordered.

The question being, "Shall [H 533](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Loertscher, Marriott, McGeachin, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Barrett, Boyle, Clark, Crane, Hagedorn, Kren, Labrador, Lake, Luker, Mathews, Moyle, Palmer, Simpson, Smith(24), Thompson. Total – 15.

Total – 70.

Whereupon the Speaker declared that [H 533](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 538](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 538](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Gibbs, Shirley. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 538](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 405](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 405](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Burgoyne, Schaefer. Total – 2.

Absent and excused – Gibbs, Shirley. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 405](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 523](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 523](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Burgoyne. Total – 1.

Absent and excused – Anderson, Boyle, Gibbs, Shirley. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 523](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 495](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 495](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 61.

NAYS – Andrus, Barrett, Hart, Harwood, Schaefer, Shepherd(08), Wood(35). Total – 7.

Absent and excused – Gibbs, Shirley. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 495](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 535](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

Mr. Burgoyne asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of [H 535](#), as amended. There being no objection it was so ordered.

The question being, "Shall [H 535](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson,

Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Gibbs, Labrador, Shirley, Stevenson. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 535](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 480](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 480](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Gibbs, Labrador, Shirley, Stevenson. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 480](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 558](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 558](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Patrick. Total – 1.

Absent and excused – Black, Labrador. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 558](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 531](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [H 531](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Harwood, Henderson, Higgins, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Hartgen, Killen, King, Pasley-Stuart, Ringo, Ruchti, Rusche, Saylor, Smith(24). Total – 14.

Absent and excused – Hart. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 531](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS  
Afternoon Session

The House reconvened at 1:30 p.m., Mr. Moyle in the Chair.

Roll call showed 68 members present.

Absent and excused – Shirley, Wills. Total – 2.  
Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

[H 566](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall [H 566](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Burgoyne, Crane, Hagedorn, Roberts, Shirley, Thompson, Wills, Wood(35). Total – 8.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 566](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke asked unanimous consent that [H 424](#) be moved to the bottom of the Third Reading Calendar.

[H 431](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cronin to open debate.

The question being, "Shall [H 431](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Burgoyne, Crane, Hagedorn, Roberts, Shirley, Thompson, Wills, Wood(35). Total – 8.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 431](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 474](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Palmer to open debate.

The question being, "Shall [H 474](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Burgoyne, Crane, Hagedorn, Roberts, Shirley, Thompson, Wills, Wood(35). Total – 8.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 474](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 476](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Jarvis to open debate.

The question being, "Shall [H 476](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker,

Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Burgoyne, Hagedorn, Roberts, Shirley, Wills, Wood(35). Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 476](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 529](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall [H 529](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Hagedorn, Roberts, Shirley, Wills. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 529](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 553](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Jarvis to open debate.

The question being, "Shall [H 553](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Boe, Hagedorn, Shirley, Wills. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 553](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 48](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Loertscher to open debate.

The question being, "Shall [HCR 48](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Hagedorn, Shirley, Wills. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared [HCR 48](#) adopted and ordered the resolution transmitted to the Senate.

[HCR 49](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Luker to open debate.

The question being, "Shall [HCR 49](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 66.

NAYS – None.

Absent and excused – Hagedorn, Shirley, Wills, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared [HCR 49](#) adopted and ordered the resolution transmitted to the Senate.

Mr. Bedke asked unanimous consent that [H 424](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[H 424](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Thompson to open debate.

The question being, "Shall [H 424](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge,



Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 65.

NAYS – Schaefer. Total – 1.

Absent and excused – Hagedorn, Shirley, Wills, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 424](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 50](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Simpson to open debate.

The question being, "Shall [HCR 50](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 66.

NAYS – None.

Absent and excused – Hagedorn, Shirley, Wills, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared [HCR 50](#) adopted and ordered the resolution transmitted to the Senate.

[HCR 52](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall [HCR 52](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 66.

NAYS – None.

Absent and excused – Hagedorn, Shirley, Wills, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared [HCR 52](#) adopted and ordered the resolution transmitted to the Senate.

[HCR 53](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall [HCR 53](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 66.

NAYS – None.

Absent and excused – Hagedorn, Shirley, Wills, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared [HCR 53](#) adopted and ordered the resolution transmitted to the Senate.

[HCR 54](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall [HCR 54](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35). Total – 64.

NAYS – Durst, Ringo. Total – 2.

Absent and excused – Hagedorn, Shirley, Wills, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared [HCR 54](#) adopted and ordered the resolution transmitted to the Senate.

[HCR 57](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Andrus to open debate.

The question being, "Shall [HCR 57](#) be adopted?"

Whereupon the Speaker Pro Tem declared [HCR 57](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[HCR 44](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Jarvis to open debate.

The question being, "Shall [HCR 44](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35). Total – 50.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30). Total – 17.

Absent and excused – Shirley, Wills, Mr. Speaker. Total – 3.  
Total – 70.

Whereupon the Speaker Pro Tem declared [HCR 44](#) adopted and ordered the resolution transmitted to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

#### **Adjournment**

Mr. Bedke moved that the House adjourn until 10:30 a.m., Friday, March 5, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:48 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 5, 2010

House of Representatives

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

Roll call showed 68 members present.
Absent and excused - Luker, Smith(24). Total - 2.
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katie Vincent, Page.

Approval of Journal

March 5, 2010

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

Consideration of Messages from the
Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 4, 2010

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:
I have the honor to advise you that I have signed today and
am transmitting to the Secretary of State the following House
bills, to wit:

H 421, H 422, H 430, H 432, and H 443

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

March 4, 2010

Mr. Speaker:
I transmit herewith enrolled S 1265, S 1266, S 1306,
SCR 122, SCR 121, and SJM 103 for the signature of the
Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled
S 1265, S 1266, S 1306, SCR 122, SCR 121, and SJM 103 and,
when so signed, ordered them returned to the Senate.

March 4, 2010

Mr. Speaker:
I return herewith enrolled HJM 9 and H 382, as amended in
the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled HJM 9 was referred to the Judiciary, Rules, and
Administration Committee for delivery to the Secretary of State.

Enrolled H 382, as amended in the Senate, was referred to
the Judiciary, Rules, and Administration Committee for delivery
to the Governor.

March 4, 2010

Mr. Speaker:
I return herewith HCR 39 and HCR 45 which have passed
the Senate.

WOOD, Secretary

HCR 39 and HCR 45 were referred to the Judiciary, Rules,
and Administration Committee for enrolling.

Report of Standing Committees

March 4, 2010

Mr. Speaker:
We, your COMMITTEE ON STATE AFFAIRS, report that
we have had under consideration H 589, H 612, and H 614 and
recommend that they do pass.

LOERTSCHER, Chairman

H 589, H 612, and H 614 were filed for second reading.

March 4, 2010

Mr. Speaker:
We, your COMMITTEE ON EDUCATION, report that we
have had under consideration H 601 and recommend that it do
pass.

NONINI, Chairman

H 601 was filed for second reading.

March 4, 2010

Mr. Speaker:
We, your COMMITTEE ON HEALTH AND WELFARE,
report that we have had under consideration S 1339 and
recommend that it do pass.

BLOCK, Chairman

S 1339 was filed for second reading.

March 4, 2010

Mr. Speaker:
We, your COMMITTEE ON LOCAL GOVERNMENT,
report that we have had under consideration H 607 and
recommend that it do pass.

BARRETT, Chairman

H 607 was filed for second reading.

March 4, 2010

Mr. Speaker:
We, your COMMITTEE ON LOCAL GOVERNMENT,
report that we have had under consideration H 608 and report it

back with amendments attached to be placed on General Orders for consideration.

BARRETT, Chairman

[H 608](#) was placed on General Orders for consideration.

March 4, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 611](#) and recommend that it do pass.

TRAIL, Chairman

[H 611](#) was filed for second reading.

March 4, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 574](#), [H 600](#), [H 618](#), and [HJM 13](#) and recommend that they do pass.

WOOD, Chairman

[H 574](#), [H 600](#), [H 618](#), and [HJM 13](#) were filed for second reading.

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

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

**HOUSE BILL NO. 631  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO FIREARMS; AMENDING CHAPTER 3, TITLE 66, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 66-356, IDAHO CODE, TO PROVIDE THAT COURTS SHALL MAKE A FINDING AS TO WHETHER CERTAIN FEDERAL LAW APPLIES TO PERSONS IN SPECIFIED CASES, TO PROVIDE REQUIREMENTS IN THE EVENT SPECIFIED FEDERAL LAW IS FOUND BY THE COURT TO APPLY, TO PROVIDE FOR ACTION BY SHERIFFS IN CERTAIN CASES, TO PROVIDE FOR DISSEMINATION OF ORDERS, TO PROVIDE FOR PETITIONS FOR RELIEF AND TO REMOVE FIREARMS-RELATED DISABILITIES, TO PROVIDE FOR PARTICIPATION IN THE PROCEEDINGS BY THE DEPARTMENT OF HEALTH AND WELFARE AND THE PROSECUTING ATTORNEY, TO PROVIDE FOR CONSIDERATION OF CERTAIN EVIDENCE BY THE COURT, TO PROVIDE A STANDARD OF PROOF, TO PROVIDE FOR APPEAL, TO PROVIDE A LIMITATION REGARDING FILING PETITIONS FOR RELIEF, TO PROVIDE FOR DISSEMINATION OF ORDERS GRANTING PETITIONS FOR RELIEF; AND AMENDING SECTION 67-3003, IDAHO CODE, TO PROVIDE THAT THE BUREAU OF CRIMINAL IDENTIFICATION OF THE IDAHO STATE POLICE SHALL OBTAIN AND TRANSMIT SPECIFIED INFORMATION TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) IN ACCORDANCE WITH FEDERAL LAW, TO PROVIDE FOR NOTIFICATION OF CHANGES REGARDING THE INFORMATION AND TO PROVIDE FOR THE UPDATE, CORRECTION, MODIFICATION OR REMOVAL OF THE INFORMATION FROM THE NICS DATABASE.

**HOUSE BILL NO. 632  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO CONSOLIDATION OF ELECTIONS; AMENDING SECTION 31-1410, IDAHO CODE, AS AMENDED BY SECTION 18, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTION OF FIRE PROTECTION DISTRICT COMMISSIONERS; AMENDING SECTION 33-503A, IDAHO CODE, AS ADDED BY SECTION 41, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS RELATING TO TRANSITION OF SCHOOL TRUSTEE TERMS FROM THREE YEARS TO FOUR YEARS; REPEALING SECTION 50, CHAPTER 341, LAWS OF 2009, RELATING TO COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2715, IDAHO CODE, AS AMENDED BY SECTION 52, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTION OF BOARD OF TRUSTEES OF LIBRARY DISTRICTS; AMENDING SECTION 34-106, IDAHO CODE, AS AMENDED BY SECTION 55, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS RELATING TO LIMITATION UPON ELECTIONS; AMENDING SECTION 34-731, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PRESIDENTIAL PREFERENCE VOTE; AMENDING SECTION 34-732, IDAHO CODE, TO REVISE PROVISIONS FOR SELECTION OF CANDIDATES FOR NOMINATION IN PRESIDENTIAL PRIMARY; AMENDING SECTION 34-1401, IDAHO CODE, AS AMENDED BY SECTION 59, CHAPTER 341, LAWS OF 2009, TO REVISE ELECTION ADMINISTRATION PROVISIONS; AMENDING SECTION 34-1404, IDAHO CODE, AS AMENDED BY SECTION 60, CHAPTER 341, LAWS OF 2009, TO REVISE DECLARATION OF CANDIDACY PROVISIONS; AMENDING SECTION 34-1408, IDAHO CODE, TO REVISE ABSENTEE BALLOT PROVISIONS; AMENDING SECTION 34-1410, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CANVASSING OF ELECTION RESULTS; AMENDING SECTION 40-1305, IDAHO CODE, AS AMENDED BY SECTION 75, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTION OF HIGHWAY COMMISSIONERS; AMENDING SECTION 42-3207, IDAHO CODE, TO REVISE PROVISIONS FOR ELECTION AND ORGANIZATION OF A WATER AND SEWER DISTRICT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 42-3211, IDAHO CODE, AS AMENDED BY SECTION 100, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTIONS IN WATER AND SEWER DISTRICTS; AMENDING SECTION 161, CHAPTER 341, LAWS OF 2009, TO REVISE EFFECTIVE DATES; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**HOUSE BILL NO. 633  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO TAXES AND MINING; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 63-3022, IDAHO CODE, TO PROVIDE FOR A CERTAIN DEDUCTION FROM CORPORATE INCOME TAX; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE PROVISIONS RELATING TO THE PRODUCTION AND DISTRIBUTION OF CERTAIN SILVER MEDALLIONS AND SILVER BARS, TO PROVIDE THAT THE STATE TREASURER SHALL VALUE CERTAIN SILVER MEDALLIONS AND BARS, TO PROVIDE FOR THE ACCEPTANCE BY THE STATE TREASURER OF CERTAIN

SILVER MEDALLIONS AND BARS FOR PAYMENT, TO PROVIDE FOR SUSPENSION OF ACQUISITION OF MEDALLIONS AND BARS, TO PROVIDE FOR THE DESIGN OF CERTAIN SILVER MEDALLIONS AND BARS, TO PROVIDE PROVISIONS RELATING TO THE DISTRIBUTION OF CERTAIN SILVER MEDALLIONS AND BARS, TO PROVIDE THAT THE STATE TREASURER HAS THE AUTHORITY TO HEDGE ITS SILVER POSITION IN THE FINANCIAL MARKETS, TO PROVIDE FOR RULES, TO PROVIDE THAT IT SHALL BE PERMISSIBLE FOR COUNTIES TO ACCEPT AN IDAHO GEM OR A ONE TROY OUNCE AMERICAN EAGLE FOR CERTAIN PAYMENTS, TO PROVIDE PROVISIONS RELATING TO EXEMPTIONS FROM TAXATION OR FROM ANY SPECIAL ASSESSMENT FOR CERTAIN NEW CAPITAL INVESTMENTS, TO PROVIDE PROVISIONS RELATING TO THE LOCATION OF A CERTAIN NEW FACILITY FOR THE PRODUCTION OF SILVER AND OTHER METALS FROM SILVER ORE OR SILVER ORE CONCENTRATE, TO DEFINE TERMS, TO PROVIDE FOR DETERMINING CERTAIN INVESTMENT VALUE, TO PROVIDE FOR EXCLUSIONS AND TO PROVIDE FOR RULES; AMENDING SECTION 67-1223, IDAHO CODE, TO PROVIDE THAT THE STATE TREASURER SHALL OBTAIN A FEDERAL TRADEMARK ON THE DESIGN OF EACH SERIES OF IDAHO GEMS, TO PROVIDE THAT THE DESIGN OF EACH SERIES OF IDAHO GEMS IS PROPERTY OF THE STATE, TO PROVIDE PROVISIONS RELATING TO INFRINGEMENT OF TRADEMARK, TO PROVIDE FOR PENALTIES AND TO PROVIDE FOR THE USAGE OF PROFITS OF THE SALE OF IDAHO GEMS; AMENDING CHAPTER 12, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1226, IDAHO CODE, TO ESTABLISH THE MINING INFRASTRUCTURE DEVELOPMENT FUND, TO PROVIDE FOR MONEYS DEPOSITED IN THE FUND AND TO PROVIDE FOR USE OF FUND MONEYS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 634**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PSYCHOSOCIAL REHABILITATION SERVICES; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 40, TITLE 54, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE FOR A STATE BOARD OF PSYCHOSOCIAL REHABILITATION SPECIALIST EXAMINERS, TO PROVIDE FOR POWERS AND DUTIES OF THE BOARD, TO PROVIDE FOR EXEMPTIONS FROM CERTAIN LICENSING REQUIREMENTS AND FOR NONAPPLICABILITY, TO PROVIDE FOR THE SCOPE OF PRACTICE, TO PROVIDE FOR A LICENSURE DEADLINE AND FOR LICENSE APPLICATIONS, TO PROVIDE FOR DISPOSITION OF RECEIPTS AND FOR PAYMENT OF EXPENSES, TO PROVIDE REQUIREMENTS FOR A LIMITED PERMIT AND FOR LICENSURE, TO PROVIDE FOR LICENSING FEES AND FOR DURATION OF LICENSES, TO PROVIDE FOR LIMITED PERMITS, TO PROVIDE FOR A CODE OF PROFESSIONAL CONDUCT, TO PROVIDE FOR GROUNDS FOR REFUSAL TO ISSUE, REFUSAL TO RENEW, SUSPENSION OR REVOCATION OF A LICENSE AND FOR PROCEDURE, TO PROVIDE FOR PRIVILEGED COMMUNICATIONS, TO PROVIDE WHEN A LICENSE IS REQUIRED, TO PROVIDE FOR ENFORCEMENT AND TO PROVIDE FOR A PENALTY.

**HOUSE BILL NO. 635**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO RESTRAINT OF PREGNANT PRISONERS; AMENDING TITLE 20, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 9, TITLE 20, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR RESTRICTIONS ON RESTRAINT OF PREGNANT PRISONERS AND FOR EXTRAORDINARY CIRCUMSTANCES AND TO PROVIDE NOTICE TO PRISONERS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 636**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION AND INTERNET USE POLICY; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-131, IDAHO CODE, TO PROVIDE THAT EACH LOCAL SCHOOL DISTRICT SHALL FILE AN INTERNET USE POLICY, TO PROVIDE THAT THE POLICY SHALL BE APPROVED BY THE BOARD OF TRUSTEES, TO PROVIDE PROVISIONS OF SUCH POLICY, TO PROVIDE FOR POLICY TERMS, CONDITIONS AND REQUIREMENTS AND TO AUTHORIZE A DISTRICT'S SUPERINTENDENT TO TAKE REASONABLE MEASURES TO IMPLEMENT AND ENFORCE PROVISIONS OF LAW.

**HOUSE BILL NO. 637**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION AND TEACHERS; AMENDING SECTION 33-1207A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO TEACHER PREPARATION PROGRAMS AT THE INSTITUTIONS OF HIGHER EDUCATION, TO PROVIDE FOR REQUIREMENTS RELATING TO FULL CERTIFICATION OF CERTAIN TEACHERS AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 638**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; REPEALING SECTION 33-2006, IDAHO CODE, RELATING TO THE EDUCATION OF CERTAIN EXPECTANT OR DELIVERED MOTHERS.

**HOUSE BILL NO. 639**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO DRIVER'S EDUCATION; AMENDING SECTION 33-1706, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A REPORT; AND AMENDING SECTION 33-1707, IDAHO CODE, TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL COMPUTE THE NUMBER OF PUPILS COMPLETING A COURSE AND TO REVISE PROVISIONS RELATING TO THE AMOUNT DUE THE DISTRICT FROM THE DRIVER TRAINING FUND.

**HOUSE BILL NO. 640**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-131, IDAHO CODE, TO PROVIDE DEFINITIONS AND TO PROVIDE FOR TRIBAL SCHOOLS AND TRIBAL EDUCATION AUTHORITY.

[H 631](#), [H 632](#), [H 633](#), [H 634](#), [H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 639](#), and [H 640](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

#### Second Reading of Bills and Joint Resolutions

[H 625](#) and [H 626](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 598](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1282](#), [S 1283](#), [S 1284](#), and [S 1285](#), by Resources and Environment Committee, were read the second time by title and filed for third reading.

[S 1329](#), by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[S 1252](#), as amended, and [S 1247](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[H 426](#), [H 428](#), [H 429](#), [H 459](#), [H 460](#), and [H 461](#), by Business Committee, were read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 603](#) retain its place on the Third Reading Calendar until Monday, March 8, 2010. There being no objection, it was so ordered.

[H 543](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 543](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Henderson, Luker, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 543](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 610](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 610](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Luker, Smith(24). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 610](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 599](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Mr. Takasugi asked unanimous consent, pursuant to Rule 46, that [H 599](#) be corrected as follows:

Page 5, Line 26 change "60(b)." to "60(b)(3)."

There being no objection, it was so ordered.

The question being, "Shall [H 599](#), as corrected, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Luker, Smith(24). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 599](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 616](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle and Mr. Labrador to open debate.

The question being, "Shall [H 616](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Crane, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Stevenson, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 42.

NAYS – Anderson, Boe, Burgoyne, Chavez, Chew, Clark, Cronin, Durst, Eskridge, Higgins, Jaquet, Jarvis, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30), Takasugi, Trail. Total – 23.

Absent and excused – Collins, Luker, Nonini, Shepherd(02), Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 616](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 8, 2010. There being no objection, it was so ordered.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, March 8, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:58 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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FIFTY-SEVENTH LEGISLATIVE DAY  
MONDAY, MARCH 8, 2010

House of Representatives

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

Roll call showed 66 members present.

Absent and excused – Ruchti, Shepherd(08), Simpson, Thompson. Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Briana Berreman, Page.

### Approval of Journal

March 8, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 5, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 382](#), as amended in the Senate

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

March 5, 2010

Mr. Speaker:

I transmit herewith [S 1305](#), as amended, [S 1366](#), as amended, [S 1376](#), and [S 1359](#) which have passed the Senate.

WOOD, Secretary

[S 1305](#), as amended, [S 1366](#), as amended, [S 1376](#), and [S 1359](#) were filed for first reading.

### Report of Standing Committees

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 631](#), [H 632](#), [H 633](#), [H 634](#), [H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 639](#), and [H 640](#).  
CLARK, Chairman

[H 631](#), [H 632](#), and [H 633](#) were referred to the State Affairs Committee.

[H 634](#) was referred to the Health and Welfare Committee.

[H 635](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 636](#), [H 637](#), [H 638](#), [H 639](#), and [H 640](#) were referred to the Education Committee.

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 39](#) and [HCR 45](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 39](#) and [HCR 45](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HJM 9](#) to the Secretary of State at 1:25 p.m., as of this date, March 5, 2010.

CLARK, Chairman

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 382](#), as amended in the Senate, to the Governor at 1:20 p.m., as of this date, March 5, 2010.

CLARK, Chairman

March 5, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 462](#) and [H 554](#) and recommend that they do pass.

BLACK, Chairman

[H 462](#) and [H 554](#) were filed for second reading.

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 620](#) and [S 1299](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 620](#) and [S 1299](#) were filed for second reading.



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

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

**HOUSE BILL NO. 641  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 642  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND DECLARING AN EMERGENCY.

[H 641](#) and [H 642](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1305](#), as amended, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1366](#), as amended, by Education Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1376](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1359](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

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

**Second Reading of Bills and Joint Resolutions**

[H 589](#), [H 612](#), [H 614](#), [H 611](#), and [H 618](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 601](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1339](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 607](#) and [HJM 13](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

[H 574](#) and [H 600](#), by Transportation and Defense Committee, were read the second time by title and filed for third reading.

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

**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

March 8, 2010

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 583](#), [H 524](#), [H 593](#), [H 596](#), [H 537](#), [H 433](#), [H 602](#), [H 556](#), [H 604](#), [H 548](#), and [H 608](#) and report them back without recommendation, amended as follows:

**HOUSE AMENDMENT TO H.B. NO. 583**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 40 and 41, and insert: "on the proposed urban renewal project, and the highway district shall not be responsible, as between the city and the highway district, for funding ~~the~~"; and in line 42, following "~~section~~" insert: "any portion of the approved urban renewal project".

On page 2, in line 32, delete "~~meters spaces~~" and insert: "meters"; and in line 33, delete "~~meters spaces~~" and insert: "meters"; and in line 36, delete "~~meters spaces~~" and insert: "meters".

CORRECTION TO TITLE

On page 1, in line 3, delete "DELETE REFERENCE" and insert: "REVISE PROVISIONS RELATING"; in line 4, delete "SPACE" and insert: "METER".

**HOUSE AMENDMENT TO H.B. NO. 524**

AMENDMENT TO SECTION 3

On page 2 of the printed bill, in line 10, delete "-five"; and also in line 10, delete "5" and insert: "0".

**HOUSE AMENDMENT TO H.B. NO. 593**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 20, following "action" insert: "or arbitration"; in line 23, following "action" insert: "or arbitration"; in line 27, following "actions" insert: "or arbitrations"; in line 31, following "action" insert: "or arbitration"; and in line 37, following "actions" insert: "or arbitrations".

On page 2, in line 3, following "actions" insert: "or arbitrations"; and in line 8, following "actions" insert: "or arbitrations".

**HOUSE AMENDMENT TO H.B. NO. 596**

AMENDMENT TO SECTION 2

On page 3 of the printed bill, in line 7, following "land" insert: "used exclusively"; also in line 7, delete "dining"; and also in line 7, following "housing" insert: ", college or university operated dining".

**HOUSE AMENDMENT TO H.B. NO. 537**

## AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 39, delete "are" and insert: "meet". On page 2, in line 1, delete "A" and insert: "For a"; also in line 1, delete "who has" and insert: "license possess"; in line 4, delete "A" and insert: "For a"; also in line 4, delete "who has" and insert: "license possess"; and in line 6, delete "A" and insert: "For a"; also in line 6, delete "who has" and insert: "license possess".

**HOUSE AMENDMENT TO H.B. NO. 433**

## AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 20 insert: "SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

## CORRECTION TO TITLE

On page 1, in line 3, following "CANDIDATES" insert: "; AND DECLARING AN EMERGENCY".

**HOUSE AMENDMENT TO H.B. NO. 602**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 10, following "OPERATIONS." delete the rest of the line; and delete lines 11 through 16, and insert: "No person serving as a volunteer member of a search and rescue operation constituted pursuant to section 31-2229, Idaho Code, may have their actions or omissions occurring during the search and rescue operation found to be the proximate cause of injuries to a person subject of a search or rescue, unless the volunteer's actions or omissions are not done in good faith or are grossly negligent. This limitation of liability applies notwithstanding the fact that an organization may recover costs incurred incident to the search and rescue operation or rendering of emergency care."

**HOUSE AMENDMENT TO H.B. NO. 556**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 19, delete "construction"; in line 20, delete "reconstruction"; and also in line 20, delete ", repair, replacement or" and insert: "or repair"; in line 21, delete "improvement"; and on page 2, in line 5, delete "Ditches"; and delete lines 6 and 7.

## AMENDMENT TO SECTION 2

On page 2, in line 45, delete "construction"; in line 46, delete "reconstruction"; and also in line 46, delete ", repair, replacement or" and insert: "or repair"; in line 47, delete "improvement".

## CORRECTION TO TITLE

On page 1, in line 3, delete "DEFINITIONS" and insert: "DEFINITION"; and also in line 3, delete "AND "FLOODWAY"".

**HOUSE AMENDMENT TO H.B. NO. 604**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 15 through 18, and insert: "government. For purposes of".

## CORRECTION TO TITLE

On page 1, in line 4, delete "TO PROVIDE EXCLUSIONS,".

**HOUSE AMENDMENT TO H.B. NO. 548**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 through 16, and insert: "an award with economic significance of five hundred dollars (\$500) or less given to a nonelected public servant by a nonprofit organization whose membership is limited to public servants as part of a public servant recognition program that is designed to recognize innovation and achievement in the workplace, provided that the organization discloses in advance on its website the nature of the program, the amount of the award, the names of any persons or entities that contributed to the award and the recipient of the award.".

**HOUSE AMENDMENT TO H.B. NO. 608**

## AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 8, delete "." and insert: "-"; in line 11, following "every" insert: ", unless the governing board has established by resolution a minimum interval between consideration of requests to amend, which interval shall not exceed"; also in line 11, delete "six (6) months." and insert: "six (6) months."; also in line 11, delete "or"; and in line 12, delete "modifications".

## CORRECTION TO TITLE

On page 1, in line 3, delete "OR"; and in line 4, delete "MODIFICATION".

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

[H 583](#), as amended, [H 524](#), as amended, [H 593](#), as amended, [H 596](#), as amended, [H 537](#), as amended, [H 433](#), as amended, [H 602](#), as amended, [H 556](#), as amended, [H 604](#), as amended, [H 548](#), as amended, and [H 608](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

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

**Third Reading of Bills and Joint Resolutions**

[H 625](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 625](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Schaefer. Total – 1.

Absent and excused – Ruchti, Shepherd(08), Simpson, Thompson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 625](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 626](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 626](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Ruchti, Shepherd(08), Simpson, Thompson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 626](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 603](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker and Ms. Pasley-Stuart to open debate.

Pursuant to Rule 38(3), Mr. Burgoyne disclosed a conflict of interest regarding [H 603](#).

The question being, "Shall [H 603](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Bedke, Ruchti, Shepherd(08), Simpson, Thompson. Total – 5.  
Total – 70.

Whereupon the Speaker declared that [H 603](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 598](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 598](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Palmer, Ruchti, Shepherd(08), Simpson, Thompson. Total – 5.  
Total – 70.

Whereupon the Speaker declared that [H 598](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 426](#), [H 428](#), and [H 429](#) hold their places on the Third Reading Calendar one legislative day.

[H 459](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 459](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Kren, Palmer, Ruchti, Saylor, Shepherd(08), Simpson, Thompson. Total – 7.  
Total – 70.

Whereupon the Speaker declared that [H 459](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 460](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

At this time, Mr. Saylor took the Chair.

The question being, "Shall [H 460](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Schaefer. Total – 1.

Absent and excused – Ruchti, Shepherd(08), Simpson, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 460](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 461](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[HCR 55](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wills to open debate.

The question being, "Shall [HCR 55](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Saylor, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Boe, Burgoyne, Chavez, Cronin, Durst, Jaquet, Pasley-Stuart, Pence, Ringo, Rusche, Trail. Total – 11.

Absent and excused – Ruchti, Shepherd(08), Simpson, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared [HCR 55](#) adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, March 9, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:07 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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FIFTY-EIGHTH LEGISLATIVE DAY  
TUESDAY, MARCH 9, 2010

House of Representatives

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

Roll call showed 69 members present.

Absent and excused – Shepherd(08). Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Caroline Eggers, Page.

### Approval of Journal

March 9, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 8, 2010

Mr. Speaker:

I transmit herewith [S 1357](#), [S 1360](#), [S 1355](#), and [S 1388](#) which have passed the Senate.

WOOD, Secretary

[S 1357](#), [S 1360](#), [S 1355](#), and [S 1388](#) were filed for first reading.

March 8, 2010

Mr. Speaker:

I return herewith [H 414](#) and [H 386](#), as amended, which have passed the Senate.

WOOD, Secretary

[H 414](#) and [H 386](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 9, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 641](#), [H 642](#), and House amendments to [H 583](#), [H 524](#), [H 593](#), [H 596](#), [H 537](#), [H 433](#), [H 602](#), [H 556](#), [H 604](#), [H 548](#), and [H 608](#).

CLARK, Chairman

[H 641](#) and [H 642](#) were filed for second reading.

March 9, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 583](#), as amended, [H 524](#), as amended, [H 593](#), as amended, [H 596](#), as amended, [H 537](#), as amended, [H 433](#), as amended, [H 602](#), as amended, [H 556](#), as amended, [H 604](#), as amended, [H 548](#), as amended, and [H 608](#), as amended.

CLARK, Chairman

[H 583](#), as amended, [H 524](#), as amended, [H 593](#), as amended, [H 596](#), as amended, [H 537](#), as amended, [H 433](#), as amended, [H 602](#), as amended, [H 556](#), as amended, [H 604](#), as amended, [H 548](#), as amended, and [H 608](#), as amended, were filed for first reading of engrossed bills.

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 630](#) and recommend that it do pass.

LAKE, Chairman

[H 630](#) was filed for second reading.

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 617](#) and recommend that it do pass.

WOOD, Chairman

[H 617](#) was filed for second reading.

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 586](#) and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

[H 586](#) was placed on General Orders for consideration.

March 8, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 534](#), [S 1315](#), and [SCR 113](#) and recommend that they do pass.

BLOCK, Chairman

[H 534](#), [S 1315](#), and [SCR 113](#) were filed for second reading.

March 9, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 624](#) and [S 1367](#) and recommend that they do pass.

NONINI, Chairman

[H 624](#) and [S 1367](#) were filed for second reading.

March 9, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1379](#) and recommend that it do pass.

LOERTSCHER, Chairman

[S 1379](#) was filed for second reading.

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

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 59  
BY STATE AFFAIRS COMMITTEE  
A CONCURRENT RESOLUTION**

STATING THE FINDINGS OF THE LEGISLATURE, ENCOURAGING HEALTHY, IDAHO GROWN FOOD PRODUCTION, DISTRIBUTION AND CONSUMPTION IN THE STATE OF IDAHO, SUPPORT OF IDAHO FARMING AND THE CONSUMPTION OF IDAHO GROWN FOODS AND FURTHER ENCOURAGING IDAHOANS AND IDAHO BUSINESSES TO CELEBRATE AND GET TO KNOW THEIR GROWERS AND TO PURCHASE AND CONSUME MORE FOOD PRODUCED IN OR NEAR IDAHO.

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

WHEREAS, the State of Idaho recognizes the industriousness of Idaho farmers and ranchers throughout Idaho's history who have been and continue to be of major importance to the state's economy; and

WHEREAS, with Idaho's climate, soil and water, farmers and ranchers have created an agriculture that is famous around the world and Idaho-raised vegetables, fruits, grains, meats, dairy and eggs have an outstanding reputation for quality and flavor; and

WHEREAS, in the years preceding 1960, Idaho farmers grew a large percentage of the food eaten in the state. There has, however, been a gradual shift away from eating locally grown foods. Today a majority of the food eaten by Idahoans is not from Idaho. It is prudent to seek a better balance, recognizing the importance of the agricultural products that are exported outside of the state, which help the farming community and support jobs. However, it is also important to recognize that part of the balance is the increasing trend of Idaho farms to produce food for Idaho consumption; and

WHEREAS, populations whose diets are high in fruits and vegetables experience better health, with lower rates of obesity and related chronic conditions. The ability to grow, sell and easily obtain a consistent, adequate supply of fresh food can increase food security and empower families and communities to be more healthy and self-sufficient; and

WHEREAS, small business is the backbone of Idaho's economy and Idaho food production can help promote entrepreneurship and self-sufficiency in Idaho's small towns, revitalizing regional small farms, creating jobs, business opportunities and the recirculation of capital within Idaho. Idaho has already undertaken beginning steps to increase the amount of Idaho grown food available to Idaho consumers through the Idaho Department of Agriculture's Idaho Preferred™ program and the University of Idaho Extension Service has undertaken steps to encourage family food production through such programs as Master Gardeners, Master Food Preservers, Master Composters and Victory Garden.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that in order to promote the economic vitality and public health and safety of Idaho communities, provide incentives for job creation, attract economic investment, increase state per capita income, support the future of agriculture and promote the health and economic security of Idaho citizens and communities, it

encourages healthy, Idaho grown food production, distribution and consumption in the State of Idaho.

BE IT FURTHER RESOLVED that it encourages the promotion of greater food self-sufficiency within the state and the recognition that it is beneficial to Idaho families, Idaho businesses, Idaho jobs and our state's economy to increase this self-sufficiency. It also encourages all Idahoans and Idaho businesses to celebrate and get to know their growers and to purchase and consume more food that is produced in or near Idaho and their own kitchen pantries and dinner tables.

**HOUSE CONCURRENT RESOLUTION NO. 60  
BY STATE AFFAIRS COMMITTEE  
A CONCURRENT RESOLUTION**

STATING FINDINGS AND URGING CONGRESS TO INITIATE THE ARTICLE V AMENDMENT PROCESS TO AMEND THE TENTH AMENDMENT AND INTERSTATE COMMERCE CLAUSE OF THE UNITED STATES CONSTITUTION.

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

WHEREAS, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."; and

WHEREAS, the Tenth Amendment to the Constitution defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

WHEREAS, the scope of the power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

WHEREAS, today, in 2010, the states are demonstrably treated as agents of the federal government; and

WHEREAS, many powers assumed by the federal government and federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States; and

WHEREAS, the Interstate Commerce Clause of the Constitution of the United States provides that Congress shall have the power: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"; and

WHEREAS, the Interstate Commerce Clause is limited to the federal government regulating trade between the states, and between the states and other nations, and to help prevent conflicts between states over commercial activities, and to prevent the erection of barriers to commerce between the states; and

WHEREAS, the Interstate Commerce Clause should not be used to provide Congress with authority to regulate matters that are primarily intrastate with only an insignificant or collateral affect upon interstate commerce; and

WHEREAS, many federal laws are beyond the original scope and intent of the Interstate Commerce Clause and the Tenth Amendment to the Constitution of the United States; and

WHEREAS, the Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the union of states, now have, and have always had, rights the federal government may not usurp; and

WHEREAS, Section 4, Article IV, of the Constitution says, "The United States shall guarantee to every State in this Union a Republican Form of Government" and the Ninth Amendment states that "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."; and

WHEREAS, the United States Supreme Court has ruled in *New York v. United States*, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that:

The Idaho Legislature urges Congress to take action forthwith to initiate the Article V amendment process to amend the Tenth Amendment and Interstate Commerce Clause (Section 8, Article I) of the United States Constitution; and

The Idaho Legislature urges Congress to amend the Tenth Amendment of the United States Constitution as follows:

(Changes in **bold**): "The powers not **expressly** delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. **This amendment shall be considered by all federal courts as a rule of interpretation and construction in construing any case involving an interpretation of any Constitutional power claimed by the Congress under either the "interstate commerce" or the "necessary and proper" clauses of Section 8, Article I.**"; and

That the Idaho Legislature urges Congress to amend the Interstate Commerce Clause (Article I, Section 8) as follows:

(Changes in **bold**): "To **directly** regulate Commerce with the foreign nations, and among the several States, and with the Indian Tribes, **with no authority in Congress to regulate matters that are primarily intrastate with only an insignificant or collateral affect upon interstate commerce**".

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Resolution to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States, the presiding officers of both Houses of the Legislature of each of our sister states in the Union, and the members of the congressional delegation representing the State of Idaho in the Congress of the United States.

[HCR 59](#) and [HCR 60](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

##### **HOUSE BILL NO. 643 BY EDUCATION COMMITTEE AN ACT**

RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 57, TITLE 33, IDAHO CODE, TO PROVIDE FOR AN ONLINE TEACHING CERTIFICATE, TO PROVIDE FOR RULES AND TO PROVIDE DEFINITIONS; AMENDING SECTION 33-1619, IDAHO CODE, TO REDESIGNATE THE SECTION; AND PROVIDING EFFECTIVE DATES.

##### **HOUSE BILL NO. 644 BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1302, IDAHO CODE, TO FURTHER DEFINE A TERM.

##### **HOUSE BILL NO. 645 BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO PROPERTY TAXATION; AMENDING SECTION 63-301A, IDAHO CODE, TO REVISE WHAT MAY BE PLACED ON THE NEW CONSTRUCTION ROLL AND TO PROVIDE FOR CORRECTIONS IN THE ROLL; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE HOW THE THREE PERCENT INCREASE IN PROPERTY TAX BUDGETS IS CALCULATED; AMENDING SECTION 63-802, IDAHO CODE, AS AMENDED BY SECTION 142, CHAPTER 341, LAWS OF 2009, TO REVISE HOW THE THREE PERCENT INCREASE IN PROPERTY TAX BUDGETS IS CALCULATED; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

##### **HOUSE BILL NO. 646 BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1312, IDAHO CODE, TO REDUCE THE AMOUNT OF BENEFITS PAID IN A COMPENSABLE WEEK BY THE AMOUNT EQUAL TO COMPENSATION RECEIVED FOR LOSS OF WAGES UNDER A WORKER'S COMPENSATION LAW OF ANY STATE OR UNDER A SIMILAR LAW OF THE UNITED STATES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-1351, IDAHO CODE, TO PROVIDE THAT NO CHARGE SHALL BE MADE TO A COVERED EMPLOYER'S ACCOUNT FOR BENEFITS PAID TO A WORKER WHO TURNS DOWN AN OFFER OF SUITABLE WORK BECAUSE OF PARTICIPATION IN AN APPROVED JOB TRAINING PROGRAM AND TO MAKE A TECHNICAL CORRECTION.

##### **HOUSE BILL NO. 647 BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO THE SMALL LAWSUIT RESOLUTION ACT; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 10, CHAPTER 29, LAWS OF 2003, TO DELETE A SUNSET CLAUSE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

##### **HOUSE BILL NO. 648 BY APPROPRIATIONS COMMITTEE AN ACT**

APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXPRESSING LEGISLATIVE INTENT TO CLARIFY THE SCOPE OF THE APPROPRIATION.

##### **HOUSE BILL NO. 649 BY APPROPRIATIONS COMMITTEE AN ACT**

APPROPRIATING MONEYS TO THE SELF-GOVERNING AGENCIES FOR THE MEDICAL BOARDS FOR FISCAL YEAR 2011; APPROPRIATING MONEYS TO THE SELF-GOVERNING AGENCIES FOR THE REGULATORY BOARDS FOR FISCAL YEAR 2011; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 650**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO SCHOOL DISTRICTS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-357, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE FOR SCHOOL DISTRICTS AND OTHER EDUCATION PROVIDERS TO CREATE A WEB BASED SEARCHABLE EXPENDITURE AND REVENUE DATABASE.

**HOUSE BILL NO. 651**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO EMPLOYEES OF SCHOOL DISTRICTS; AMENDING SECTION 33-1209, IDAHO CODE, TO REVISE PROCEDURES, PROCESSES AND FEES BEFORE THE PROFESSIONAL STANDARDS COMMISSION, TO DEFINE THE TERM "TEACHER" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1210, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE FOR AN APPLICANT FOR EMPLOYMENT AT A SCHOOL DISTRICT TO SIGN A RELEASE THAT PRIOR PERSONNEL FILES SHALL BE RELEASED TO THE DISTRICT, TO PROVIDE IMMUNITY FROM LIABILITY AND TO PROVIDE PENALTIES FOR DISCLOSURE OF INFORMATION; AND AMENDING SECTION 33-1211, IDAHO CODE, TO DELETE REFERENCE TO A PREVIOUSLY REPEALED CODE SECTION.

**HOUSE BILL NO. 652**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO CONSOLIDATION OF ELECTIONS; AMENDING SECTION 31-1410, IDAHO CODE, AS AMENDED BY SECTION 18, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTION OF FIRE PROTECTION DISTRICT COMMISSIONERS; AMENDING SECTION 33-503A, IDAHO CODE, AS ADDED BY SECTION 41, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS RELATING TO TRANSITION OF SCHOOL TRUSTEE TERMS FROM THREE YEARS TO FOUR YEARS; REPEALING SECTION 50, CHAPTER 341, LAWS OF 2009, RELATING TO COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2715, IDAHO CODE, AS AMENDED BY SECTION 52, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTION OF BOARD OF TRUSTEES OF LIBRARY DISTRICTS; AMENDING SECTION 33-2718, IDAHO CODE, AS AMENDED BY SECTION 54, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTION OF TRUSTEES FOR LIBRARY DISTRICTS; AMENDING SECTION 34-106, IDAHO CODE, AS AMENDED BY SECTION 55, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS RELATING TO LIMITATION UPON ELECTIONS; AMENDING SECTION 34-731, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PRESIDENTIAL PREFERENCE VOTE; AMENDING SECTION 34-732, IDAHO CODE, TO REVISE PROVISIONS FOR SELECTION OF CANDIDATES FOR NOMINATION IN PRESIDENTIAL PRIMARY; AMENDING SECTION 34-1401, IDAHO CODE, AS AMENDED BY SECTION 59, CHAPTER 341, LAWS OF 2009, TO REVISE ELECTION ADMINISTRATION PROVISIONS; AMENDING SECTION 34-1404, IDAHO CODE, AS

AMENDED BY SECTION 60, CHAPTER 341, LAWS OF 2009, TO REVISE DECLARATION OF CANDIDACY PROVISIONS; AMENDING SECTION 34-1408, IDAHO CODE, TO REVISE ABSENTEE BALLOT PROVISIONS; AMENDING SECTION 34-1410, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CANVASSING OF ELECTION RESULTS; AMENDING SECTION 40-1305, IDAHO CODE, AS AMENDED BY SECTION 75, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTION OF HIGHWAY COMMISSIONERS; AMENDING SECTION 42-3207, IDAHO CODE, TO REVISE PROVISIONS FOR ELECTION AND ORGANIZATION OF A WATER AND SEWER DISTRICT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 42-3211, IDAHO CODE, AS AMENDED BY SECTION 100, CHAPTER 341, LAWS OF 2009, TO REVISE PROVISIONS FOR ELECTIONS IN WATER AND SEWER DISTRICTS; AMENDING SECTION 161, CHAPTER 341, LAWS OF 2009, TO REVISE EFFECTIVE DATES; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

[H 643](#), [H 644](#), [H 645](#), [H 646](#), [H 647](#), [H 648](#), [H 649](#), [H 650](#), [H 651](#), and [H 652](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1357](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1360](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1355](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1388](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

[H 583](#), as amended, by Business Committee, was introduced, read the first time by title, and filed for second reading.

[H 524](#), as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title, and filed for second reading.

[H 593](#), as amended, [H 433](#), as amended, [H 602](#), as amended, and [H 604](#), as amended, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

[H 596](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

[H 537](#), as amended, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

[H 556](#), as amended, by Resources and Conservation Committee, was introduced, read the first time by title, and filed for second reading.

[H 548](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and filed for second reading.



[H 608](#), as amended, by Ways and Means Committee, was introduced, read the first time by title, and filed for second reading.

### Second Reading of Bills and Joint Resolutions

[H 462](#) and [H 554](#), by Business Committee, were read the second time by title and filed for third reading.

[H 620](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1299](#), by State Affairs Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

[H 426](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 426](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Harwood, Shepherd(08). Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 426](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 428](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 428](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Shepherd(08). Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 428](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 429](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 429](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Shepherd(08). Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 429](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 461](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 461](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Ringo. Total – 1.

Absent and excused – Shepherd(08). Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 461](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 589](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 589](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Ruchti, Schaefer, Shirley, Simpson,

Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 52.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Shepherd(02), Smith(30). Total – 17.

Absent and excused – Shepherd(08). Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 589](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 612](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 612](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 62.

NAYS – Crane, Labrador, Loertscher, Nonini, Simpson, Wood(35). Total – 6.

Absent and excused – Kren, Shepherd(08). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 612](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 614](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 614](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Shepherd(08), Smith(24). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 614](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 601](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 601](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Loertscher, Shepherd(08), Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 601](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 607](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 607](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Boe, Shepherd(08), Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 607](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 611](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 611](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts,

Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Shepherd(08), Smith(24). Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 611](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 574](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 574](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Shepherd(08), Smith(24). Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 574](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 600](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle and Mr. Henderson to open debate.

The question being, "Shall [H 600](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Durst, Shepherd(08), Smith(24).  
Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 600](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 618](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 618](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chew, Clark, Collins, Eskridge, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Lake, Loertscher, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Raybould, Schaefer, Shepherd(02), Shirley, Stevenson, Trail, Wood(35), Mr. Speaker. Total – 38.

NAYS – Bedke, Boe, Burgoyne, Chavez, Crane, Cronin, Gibbs, Hart, Higgins, Killen, King, Kren, Labrador, Luker, Moyle, Pasley-Stuart, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Wills, Wood(27). Total – 30.

Absent and excused – Durst, Shepherd(08). Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 618](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, March 10, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:56 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 10, 2010

House of Representatives

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

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

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katrine Franks, Page.

### Approval of Journal

March 10, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 9, 2010

Mr. Speaker:

I return herewith enrolled [HCR 39](#) and [HCR 45](#) which have been signed by the President.

WOOD, Secretary

Enrolled [HCR 39](#) and [HCR 45](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 9, 2010

Mr. Speaker:

I transmit herewith [S 1343](#) and [S 1349](#) which have passed the Senate.

WOOD, Secretary

[S 1343](#) and [S 1349](#) were filed for first reading.

March 9, 2010

Mr. Speaker:

I transmit herewith [S 1340](#), as amended, [S 1365](#), as amended, [S 1378](#), as amended, [S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#) which have passed the Senate.

WOOD, Secretary

[S 1340](#), as amended, [S 1365](#), as amended, [S 1378](#), as amended, [S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#) were filed for first reading.

March 9, 2010

Mr. Speaker:

I return herewith [H 391](#), as amended, which has passed the Senate.

WOOD, Secretary

[H 391](#), as amended, was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 59](#), [HCR 60](#), [H 643](#), [H 644](#), [H 645](#), [H 646](#), [H 647](#), [H 648](#), [H 649](#), [H 650](#), [H 651](#), and [H 652](#).

CLARK, Chairman

[HCR 59](#) was referred to the Agricultural Affairs Committee.

[HCR 60](#) was referred to the State Affairs Committee.

[H 643](#), [H 650](#), and [H 651](#) were referred to the Education Committee.

[H 644](#) and [H 646](#) were referred to the Commerce and Human Resources Committee.

[H 645](#) was referred to the Revenue and Taxation Committee.

[H 647](#), [H 648](#), [H 649](#), and [H 652](#) were filed for second reading.

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 414](#) and [H 386](#), as amended.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 414](#) and [H 386](#), as amended, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 9, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 605](#), [H 613](#), [S 1312](#), and [S 1371](#) and recommend that they do pass.

CLARK, Chairman

[H 605](#), [H 613](#), [S 1312](#), and [S 1371](#) were filed for second reading.

March 9, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [S 1341](#) and report it back with amendments attached to be placed on General Orders for consideration.

CLARK, Chairman

[S 1341](#) was placed on General Orders for consideration.

March 9, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1286](#), [S 1328](#), and [S 1342](#) and recommend that they do pass.

STEVENSON, Chairman

[S 1286](#), [S 1328](#), and [S 1342](#) were filed for second reading.

March 9, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 407](#) and [H 532](#) and report them back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

[H 407](#) and [H 532](#) were placed on General Orders for consideration.

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 636](#) and recommend that it do pass.

NONINI, Chairman

[H 636](#) was filed for second reading.

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

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 61  
BY WAYS AND MEANS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF INSURANCE RELATING TO CONTINUING EDUCATION.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Insurance relating to Continuing Education is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 18.01.53, Rules Governing Continuing Education, Section 024, Credit for Individual Study Programs, Subsection 01, Requirements for Credit of Independent Study Programs, only, Rules of the Department of Insurance, adopted as a pending rule under Docket Number 18-0153-0901, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 62  
BY WAYS AND MEANS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS AND REQUESTING THE HEALTH QUALITY PLANNING COMMISSION WITHIN THE DEPARTMENT OF HEALTH

AND WELFARE TO COMPLETE CERTAIN TASKS REGARDING ALZHEIMER'S DISEASE.

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

WHEREAS, Alzheimer's disease is a leading cause of death of Idahoans; and

WHEREAS, 41% of the over 12,000 Idahoans living in nursing homes have moderate to severe dementia; and

WHEREAS, some 26,000 Idahoans will be living and dying with Alzheimer's disease in 2010; and

WHEREAS, with an aging population in Idaho, the incidence of Alzheimer's disease in this state is expected to increase; and

WHEREAS, of all the conditions that threaten the public, dementia may have the broadest impact, affecting the minds, bodies and souls of those afflicted and their primary caregivers.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Health Quality Planning Commission within the Department of Health and Welfare is encouraged to:

- (1) Examine the public health impact and the financial, emotional and care burden of Alzheimer's disease and other dementias on persons with Alzheimer's disease and on state government;
- (2) Review state policies and practices concerning Alzheimer's disease;
- (3) Assess current and expected future demand for industries, services and resources addressing the needs of persons with Alzheimer's disease, their families and their caregivers; and
- (4) Develop a state Alzheimer's disease and other dementias strategic plan with broad public and private sector input.

**HOUSE CONCURRENT RESOLUTION NO. 63  
BY REVENUE AND TAXATION COMMITTEE**

**A CONCURRENT RESOLUTION**

COMMENDING KRISTIN ARMSTRONG FOR HER SUPERIOR ATTITUDE AND CONDUCT AND FOR HER ACCOMPLISHMENTS AT THE 2008 SUMMER OLYMPICS IN BEIJING, CHINA.

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

WHEREAS, Kristin Armstrong has been a longtime inhabitant of Idaho and currently resides in Boise; and

WHEREAS, Kristin Armstrong holds a Bachelor of Science degree in sports physiology from the University of Idaho College of Education; and

WHEREAS, Kristin Armstrong is a community-minded volunteer who promotes physical fitness and health and serves as an ambassador to the YMCA of Boise; and

WHEREAS, Kristin Armstrong has devoted her life to becoming a world-class athlete; and

WHEREAS, Kristin Armstrong has achieved her goals with rapid and inspiring success; and

WHEREAS, Kristin Armstrong has quickly climbed to the top of her profession, becoming one of the most accomplished American cyclists of all time in the face of great adversity, winning all of her cycling victories after being diagnosed with osteoarthritis in 2001; and

WHEREAS, Kristin Armstrong is a two-time USA Cycling National Road Race Champion, three-time USA Cycling National Time Trial Champion, 2006 and 2009 World Time Trial Champion and the Individual Time Trial Gold Medalist of the 2008 Summer Olympics, making her the second American

female cyclist ever to claim an Olympic gold medal and the first Boise resident to win an Olympic gold medal; and

WHEREAS, Kristin Armstrong is respected throughout the world as a fierce cycling competitor but also as a friendly compatriot when the race is over; and

WHEREAS, Kristin Armstrong's performance in the 2008 Summer Olympics has inspired an interest in cycling which promotes a healthy life style and enhances the image of the state of Idaho as a vibrant cycling community; and

WHEREAS, Kristin Armstrong is a positive and inspirational role model for all of us.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize and honor Kristin Armstrong for her superior attitude and conduct, her medal winning performance at the 2008 Summer Olympics in Beijing, China, and for the pride and inspiration she brings to Idaho and America.

[HCR 61](#), [HCR 62](#), and [HCR 63](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**HOUSE BILL NO. 653**

**BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1633, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DUTIES OF A GUARDIAN AD LITEM AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 654**

**BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO GEOTHERMAL RESOURCES; AMENDING SECTION 47-1608, IDAHO CODE, TO PROVIDE FOR THE RETURN OF POSTED BONDS UNDER SPECIFIED CONDITIONS AND TO PROVIDE FOR POSTING OF BOND UNDER SPECIFIED CONDITIONS.

**HOUSE BILL NO. 655**

**BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO GEOTHERMAL RESOURCES; AMENDING SECTION 47-1605, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ROYALTIES ASSOCIATED WITH GEOTHERMAL RESOURCE LEASES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 656**

**BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO HOSPITAL ASSESSMENT ACT; AMENDING SECTION 56-1401, IDAHO CODE, TO REVISE LEGISLATIVE INTENT; AMENDING SECTION 56-1402, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 56-1403, IDAHO CODE, TO REVISE THE APPROPRIATION STATUS OF THE HOSPITAL ASSESSMENT FUND AND TO PROVIDE ADDITIONAL PURPOSES FOR THE FUND; AMENDING SECTION 56-1404, IDAHO CODE, TO REVISE HOW ASSESSMENTS ARE TO BE DETERMINED FOR ALL HOSPITALS AND FOR PRIVATE IN-STATE HOSPITALS AND TO REVISE

HOW THE ASSESSMENT BASE IS DETERMINED; AMENDING SECTION 56-1406, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE HOW THE UPPER PAYMENT LIMIT DISTRIBUTIONS ARE TO BE DETERMINED FOR CERTAIN YEARS; REPEALING SECTIONS 56-1401, 56-1402, 56-1403, 56-1404 AND 56-1406, IDAHO CODE, RELATING TO THE IDAHO HOSPITAL ASSESSMENT ACT; AMENDING CHAPTER 14, TITLE 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-1401, 56-1402, 56-1403, 56-1404 AND 56-1406, IDAHO CODE, TO PROVIDE A SHORT TITLE AND LEGISLATIVE INTENT, TO DEFINE TERMS, TO ESTABLISH AND PROVIDE FOR THE HOSPITAL ASSESSMENT FUND, TO PROVIDE FOR HOSPITAL ASSESSMENTS AND TO PROVIDE FOR INPATIENT AND OUTPATIENT ADJUSTMENT PAYMENTS; PROVIDING LEGISLATIVE INTENT; PROVIDING A SUNSET DATE; PROVIDING AN EFFECTIVE DATE; AND REPEALING SECTION 2, CHAPTER 91, LAWS OF 2008.

**HOUSE BILL NO. 657**

**BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO IMMUNIZATION ASSESSMENTS; AMENDING SECTION 41-6002, IDAHO CODE, AS ADDED BY HOUSE BILL NO. 432, SECOND REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE, TO REVISE A DEFINITION; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 658**

**BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO SALES AND USE TAXES; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE A STATEMENT OF FINDINGS AND INTENT, TO PROVIDE DUTIES OF THE STATE TAX COMMISSION AND TO PROVIDE FOR PERSONS TO CONSULT WITH THE COMMISSION, TO PROVIDE THAT THE AGREEMENT DOES NOT PREEMPT STATE LAW, TO PROVIDE FOR PROPOSED LEGISLATION TO IMPLEMENT THE PROVISIONS OF THE STREAMLINED SALES AND USE TAX AGREEMENT AND TO PROVIDE FOR DISTRIBUTION OF THE PROPOSED LEGISLATION.

[H 653](#), [H 654](#), [H 655](#), [H 656](#), [H 657](#), and [H 658](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1343](#), by Resources and Environment Committee, was introduced, read the first time by title, and held at the Desk.

[S 1349](#), by Transportation Committee, was introduced, read the first time by title, and held at the Desk.

[S 1340](#), as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1365](#), as amended, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1378](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

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

### Second Reading of Bills and Joint Resolutions

[H 641](#) and [H 642](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 630](#) and [H 596](#), as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[H 617](#), [H 593](#), as amended, [H 433](#), as amended, [H 602](#), as amended, and [H 604](#), as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

[H 534](#) and [H 537](#), as amended, by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1315](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[SCR 113](#), by McGee, was read the second time by title and filed for third reading.

[H 624](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1367](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1379](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1388](#), by Finance Committee, was read the second time by title and filed for third reading.

[H 583](#), as amended, by Business Committee, was read the second time by title and filed for third reading.

[H 524](#), as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

[H 556](#), as amended, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

[H 548](#), as amended, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 608](#), as amended, by Ways and Means Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

[H 462](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 462](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez,

Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Burgoyne, Wood(35). Total – 2.

Absent and excused – Nielsen, Smith(24). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 462](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 554](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 554](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27). Total – 62.

NAYS – Boyle, Burgoyne, Crane, Harwood, Trail, Wood(35), Mr. Speaker. Total – 7.

Absent and excused – Nielsen. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 554](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 620](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Smith(30) to open debate.

The question being, "Shall [H 620](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, Palmer, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wills, Mr. Speaker. Total – 50.

NAYS – Barrett, Bedke, Boyle, Hagedorn, Hart, Hartgen, Harwood, Labrador, McGeachin, Moyle, Nonini, Patrick, Raybould, Roberts, Shepherd(08), Thayne, Thompson, Wood(27), Wood(35). Total – 19.

Absent and excused – Nielsen. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 620](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 51](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 51](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Chew, Durst, Jaquet, Killen, Ringo. Total – 5.

Absent and excused – Kren, Nielsen, Patrick. Total – 3.  
Total – 70.

Whereupon the Speaker declared [HCR 51](#) adopted and ordered the resolution transmitted to the Senate.

[HJM 13](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall [HJM 13](#) be adopted?"

Whereupon the Speaker declared [HJM 13](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 11, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:27 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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SIXTIETH LEGISLATIVE DAY  
THURSDAY, MARCH 11, 2010

House of Representatives

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

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

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Stephen Grammer, Page.

### Approval of Journal

March 11, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 10, 2010

Mr. Speaker:

I transmit herewith [S 1352](#), as amended, which has passed the Senate.

WOOD, Secretary

[S 1352](#), as amended, was filed for first reading.

March 10, 2010

Mr. Speaker:

I return herewith [H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#), and [H 514](#) which have passed the Senate.

WOOD, Secretary

[H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#), and [H 514](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 61](#),

[HCR 62](#), [HCR 63](#), [H 653](#), [H 654](#), [H 655](#), [H 656](#), [H 657](#), and [H 658](#).

CLARK, Chairman

[HCR 61](#), [HCR 63](#), and [H 657](#) were filed for second reading.

[HCR 62](#), [H 653](#), and [H 656](#) were referred to the Health and Welfare Committee.

[H 654](#) and [H 655](#) were referred to the Environment, Energy, and Technology Committee.

[H 658](#) was referred to the Revenue and Taxation Committee.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 391](#), as amended.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 391](#), as amended, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 39](#) and [HCR 45](#) to the Secretary of State at 1:12 p.m., as of this date, March 10, 2010.

CLARK, Chairman

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [HCR 59](#) and recommend that it do pass.

TRAIL, Chairman

[HCR 59](#) was filed for second reading.

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [S 1354](#) and recommend that it do pass.

RAYBOULD, Chairman

[S 1354](#) was filed for second reading.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 640](#) and report it back with amendments attached to be placed on General Orders for consideration.

NONINI, Chairman

[H 640](#) was placed on General Orders for consideration.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1347](#), [S 1353](#), and [SJM 105](#) and recommend that they do pass.

LOERTSCHER, Chairman

[S 1347](#), [S 1353](#), and [SJM 105](#) were filed for second reading.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 645](#) and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

[H 645](#) was placed on General Orders for consideration.

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1313](#) and [S 1314](#) and recommend that they do pass.

BLOCK, Chairman

[S 1313](#) and [S 1314](#) were filed for second reading.

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

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 14 BY EDUCATION COMMITTEE

##### A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the interstate motor carrier industry is an essential component of the economy of the western United States and the state of Idaho; and

WHEREAS, the interstate motor carrier industry is made up overwhelmingly of small businesses; and

WHEREAS, for the past several years, certain states have been seeking to subject interstate motor carriers based in other states to the enforcement and collection of state income and other business taxes, even though such carriers have no real property, fixed assets or employees in those states; and

WHEREAS, the collection of such taxes by such states involves a recent shift in income tax enforcement by those states, some of which have sought many years back taxes from interstate carriers based in Western States Transportation Alliance member states; and

WHEREAS, the burden of such unwarranted tax collection and heavy associated compliance costs are particularly significant for these interstate motor carriers in these times of economic distress.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho congressional delegation is urged to support a change in federal law through the amendment of the Business Activity Tax Simplification Act of 2009, H.R.1083, or its successor, to restrict a state's taxation of interstate motor carriers to those carriers that:

- (1) Are incorporated in that state;
- (2) Have their principal place of business in that state;
- (3) Have real property in that state; or
- (4) Have obtained intrastate operating authority in that state.

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

[HJM 14](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

#### HOUSE BILL NO. 659 BY APPROPRIATIONS COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND CLARIFYING THE APPROPRIATION FOR THE PORTFOLIO INVESTMENT PROGRAM.

#### HOUSE BILL NO. 660 BY APPROPRIATIONS COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE PAYMENT FOR STATEWIDE MANAGEMENT AND HUMAN RESOURCES TRAINING TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION.

#### HOUSE BILL NO. 661 BY APPROPRIATIONS COMMITTEE

##### AN ACT

REDUCING THE APPROPRIATION TO THE STATE CONTROLLER FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2010; AMENDING SECTIONS 3 AND 4, CHAPTER 231, LAWS OF 2009; APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE GENERAL FUND; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS FOR THE COMPUTER SERVICES CENTER; EXEMPTING THE STATE CONTROLLER FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS FOR FISCAL YEAR 2011; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 662 BY EDUCATION COMMITTEE

##### AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1303, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 33-1304, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-3402, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 33-3407, IDAHO CODE, TO PROVIDE THAT THE IDAHO BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND SHALL BE A GOVERNMENTAL ENTITY,

TO PROVIDE THAT THE BUREAU, ITS EMPLOYEES AND ITS BOARD OF DIRECTORS ARE SUBJECT TO CERTAIN PROVISIONS, AND TO PROVIDE THAT THE IDAHO BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND SHALL BE CONSIDERED A STATE DEPARTMENT FOR CERTAIN PURPOSES; AMENDING SECTION 33-3408, IDAHO CODE, TO PROVIDE THAT THE IDAHO BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND SHALL SUBMIT ITS ANNUAL APPROPRIATION REQUEST IN THE BUDGET REQUEST OF THE EDUCATIONAL SUPPORT PROGRAM; AND AMENDING SECTION 33-3411, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION MAY REQUEST MONEYS FROM THE PERMANENT BUILDING FUND FOR THE CONSTRUCTION AND MAINTENANCE OF BUILDINGS ON CERTAIN LAND USED BY THE IDAHO BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND.

**HOUSE BILL NO. 663**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2106, IDAHO CODE, AS AMENDED BY SECTION 50, CHAPTER 341, LAWS OF 2009, TO PROVIDE REQUIREMENTS FOR ESTABLISHING COMMUNITY COLLEGE SUBDISTRICTS, TO REVISE THE COMMUNITY COLLEGE TRUSTEE ELECTION DATE, TO PROVIDE REQUIREMENTS FOR FILLING CERTAIN VACANT POSITIONS, TO PROVIDE THAT CERTAIN INCUMBENT TRUSTEES MAY SERVE UNTIL HIS OR HER TERM EXPIRES; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 664**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE STATE TREASURER; AMENDING SECTION 67-1212, IDAHO CODE, TO REVISE PROCEDURES REGARDING UNPAID WARRANTS. TO ALLOW INTER-FUND TRANSFERS UNDER CERTAIN CIRCUMSTANCES AND FOLLOWING CERTAIN REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 665**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3029A, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR FIFTY PERCENT OF THE AGGREGATE CHARITABLE CONTRIBUTIONS MADE BY A TAXPAYER TO A NONPROFIT CORPORATION, FUND, FOUNDATION, TRUST OR ASSOCIATION WHICH IS ORGANIZED AND OPERATED EXCLUSIVELY FOR THE BENEFIT OF ELEMENTARY, SECONDARY OR HIGHER EDUCATION INSTITUTIONS LOCATED WITHIN THE STATE OF IDAHO, OFFICIALLY RECOGNIZED AND DESIGNATED AS ANY SUCH ELEMENTARY, SECONDARY OR HIGHER EDUCATION INSTITUTIONS SOLE DESIGNATED SUPPORTING ORGANIZATION, AND QUALIFIED TO BE EXEMPT FROM FEDERAL TAXATION UNDER THE TERMS OF SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 659](#), [H 660](#), [H 661](#), [H 662](#), [H 663](#), [H 664](#), and [H 665](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1352](#), as amended, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

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

**Second Reading of Bills and Joint Resolutions**

[H 647](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 648](#) and [H 649](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 652](#), [H 605](#), and [H 613](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1312](#) and [S 1371](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1286](#), [S 1328](#), and [S 1342](#), by Resources and Environment Committee, were read the second time by title and filed for third reading.

[H 636](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#), by Finance Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 641](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 641](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderton, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 59.

NAYS – Andrus, Barrett, Boyle, Hart, Harwood, Nonini, Schaefer, Shepherd(08), Wood(35). Total – 9.

Absent and excused – Black, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 641](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 642](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 642](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 67.

NAYS – Schaefer, Wood(35). Total – 2.

Absent and excused – Ruchti. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 642](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 630](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 630](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Ruchti. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 630](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 617](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 617](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Durst, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 617](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 534](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 534](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Bayer, Nonini, Shepherd(08). Total – 3.

Absent and excused – Anderson, Durst, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 534](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 624](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 624](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Durst, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 624](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 583](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 583](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins,

Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 53.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Smith(30). Total – 16.

Absent and excused – Ruchti. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 583](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 524](#), as amended, retain its place on the Third Reading Calendar until Monday, March 15, 2010. There being no objection, it was so ordered.

[H 593](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 593](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.  
Absent and excused – Ruchti, Schaefer. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 593](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 596](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 596](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Ruchti. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 596](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:15 p.m. Seconded by Mr. Bedke. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

#### RECESS Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Ringo, Ruchti, Simpson. Total – 3.  
Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

[H 537](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 537](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Rusche, Saylor, Shepherd(02), Shepherd(08), Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – None.  
Absent and excused – Bayer, Bell, Black, Boyle, Eskridge, Hart, Ringo, Roberts, Ruchti, Schaefer, Shirley, Simpson, Smith(24). Total – 13.  
Total – 70.

Whereupon the Speaker declared that [H 537](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 433](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall [H 433](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott,

Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Saylor, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Durst, Patrick, Rusche. Total – 3.

Absent and excused – Eskridge, Hart, Ringo, Roberts, Ruchti, Shirley, Simpson, Smith(24). Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 433](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 602](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 602](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Hart, Kren, Ringo, Roberts, Ruchti, Shirley, Simpson. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 602](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 556](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall [H 556](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Crane, Cronin, Kren, Ringo, Roberts, Ruchti, Shirley, Simpson. Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 556](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 604](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Pasley-Stuart and Mrs. Higgins to open debate.

The question being, "Shall [H 604](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Cronin, Kren, Ringo, Ruchti, Shirley, Simpson. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 604](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 548](#), as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 608](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 608](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Crane, Cronin, Kren, Labrador, Ringo, Ruchti, Shirley, Simpson. Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 608](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1388](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

At this time, Mr. Moyle took the Chair.

The question being, "Shall [S 1388](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 60.

NAYS – Clark, Schaefer. Total – 2.

Absent and excused – Crane, Cronin, Kren, Labrador, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1388](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1296](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wills to open debate.

The question being, "Shall [S 1296](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 61.

NAYS – None.

Absent and excused – Crane, Cronin, Henderson, Kren, Labrador, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 9.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1296](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1338](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Boe to open debate.

The question being, "Shall [S 1338](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 59.

NAYS – None.

Absent and excused – Crane, Cronin, Henderson, Kren, Labrador, Lake, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 11.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1338](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1316](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Killen to open debate.

The question being, "Shall [S 1316](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 59.

NAYS – Marriott. Total – 1.

Absent and excused – Cronin, Henderson, Kren, Lake, Nonini, Palmer, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 10.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1316](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1332](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall [S 1332](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 62.

NAYS – None.

Absent and excused – Cronin, Henderson, Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1332](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1282](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hagedorn to open debate.

The question being, "Shall [S 1282](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 62.

NAYS – None.

Absent and excused – Cronin, Henderson, Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1282](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1283](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Saylor to open debate.

The question being, "Shall [S 1283](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 62.

NAYS – None.

Absent and excused – Cronin, Henderson, Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1283](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1284](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hagedorn to open debate.

The question being, "Shall [S 1284](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 62.

NAYS – None.

Absent and excused – Cronin, Henderson, Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1284](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1285](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood(35) to open debate.

The question being, "Shall [S 1285](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 64.

NAYS – None.

Absent and excused – Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1285](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Bedke moved that the House adjourn until 10 a.m., Friday, March 12, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:06 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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SIXTY-FIRST LEGISLATIVE DAY  
FRIDAY, MARCH 12, 2010

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.  
Roll call showed 67 members present.  
Absent and excused – Clark, Cronin, Loertscher. Total – 3.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.  
The Pledge of Allegiance was led by Zach Edenfield, Page.

### Approval of Journal

March 12, 2010

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 11, 2010

Mr. Speaker:  
I return herewith enrolled [H 414](#) and [H 386](#), as amended, which have been signed by the President.

WOOD, Secretary

Enrolled [H 414](#) and [H 386](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 11, 2010

Mr. Speaker:  
I transmit herewith [S 1384](#) and [S 1399](#) which have passed the Senate.

WOOD, Secretary

[S 1384](#) and [S 1399](#) were filed for first reading.

March 11, 2010

Mr. Speaker:  
I return herewith [H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#) which have passed the Senate.

WOOD, Secretary

[H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 12, 2010

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HJM 14](#), [H 659](#), [H 660](#), [H 661](#), [H 662](#), [H 663](#), [H 664](#), and [H 665](#).

CLARK, Chairman

[HJM 14](#) was referred to the Transportation and Defense Committee.

[H 663](#) was referred to the Education Committee.

[H 665](#) was referred to the Revenue and Taxation Committee.

[H 659](#), [H 660](#), [H 661](#), [H 662](#), and [H 664](#) were filed for second reading.

March 12, 2010

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#), and [H 514](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#), and [H 514](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 11, 2010

Mr. Speaker:  
We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [HCR 58](#), [SCR 118](#), and [S 1355](#) and recommend that they do pass.

STEVENSON, Chairman

[HCR 58](#), [SCR 118](#), and [S 1355](#) were filed for second reading.

March 11, 2010

Mr. Speaker:  
We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 644](#) and recommend that it do pass.

SCHAEFER, Chairman

[H 644](#) was filed for second reading.

March 11, 2010

Mr. Speaker:  
We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 646](#) and report it back with amendments attached to be placed on General Orders for consideration.

SCHAEFER, Chairman

[H 646](#) was placed on General Orders for consideration.

March 12, 2010

Mr. Speaker:  
We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 473](#), [H 502](#), [H 503](#), [H 504](#), and [H 581](#) and recommend that they do pass.

BLACK, Chairman

[H 473](#), [H 502](#), [H 503](#), [H 504](#), and [H 581](#) were filed for second reading.

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

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

**HOUSE BILL NO. 666  
BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO ATVS, UTVS, SPECIALTY OFF-HIGHWAY VEHICLES AND MOTORBIKES; AMENDING SECTION 49-302, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM LICENSING FOR CERTAIN OPERATORS OF ATVS, UTVS, SPECIALTY OFF-HIGHWAY VEHICLES AND MOTORBIKES, TO DEFINE A TERM AND TO PROVIDE FOR CERTIFICATES AND PROOFS OF COMPLETION OF CERTAIN SAFETY COURSES; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF SPECIFIED PROVISIONS OF LAW TO ALL-TERRAIN VEHICLES, UTILITY TYPE VEHICLES, SPECIALTY OFF-HIGHWAY VEHICLES AND MOTORBIKES; AMENDING SECTION 49-666, IDAHO CODE, TO PROVIDE FOR THE USE OF SAFETY HELMETS FOR CERTAIN OPERATORS OF SPECIALTY OFF-HIGHWAY VEHICLES AND SNOWMOBILES; AND AMENDING SECTION 67-7127, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE MOTORBIKE RECREATION ACCOUNT SHALL ALSO BE USED FOR THE SECURING OF LEASES, PERMITS OR FOR THE PURCHASE OF COUNTY-OWNED LAND FOR RECREATIONAL OFF-HIGHWAY VEHICLE ACTIVITY.

**HOUSE BILL NO. 667  
BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-416, IDAHO CODE, TO PROVIDE THAT CERTAIN RULES OF PUBLIC HEALTH DISTRICTS SHALL EXPIRE AT A TIME CERTAIN, TO PROVIDE FOR CERTAIN PUBLIC HEALTH DISTRICT RULES TO BE PROMULGATED THROUGH THE BOARD OF ENVIRONMENTAL QUALITY AND TO PROVIDE LEGISLATIVE INTENT REGARDING CERTAIN STANDARDS.

H 666 and H 667 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1384, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1399, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

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

**Second Reading of Bills and Joint Resolutions**

HCR 61, by Ways and Means Committee, was read the second time by title and filed for third reading.

HCR 63 and H 657, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

HCR 59, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1354, S 1353, and SJM 105, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1347, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

S 1313 and S 1314, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

H 648 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall H 648 pass?"

Roll call resulted as follows:

AYES – Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Labrador, Lake, McGeachin, Moyle, Nonini, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 47.

NAYS – Andrus, Boyle, Crane, Hart, Harwood, Jarvis, Kren, Loertscher, Luker, Marriott, Mathews, Nielsen, Palmer, Pasley-Stuart, Shepherd(08), Simpson, Thayn, Wood(35). Total – 18.

Absent and excused – Clark, Cronin, Durst, Roberts, Shirley. Total – 5.

Paired Votes:

AYE – Henderson NAY – Loertscher  
(Pairs enumerated in roll call above.)  
Total – 70.

Whereupon the Speaker declared that H 648 passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 649 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall H 649 pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Cronin, Loertscher, Roberts, Shirley. Total – 5.

Total – 70.

Whereupon the Speaker declared that H 649 passed the House. Title was approved and the bill ordered transmitted to the Senate.



## Paired Votes:

AYE – Pasley-Stuart                      NAY – Cronin  
(Pairs enumerated in roll call above.)  
Total – 70.

Whereupon the Speaker declared that [H 613](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 636](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 636](#) pass?"

## Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Clark, Cronin, Loertscher. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 636](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1392](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1392](#) pass?"

## Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Boyle, Palmer. Total – 2.

Absent and excused – Clark, Cronin, Loertscher. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [S 1392](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1393](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1393](#) pass?"

## Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Cronin, Loertscher, Smith(24).  
Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1393](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1394](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1394](#) pass?"

## Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Bedke, Clark, Cronin, Hartgen, Loertscher, Smith(24). Total – 6.

Total – 70.

Whereupon the Speaker declared that [S 1394](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1395](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

At this time, Mr. Labrador took the Chair.

The question being, "Shall [S 1395](#) pass?"

## Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Clark, Cronin, Loertscher, Shirley, Smith(24). Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1395](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1396](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall [S 1396](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Cronin, Loertscher, Shirley, Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1396](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1329](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall [S 1329](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Cronin, Loertscher, Shirley, Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1329](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1252](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hartgen to open debate.

The question being, "Shall [S 1252](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Boe, Burgoyne, Chavez, Chew, Durst, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Smith(30). Total – 14.

Absent and excused – Anderson, Clark, Cronin, Loertscher, Nonini, Sayler, Shepherd(02). Total – 7.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1252](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1247](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Higgins to open debate.

The question being, "Shall [S 1247](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Barrett, Harwood. Total – 2.

Absent and excused – Anderson, Clark, Cronin, Loertscher, Nonini, Rusche, Sayler, Shepherd(02). Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1247](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1339](#) retain its place on the Third Reading Calendar until Monday, March 15, 2010. There being no objection, it was so ordered.

Mr. Crane asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the legislative day. There being no objection, it was so ordered.

[S 1299](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Pasley-Stuart to open debate.

The question being, "Shall [S 1299](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren,

Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Clark, Cronin, Loertscher, Nonini, Sayler, Shepherd(02). Total – 7.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1299](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1315](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Rusche to open debate.

The question being, "Shall [S 1315](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Clark, Cronin, Loertscher, Nonini, Sayler, Shepherd(02). Total – 7.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1315](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1367](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Smith(30) and Mr. Hagedorn to open debate.

The question being, "Shall [S 1367](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Barrett. Total – 1.

Absent and excused – Anderson, Clark, Cronin, Eskridge, Loertscher, Nonini, Sayler, Shepherd(02). Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1367](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 15, 2010. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, March 15, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:11 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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SIXTY-FOURTH LEGISLATIVE DAY  
MONDAY, MARCH 15, 2010

House of Representatives

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

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

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bethany Kircher, Page.

### Approval of Journal

March 15, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 12, 2010

Mr. Speaker:

I return herewith enrolled [H 391](#), as amended, which has been signed by the President.

WOOD, Secretary

Enrolled [H 391](#), as amended, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 12, 2010

Mr. Speaker:

I transmit herewith [S 1336](#) which has passed the Senate.

WOOD, Secretary

[S 1336](#) was filed for first reading.

March 12, 2010

Mr. Speaker:

I return herewith [HJM 11](#), [HCR 54](#), [HCR 41](#), and [HCR 57](#) which have passed the Senate.

WOOD, Secretary

[HJM 11](#), [HCR 54](#), [HCR 41](#), and [HCR 57](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 15, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 666](#) and [H 667](#).

CLARK, Chairman

[H 666](#) was referred to the Transportation and Defense Committee.

[H 667](#) was referred to the Environment, Energy, and Technology Committee.

March 15, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 15, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 414](#) and [H 386](#), as amended, to the Governor at 1:30 p.m., as of this date, March 12, 2010.

CLARK, Chairman

March 12, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 656](#) and [S 1321](#) and recommend that they do pass.

BLOCK, Chairman

[H 656](#) and [S 1321](#) were filed for second reading.

March 12, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 573](#), [H 609](#), and [S 1359](#) and recommend that they do pass.

WOOD, Chairman

[H 573](#), [H 609](#), and [S 1359](#) were filed for second reading.

March 12, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 541](#) and [S 1352](#), as amended, and report them back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

[H 541](#) and [S 1352](#), as amended, were placed on General Orders for consideration.

March 15, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 665](#) and recommend that it do pass.

LAKE, Chairman

[H 665](#) was filed for second reading.

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

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

**HOUSE BILL NO. 668  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; 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; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 669  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE FOREST AND FIRE PROTECTION PROGRAM FROM THE OBJECT TRANSFER LIMITATION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 670  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE SOIL CONSERVATION COMMISSION FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS FOR FISCAL YEAR 2011; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 671  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 672  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO URBAN RENEWAL; AMENDING SECTION 50-2002, IDAHO CODE, TO PROVIDE ADDITIONAL FINDINGS AND DECLARATIONS OF NECESSITY; AMENDING SECTION 50-2006, IDAHO CODE, TO REVISE STATUTORY PROVISIONS REGARDING AN URBAN RENEWAL AGENCY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-2007, IDAHO CODE, TO REVISE POWERS OF URBAN RENEWAL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-2008, IDAHO CODE, TO PROVIDE NOTICE, TO PROVIDE FOR PUBLIC COMMENTS, TO PROVIDE FOR A HEARING AND TO PROVIDE FOR CONSIDERATION OF PUBLIC COMMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-2010, IDAHO CODE, TO REVISE PROCEDURES FOR ACQUISITION OF PROPERTY; AMENDING SECTION 50-2011, IDAHO CODE, TO REVISE PROCEDURES FOR DISPOSAL OF PROPERTY IN AN URBAN RENEWAL AGENCY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2012, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF BONDS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-2017, IDAHO CODE, TO REVISE PROVISIONS ON INTERESTED PUBLIC OFFICIALS, COMMISSIONERS OR EMPLOYEES; AMENDING SECTION 50-2027, IDAHO CODE, TO REVISE THE LENGTH OF A CERTAIN PERIOD, TO REMOVE A CODE REFERENCE, TO CORRECT A CODIFIER'S ERROR AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 20, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2033, IDAHO CODE, TO PROVIDE FOR A PROHIBITED AMENDMENT TO AN URBAN RENEWAL PLAN AND TO PROVIDE FOR AMENDMENTS TO AN URBAN RENEWAL PLAN; AMENDING CHAPTER 20, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2035, IDAHO CODE, TO PROVIDE FOR TAX AND SPECIAL ASSESSMENT EXEMPTIONS; AMENDING SECTION 50-2903, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2904, IDAHO CODE, TO REVISE THE AUTHORITY TO CREATE A REVENUE ALLOCATION AREA AND TO PROVIDE FOR RETURN OF CERTAIN MONEYS TO TAXING DISTRICTS; AMENDING SECTION 50-2905, IDAHO CODE, TO PROVIDE FOR A STATEMENT DESCRIBING A CERTAIN VALUE; AMENDING SECTION 50-2906, IDAHO CODE, TO REVISE PUBLIC HEARING AND ORDINANCE REQUIREMENTS; AMENDING SECTION 50-2907, IDAHO CODE, TO REVISE REQUIREMENTS FOR FILING CERTAIN INFORMATION WITH THE STATE TAX COMMISSION; AMENDING SECTION 50-2908, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AN AMENDMENT TO THE BOUNDARIES AND REVENUE ALLOCATION AREAS; AMENDING SECTION 50-2911, IDAHO CODE, TO REVISE LIMITATIONS ON REVIEW; PROVIDING SEVERABILITY; AND PROVIDING EFFECTIVE DATES.

[H 668](#), [H 669](#), [H 670](#), [H 671](#), and [H 672](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1336](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.



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

### Second Reading of Bills and Joint Resolutions

[H 659](#), [H 660](#), and [H 661](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 662](#), by Education Committee, was read the second time by title and filed for third reading.

[H 664](#) and [HCR 58](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[SCR 118](#) and [S 1355](#), by Resources and Environment Committee, were read the second time by title and filed for third reading.

[H 644](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 473](#), [H 502](#), [H 503](#), [H 504](#), and [H 581](#), by Business Committee, were read the second time by title and filed for third reading.

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

### Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

March 15, 2010

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 586](#), [S 1341](#), [H 407](#), [H 532](#), [H 640](#), [H 645](#), and [H 646](#) and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO H.B. NO. 586

##### AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 8, delete "roadway" and insert: "highway".

##### AMENDMENT TO SECTION 4

On page 3, in line 43, following "hours" insert: ", excluding weekends and holidays".

##### AMENDMENT TO SECTION 5

On page 4, in line 23, delete "an" and insert: "a"; in line 24, delete "inventory/notice" and insert: "notice"; and in line 35, delete "and" and insert: "or".

##### AMENDMENT TO SECTION 8

On page 6, in line 8, delete "owner or authorized agent" and insert: "legal or registered owner, authorized agent or insurance representative".

#### AMENDMENT TO SECTION 9

On page 6, in line 26, delete "inventory/notice" and insert: "notice"; and in line 30, following "legal or registered owner" insert: ", authorized agent".

#### CORRECTION TO TITLE

On page 1, in line 8, delete "AND" and insert: ";"; in line 9, following "CIRCUMSTANCES" insert: "AND TO PROVIDE FOR THE EXCLUSION OF WEEKENDS AND HOLIDAYS IN A TIME CALCULATION"; and in line 13, delete "INVENTORY/NOTICE" and insert: "NOTICE".

#### HOUSE AMENDMENT TO S.B. NO. 1341

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, delete "great"; in line 16, delete "bodily harm"; and in line 17, delete "twenty (20)" and insert: "fifteen (15)".

#### HOUSE AMENDMENT TO H.B. NO. 407

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 18, delete "as set by the board"; in line 21, delete "three thousand five hundred dollars (\$3,500) the base fee set by" and insert: "three thousand five hundred dollars (\$3,500)"; and on line 22, delete "the board." and insert: ".".

#### HOUSE AMENDMENT TO H.B. NO. 532

##### AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 39, following "requirements." insert: "Exceptions shall include, but not be limited to, providing that a conservation license shall not be required for those under eighteen (18) years of age and that only one (1) adult hunting, fishing, trapping or conservation license holder accompanying their immediate family shall be required to allow the family to enter selected Idaho department of fish and game lands."

#### HOUSE AMENDMENT TO H.B. NO. 640

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 16 through 33, and insert:

"(2) "Tribal educational authority" means the authorized governmental agency of a federally recognized Indian tribe, as defined in 25 U.S.C. section 450b, that is primarily responsible for:

- (a) Regulating, administering or supervising the formal education of tribal members;
- (b) Facilitating tribal control in all matters relating to the education of Indian children;
- (c) Providing for the development and coordinated education programs, including all preschool, elementary, secondary and higher or vocational programs, funded by the United States bureau of Indian affairs and encouraging tribal cooperation and coordination with entities carrying out all educational programs receiving financial support from other general agencies, state agencies or private entities; and
- (d) Providing for the development and enforcement of tribal education codes relating to the education of Indian children, including tribal education policies and tribal standards applicable to curriculum, personnel, students, facilities and support programs."

**HOUSE AMENDMENT TO H.B. NO. 645**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 28, delete "and" and insert: ";"; also in line 28, following "(f)(ii)" insert: "and (f)(iii)"; in line 33, following "Any" insert: "reduction in"; and also in line 33, delete "change"; in line 36, following "Any" insert: "reduction in"; and also in line 36, delete "change"; and on page 2, in line 8, delete "may" and insert: "~~may~~ shall".

## CORRECTION TO TITLE

On page 1, delete lines 3 and 4, and insert: "PROVIDE THAT CERTAIN ADDITIONAL INFORMATION SHALL BE SHOWN ON THE NEW CONSTRUCTION ROLL, TO PROVIDE THAT THE VALUE SHOWN ON THE NEW CONSTRUCTION ROLL SHALL INCLUDE CERTAIN TAXABLE MARKET VALUE INCREASES, TO PROVIDE NEW CONSTRUCTION PREVIOUSLY ALLOWABLE BUT NOT INCLUDED ON A NEW CONSTRUCTION ROLL SHALL BE INCLUDED ON THE ROLL AND TO PROVIDE FOR THE VALUE TO BE REFLECTED; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE".

**HOUSE AMENDMENT TO H.B. NO. 646**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete line 31, and insert: "(b) An amount equal to temporary disability benefits received under".

## CORRECTION TO TITLE

On page 1, delete line 4, and insert: "AMOUNT EQUAL TO TEMPORARY DISABILITY BENEFITS RECEIVED UNDER A WORKER'S".

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

[H 586](#), as amended, [H 407](#), as amended, [H 532](#), as amended, [H 640](#), as amended, [H 645](#), as amended, and [H 646](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[S 1341](#), as amended in the House, was filed for first reading.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

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

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 524](#), as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [HCR 63](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[HCR 63](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 63](#) be adopted?"

Whereupon the Speaker declared [HCR 63](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[H 657](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [H 657](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Hart, Schaefer, Shepherd(08). Total – 3.

Absent and excused – Thayn. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 657](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 61](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 61](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thayn. Total – 1.

Total – 70.

Whereupon the Speaker declared [HCR 61](#) adopted and ordered the resolution transmitted to the Senate.

[HCR 59](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 59](#) be adopted?"

Whereupon the Speaker declared [HCR 59](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[S 1339](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

At this time, Mr Ruchti took the Chair.

The question being, "Shall [S 1339](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Roberts, Thayn. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1339](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1379](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Kren to open debate.

The question being, "Shall [S 1379](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, McGeachin, Moyle, Nonini, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Andrus, Barrett, Loertscher, Marriott, Mathews, Nielsen, Palmer, Raybould, Shirley, Wood(35). Total – 10.

Absent and excused – Roberts, Thayn. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1379](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1312](#) retain its place on the Third Reading Calendar until Thursday, March 18, 2010. There being no objection, it was so ordered.

[S 1371](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall [S 1371](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor,

Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Schaefer. Total – 1.

Absent and excused – Anderson, Nonini, Roberts, Thayn. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1371](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1286](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood(35) to open debate.

The question being, "Shall [S 1286](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Clark, Nonini, Roberts, Thayn. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1286](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1328](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Chavez to open debate.

The question being, "Shall [S 1328](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Luker, McGeachin, Moyle, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wills, Wood(27), Mr. Speaker. Total – 52.

NAYS – Barrett, Hartgen, Harwood, Lake, Loertscher, Marriott, Mathews, Nielsen, Nonini, Patrick, Schaefer, Shepherd(08), Thompson, Wood(35). Total – 14.

Absent and excused – Clark, Kren, Roberts, Thayn. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1328](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1342](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Raybould to open debate.

The question being, "Shall [S 1342](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Clark, Thayn. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1342](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1354](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Boyle to open debate.

The question being, "Shall [S 1354](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Anderson, Barrett, Bayer, Hart, Henderson, Loertscher, Nonini, Simpson. Total – 8.

Absent and excused – McGeachin, Thayn. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1354](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

Mr. Bedke, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which [S 1354](#) passed the House.

[S 1354](#) was ordered held at the Desk.

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

#### Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Bedke moved that the House reconsider the vote by which [S 1354](#) passed the House. Seconded by Mr. Moyle.

The question being, "Shall the motion pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Ringo. Total – 1.

Absent and excused – McGeachin, Thayn. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared the motion to reconsider carried.

Mr. Moyle asked for unanimous consent that [S 1354](#) be placed on General Orders for consideration. There being no objection it was so ordered.

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

#### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, March 16, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:37 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY  
TUESDAY, MARCH 16, 2010

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jenna Fox, Page.

### Approval of Journal

March 16, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 15, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 386](#), as amended, and [H 414](#)

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

March 15, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1296](#), [S 1316](#), [S 1332](#), [S 1338](#), and [S 1388](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced the Speaker was about to sign enrolled [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1296](#), [S 1316](#),

[S 1332](#), [S 1338](#), and [S 1388](#) and, when so signed, ordered them returned to the Senate.

March 15, 2010

Mr. Speaker:

I return herewith enrolled [H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#), and [H 514](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#), and [H 514](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 15, 2010

Mr. Speaker:

I transmit herewith [S 1337](#), [S 1345](#), as amended, [S 1361](#), as amended, [S 1375](#), as amended, [S 1402](#), [S 1385](#), [S 1390](#), and [S 1398](#) which have passed the Senate.

WOOD, Secretary

[S 1337](#), [S 1345](#), as amended, [S 1361](#), as amended, [S 1375](#), as amended, [S 1402](#), [S 1385](#), [S 1390](#), and [S 1398](#) were filed for first reading.

March 15, 2010

Mr. Speaker:

I return herewith [H 400](#), as amended in the Senate, which has passed the Senate.

WOOD, Secretary

[H 400](#), as amended in the Senate, was ordered held at the Desk.

Mr. Shirley asked unanimous consent that the House concur in the Senate amendments to [H 400](#), as amended in the Senate. There being no objection, it was so ordered.

[H 400](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

### Report of Standing Committees

March 16, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 668](#), [H 669](#), [H 670](#), [H 671](#), [H 672](#), and House amendments to [H 586](#), [S 1341](#), [H 407](#), [H 532](#), [H 640](#), [H 645](#), and [H 646](#).

CLARK, Chairman

[H 668](#), [H 669](#), [H 670](#), and [H 671](#) were filed for second reading.

[H 672](#) was referred to the Revenue and Taxation Committee.

March 16, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HJM 11](#), [HCR 54](#), [HCR 41](#), and [HCR 57](#).

CLARK, Chairman

The Speaker Pro Tem announced the Speaker was about to sign enrolled [HJM 11](#), [HCR 54](#), [HCR 41](#), and [HCR 57](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 16, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 586](#), as

amended, [H 407](#), as amended, [H 532](#), as amended, [H 640](#), as amended, [H 645](#), as amended, and [H 646](#), as amended.

CLARK, Chairman

[H 586](#), as amended, [H 407](#), as amended, [H 532](#), as amended, [H 640](#), as amended, [H 645](#), as amended, and [H 646](#), as amended, were filed for first reading of engrossed bills.

March 16, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 391](#), as amended, to the Governor at 1:25 p.m., as of this date, March 15, 2010.

CLARK, Chairman

March 15, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 633](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 633](#) was filed for second reading.

March 15, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [S 1330](#), as amended, and [S 1370](#) and recommend that they do pass.

CLARK, Chairman

[S 1330](#), as amended, and [S 1370](#) were filed for second reading.

March 15, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [S 1248](#), [S 1250](#), [S 1251](#), [S 1323](#), and [S 1325](#) and recommend that they do pass.

BLACK, Chairman

[S 1248](#), [S 1250](#), [S 1251](#), [S 1323](#), and [S 1325](#) were filed for second reading.

March 16, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1324](#), [S 1366](#), as amended, and [S 1376](#) and recommend that they do pass.

LOERTSCHER, Chairman

[S 1324](#), [S 1366](#), as amended, and [S 1376](#) were filed for second reading.

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

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 64 BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS AND URGING CONGRESS TO INITIATE THE ARTICLE V AMENDMENT PROCESS TO AMEND THE TENTH AMENDMENT AND INTERSTATE COMMERCE CLAUSE OF THE UNITED STATES CONSTITUTION.

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

WHEREAS, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."; and

WHEREAS, the Tenth Amendment to the Constitution defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

WHEREAS, the scope of the power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

WHEREAS, today, in 2010, the states are demonstrably treated as agents of the federal government; and

WHEREAS, many powers assumed by the federal government and federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States; and

WHEREAS, the Interstate Commerce Clause to the Constitution of the United States provides that Congress shall have the power: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"; and

WHEREAS, the Interstate Commerce Clause is limited to the federal government regulating trade between the states, and between the states and other nations, and to help prevent conflicts between states over commercial activities, and to prevent the erection of barriers to commerce between the states; and

WHEREAS, the Interstate Commerce Clause should not be used to provide Congress with authority to regulate matters that are primarily intrastate with only an insignificant or collateral effect upon interstate commerce; and

WHEREAS, many federal laws are beyond the original scope and intent of the Interstate Commerce Clause and the Tenth Amendment to the Constitution of the United States; and

WHEREAS, the Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the union of states, now have, and have always had, rights the federal government may not usurp; and

WHEREAS, Section 4, Article IV, of the Constitution says, "The United States shall guarantee to every State in this Union a Republican Form of Government" and the Ninth Amendment states that "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."; and

WHEREAS, the United States Supreme Court has ruled in *New York v. United States*, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Legislature Idaho Legislature, the House of Representatives and the Senate concurring therein, that:

The Idaho Legislature urges Congress to take action forthwith to initiate the Article V amendment process to amend the Tenth Amendment and Interstate Commerce Clause (Section 8, Article I) of the United States Constitution; and

The Idaho Legislature urges Congress to amend the Tenth Amendment of the United States Constitution as follows:

(Changes in **bold**): "The powers not **expressly** delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. **Any power claimed by the Congress shall be construed narrowly by all courts so as not to infringe upon or limit the powers reserved to the States and the people by this amendment.**"; and

That the Idaho Legislature urges Congress to amend the Interstate Commerce Clause (Article I, Section 8) as follows:

(Changes in **bold**): "To **directly** regulate Commerce with the foreign nations, and among the several States, and with the Indian Tribes, **with no authority in Congress to regulate matters that are primarily intrastate with only an insignificant or collateral effect upon interstate commerce**".

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Resolution to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States, the presiding officers of both Houses of the Legislature of each of our sister states in the Union, and the members of the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 64** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**HOUSE BILL NO. 673  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO CONSOLIDATION OF ELECTIONS; AMENDING SECTION 40-1305, IDAHO CODE, AS AMENDED BY SECTION 13, HOUSE BILL NO. 652, AS ENACTED BY THE SECOND REGULAR SESSION, SIXTIETH IDAHO LEGISLATURE, TO DELETE REFERENCE TO ALTERNATIVE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 674  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO ADMINISTRATIVE RULES; CONTINUING CERTAIN RULES IN FULL FORCE AND EFFECT UNTIL JULY 1, 2011; CONTINUING RULES APPROVED OR EXTENDED BY ADOPTION OF A CONCURRENT RESOLUTION OF THE SECOND REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE IN FULL FORCE AND EFFECT UNTIL JULY 1, 2011, OR UNTIL SUCH TIME AS THEY SHALL EXPIRE; PROVIDING THAT RULES REJECTED BY CONCURRENT RESOLUTION SHALL BE NULL, VOID AND OF NO FORCE AND EFFECT; AUTHORIZING AGENCIES TO AMEND OR REPEAL CERTAIN RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT AND DECLARING THE EFFECT OF THIS ACT UPON ADMINISTRATIVE RULES; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 675  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO RAW MILK; AMENDING TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 11, TITLE 37, IDAHO CODE, TO PROVIDE THAT CERTAIN ACTIVITY SHALL NOT CONSTITUTE THE SALE OR RETAIL SALE OF RAW MILK OR RAW MILK PRODUCTS, TO PROVIDE CONDITIONS, TO PROVIDE FOR REGISTRATION, TO PROHIBIT CERTAIN ACTIVITIES, TO PROVIDE FOR VIOLATIONS AND PENALTIES, TO PROVIDE FOR CIVIL ACTIONS, TO

PROVIDE FOR ADMINISTRATION AND ENFORCEMENT BY THE IDAHO STATE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR RULEMAKING AND TO PROVIDE FOR HOLD ORDERS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 676  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO YOUTH ATHLETES AND CONCUSSIONS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1620, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE FOR GUIDELINES, OTHER PERTINENT INFORMATION AND FORMS, TO PROVIDE FOR THE USE OF GUIDELINES, INFORMATION AND FORMS, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL MAKE AVAILABLE ON ITS WEBSITE SUCH GUIDELINES, INFORMATION AND FORMS, TO PROVIDE FOR A CONCUSSION AND HEAD INJURY INFORMATION SHEET, TO PROVIDE THAT A YOUTH ATHLETE WHO IS SUSPECTED OF SUSTAINING A CONCUSSION OR HEAD INJURY SHALL BE REMOVED FROM COMPETITION, TO PROVIDE THAT A YOUTH ATHLETE WHO HAS BEEN REMOVED FROM PLAY MAY NOT RETURN TO PLAY UNTIL THE ATHLETE IS EVALUATED AND RECEIVES WRITTEN CLEARANCE, TO PROVIDE FOR A HEALTH CARE PROVIDER VOLUNTEER, TO PROVIDE THAT A VOLUNTEER HEALTH CARE PROVIDER SHALL NOT BE LIABLE IN CERTAIN SITUATIONS AND TO PROVIDE FOR APPLICATION OF LAWS.

**HOUSE BILL NO. 677  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR THE SPECIAL PROGRAMS FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE STATE BOARD OF EDUCATION FOR THE SCHOLARSHIPS AND GRANTS PROGRAM FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION FOR THE SPECIAL PROGRAMS FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 678  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 679  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO

THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS FOR FISCAL YEAR 2010; EXEMPTING THE DEPARTMENT FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS FOR FISCAL YEAR 2011; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 680**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE UNCLAIMED PROPERTY LAW; AMENDING SECTION 14-501, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 14-518, IDAHO CODE, TO PROVIDE FOR NOTICE AND PUBLICATION OF LISTS OF ABANDONED PROPERTY TO BE ON A WEBSITE MAINTAINED BY THE STATE TREASURER; AMENDING SECTION 14-523, IDAHO CODE, TO PROVIDE FOR DISPOSITION OF MONEY RECEIVED BY THE STATE TREASURER; AMENDING SECTION 14-532, IDAHO CODE, TO PROVIDE TO THE STATE TREASURER POWERS, DUTIES AND ADMINISTRATIVE RULEMAKING AUTHORITY RELATED TO UNCLAIMED PROPERTY LAW FORMERLY GRANTED TO THE STATE TAX COMMISSION; AMENDING SECTION 14-534, IDAHO CODE, TO PROVIDE FOR THE STATE TREASURER TO DELIVER CERTAIN PROPERTY TO THE STATE HISTORICAL SOCIETY; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3077E, IDAHO CODE, TO PROVIDE FOR AGREEMENTS FOR EXCHANGE OF INFORMATION BETWEEN THE STATE TAX COMMISSION AND THE STATE TREASURER FOR ADMINISTERING THE UNCLAIMED PROPERTY ACT; AND PROVIDING AN EFFECTIVE DATE, PROVIDING FOR TRANSFER OF CERTAIN TANGIBLE PERSONAL PROPERTIES OF THE STATE TAX COMMISSION FOR ADMINISTERING THE UNCLAIMED PROPERTY LAW TO THE STATE TREASURER AND TO PROVIDE FOR THE TRANSFER AND EMPLOYMENT STATUS OF THOSE EMPLOYEES.

[H 673](#), [H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), and [H 680](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1341](#), as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

[S 1337](#) and [S 1361](#), as amended, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1398](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1345](#), as amended, by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

[S 1375](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1385](#) and [S 1390](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1402](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

[H 586](#), as amended, by Business Committee, was introduced, read the first time by title, and filed for second reading.

[H 407](#), as amended, and [H 532](#), as amended, by Resources and Conservation Committee, were introduced, read the first time by title, and filed for second reading.

[H 640](#), as amended, by Education Committee, was introduced, read the first time by title, and filed for second reading.

[H 645](#), as amended, and [H 646](#), as amended, by Revenue and Taxation Committee, were introduced, read the first time by title, and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

[H 656](#) and [H 609](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

[S 1321](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 573](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[S 1359](#), by Transportation Committee, was read the second time by title and filed for third reading.

[H 665](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Mr. Moyle asked unanimous consent that [H 665](#) be placed on General Orders for consideration. There being no objection it was so ordered.

**Third Reading of Bills and Joint Resolutions**

Mr. Bedke asked unanimous consent that [H 524](#), as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Black asked unanimous consent that [H 473](#) be returned to the Business Committee. There being no objection, it was so ordered.

Mrs. Higgins asked unanimous consent that [S 1353](#) be placed on General Orders for consideration. Mr. Loertscher objected.

Mr. Rusche moved that [S 1353](#) be placed on General Orders for consideration. Seconded by Ms. Jaquet.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Shepherd(02), Smith(30), Smith(24). Total – 18.

NAYS – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson,



Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Ruchti, Schaefer, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

Absent and excused – Clark. Total – 1.  
Total – 70.

Whereupon the Speaker Pro Tem declared the motion failed.

[H 659](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall [H 659](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.  
Absent and excused – Clark. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 659](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 660](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 660](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Burgoyne, Durst, Pasley-Stuart. Total – 3.  
Absent and excused – Clark. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 660](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 661](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 661](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Burgoyne, Durst. Total – 2.  
Absent and excused – Clark. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 661](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 662](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall [H 662](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.  
Absent and excused – Clark. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 662](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 664](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 664](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer,

Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Burgoyne. Total – 1.

Absent and excused – Clark, Schaefer. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 664](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 644](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 644](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Chavez, Durst, Pasley-Stuart, Ringo. Total – 4.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 644](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 502](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 502](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 502](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 503](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 503](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 57.

NAYS – Barrett, Hagedorn, Hart, Harwood, Kren, Mathews, Nielsen, Palmer, Roberts, Shepherd(08), Wood(35). Total – 11.

Absent and excused – Clark, Stevenson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 503](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 504](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis and Mr. Thompson to open debate.

The question being, "Shall [H 504](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Barrett, Crane, Hart, Harwood, Kren, Loertscher. Total – 6.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 504](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 581](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall [H 581](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30),

Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Bedke, Kren, Moyle, Schaefer. Total – 4.

Absent and excused – Clark, Crane. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 581](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 58](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 58](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderton, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Boe, Chavez, Chew, Cronin, Higgins, Jaquet, King, Pasley-Stuart, Pence, Ringo, Ruchti, Saylor. Total – 12.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared [HCR 58](#) adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, March 17, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:11 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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SIXTY-SIXTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 17, 2010

House of Representatives

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

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

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Connor Cook, Page.

### Approval of Journal

March 17, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 16, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1247](#), [S 1252](#), as amended, [S 1299](#), [S 1315](#), [S 1329](#), [S 1367](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1247](#), [S 1252](#), as amended, [S 1299](#), [S 1315](#), [S 1329](#), [S 1367](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#) and, when so signed, ordered them returned to the Senate.

March 16, 2010

Mr. Speaker:

I return herewith enrolled [H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 16, 2010

Mr. Speaker:

I transmit herewith [S 1382](#), as amended, [S 1383](#), as amended, and [S 1311](#), as amended, which have passed the Senate.

WOOD, Secretary

[S 1382](#), as amended, [S 1383](#), as amended, and [S 1311](#), as amended, were filed for first reading.

March 16, 2010

Mr. Speaker:

I transmit herewith [S 1404](#), [S 1405](#), and [S 1406](#) which have passed the Senate.

WOOD, Secretary

[S 1404](#), [S 1405](#), and [S 1406](#) were filed for first reading.

March 16, 2010

Mr. Speaker:

I return herewith [HJR 4](#) which has passed the Senate.

WOOD, Secretary

[HJR 4](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 16, 2010

Mr. Speaker:

I return herewith [HJR 5](#) and [HJR 7](#) which have passed the Senate.

WOOD, Secretary

[HJR 5](#) and [HJR 7](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 16, 2010

Mr. Speaker:

I return herewith [H 471](#), [H 449](#), [H 469](#), [H 444](#), as amended, [H 464](#), [H 465](#), [H 482](#), [H 513](#), [H 416](#), [H 516](#), [H 456](#), [H 458](#), [H 478](#), [H 525](#), [H 415](#), [H 417](#), [H 463](#), and [H 533](#) which have passed the Senate.

WOOD, Secretary

[H 471](#), [H 449](#), [H 469](#), [H 444](#), as amended, [H 464](#), [H 465](#), [H 482](#), [H 513](#), [H 416](#), [H 516](#), [H 456](#), [H 458](#), [H 478](#), [H 525](#), [H 415](#), [H 417](#), [H 463](#), and [H 533](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 17, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 64](#), [H 673](#), [H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), and [H 680](#).

CLARK, Chairman

[HCR 64](#), [H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), and [H 680](#) were filed for second reading.

[H 675](#) was referred to the Agricultural Affairs Committee.

[H 676](#) was referred to the State Affairs Committee.

March 17, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 400](#), as amended in the Senate.

CLARK, Chairman

[H 400](#), as amended in the Senate, was filed for first reading of engrossed bills.

March 17, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#), and [H 514](#) to the Governor at 1:40 p.m., as of this date, March 16, 2010.

CLARK, Chairman

March 16, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 650](#) and report it back with amendments attached to be placed on General Orders for consideration.

NONINI, Chairman

[H 650](#) was placed on General Orders for consideration.

March 16, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 653](#) and recommend that it do pass.

BLOCK, Chairman

[H 653](#) was filed for second reading.

March 17, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1378](#), as amended, and recommend that it do pass.

LOERTSCHER, Chairman

[S 1378](#), as amended, was filed for second reading.

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

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

**HOUSE BILL NO. 681  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE MEDICALLY INDIGENT; AMENDING SECTION 31-3501, IDAHO CODE, TO PROVIDE AN ADDITIONAL POLICY STATEMENT AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3502, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 31-3503, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE COUNTY COMMISSIONERS AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3503A, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE CATASTROPHIC HEALTH CARE COST PROGRAM BOARD AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3503C, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3503E, IDAHO CODE, TO CLARIFY LANGUAGE AND TO PROVIDE FOR DEEMED CONSENT; AMENDING SECTION 31-3504, IDAHO CODE, TO REVISE A DEEMED CONSENT PROVISION, TO REVISE TERMINOLOGY, TO REVISE COUNTY CLERK DUTIES REGARDING DETERMINATION OF MEDICAID ELIGIBILITY, TO PROVIDE FOR A CERTAIN PROCEDURE DEPENDING ON WHETHER A PATIENT IS MEDICAID

ELIGIBLE, TO PROVIDE FOR CERTAIN DISCRETION FOR THE COUNTY COMMISSIONERS AND THE BOARD AND TO PROVIDE CERTAIN PROCEDURES FOR HOSPITALS AND PROVIDERS SEEKING REIMBURSEMENT; AMENDING SECTION 31-3505, IDAHO CODE, TO CLARIFY AND REVISE TERMINOLOGY; AMENDING SECTION 31-3505A, IDAHO CODE, TO PROVIDE FOR CERTAIN PROCEDURES ESTABLISHED BY THE COUNTY COMMISSIONERS AND THE BOARD AND TO CLARIFY AND REVISE TERMINOLOGY; AMENDING SECTION 31-3505B, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3505C, IDAHO CODE, TO REVISE AND CLARIFY TERMINOLOGY, TO PROVIDE FOR THE SUSPENSION OF AN INITIAL DETERMINATION TO DENY AN APPLICATION ON SPECIFIED GROUNDS AND TO PROVIDE FOR A TOLLING OF CERTAIN TIME LIMITATIONS IN THE EVENT OF A SUSPENSION; AMENDING SECTION 31-3505D, IDAHO CODE, TO PROVIDE FOR APPEAL OF THE INITIAL DETERMINATION OF THE DENIAL OF AN APPLICATION AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3505E, IDAHO CODE, TO REVISE AND CLARIFY TERMINOLOGY; AMENDING SECTION 31-3505F, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3505G, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3507, IDAHO CODE, TO REMOVE CERTAIN HOSPITAL NOTIFICATION REQUIREMENTS, TO CLARIFY AND REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3508, IDAHO CODE, TO REQUIRE PARTICIPATION IN CERTAIN PROGRAMS BY CERTAIN HOSPITALS AND PROVIDERS AND TO PROVIDE LIMITATION ON PAYMENT BY THE BOARD AND COUNTIES; AMENDING SECTION 31-3509, IDAHO CODE, TO PROVIDE FOR CERTAIN PAYMENT LIMITATIONS FOR THE BOARD AND OBLIGATED COUNTIES, TO REVISE CERTAIN REQUIREMENTS FOR HOSPITALS AND PROVIDERS MAKING CLAIMS FOR REIMBURSEMENT, TO REVISE TERMINOLOGY, TO PROVIDE PAYMENT PROCEDURES UNDER SPECIFIED CIRCUMSTANCES, TO PROVIDE FOR THE PRORATING OF A FIRST LIEN AND TO PROVIDE FOR THE RECOVERY OF CERTAIN OVERPAYMENTS; AMENDING SECTION 31-3510, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE FOR THE DETERMINATION OF ATTORNEY FEES; AMENDING SECTION 31-3510A, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3511, IDAHO CODE, TO REVISE TO WHOM AND FROM WHOM CERTAIN RESPONSIBILITIES ARE OWING, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3512, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3513, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE TERMINOLOGY; AMENDING SECTION 31-3514, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3515, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3515A, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3517, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3518, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-3519, IDAHO CODE, TO REVISE THE SERVICES FOR WHICH PAYMENT IS TO BE MADE, TO REVISE PROCEDURES FOR MAKING CERTAIN PAYMENTS AND TO REVISE TERMINOLOGY; AMENDING SECTION

31-3520, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTION 31-3521, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 682**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO THE IDAHO SCHOOL BOND GUARANTY ACT; AMENDING SECTION 33-5305, IDAHO CODE, TO PROVIDE THAT THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL MAKE REPORTS OF SCHOOL DISTRICT FISCAL SOLVENCY; AMENDING SECTION 33-5306, IDAHO CODE, TO AUTHORIZE THE TREASURER TO ESTABLISH PROCEDURES FOR PROVIDING NOTICE WHERE A DEBT SERVICE PAYMENT MAY BE DELINQUENT AND TO PROVIDE THE PROCESS FOR THE TREASURER TO MAKE SUCH PAYMENTS; AMENDING SECTION 33-5308, IDAHO CODE, TO ESTABLISH THE FUNDING ACTIVITIES AVAILABLE TO THE TREASURER TO MAKE A SCHOOL BOND DEBT SERVICE PAYMENT, TO PROVIDE LIMITATIONS ON AND AUTHORIZATION FOR THE REPLACEMENT OF INTERCEPTED FUNDS, AND TO REMOVE LANGUAGE TRANSFERRED TO A NEW SECTION; AMENDING CHAPTER 53, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5308A, IDAHO CODE, TO PROVIDE THE REQUIREMENTS FOR NOTES ISSUED BY THE TREASURER TO FUND A SCHOOL BOND DEBT SERVICE PAYMENT; AMENDING SECTION 33-5309, IDAHO CODE, TO REMOVE REFERENCES TO THE STATE SALES TAX ACCOUNT AND DUTIES OF THE TAX COMMISSION, TO ESTABLISH DUTIES OF THE CONTROLLER AND TO PROVIDE FOR PAYMENT OF GUARANTEED SCHOOL BOND DEBT SERVICE PAYMENTS AND REPAYMENT OF BORROWED FUNDS FROM SALES TAX RECEIPTS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 683**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

REDUCING THE APPROPRIATION TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS FOR THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 684**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE STATE ATHLETIC COMMISSION; AMENDING SECTION 54-402, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-406, IDAHO CODE, TO PROVIDE THE COMMISSION AUTHORITY TO ESTABLISH CERTAIN FEES, TO PROVIDE ADDITIONAL NATIONALLY RECOGNIZED SANCTIONING ASSOCIATIONS, TO PROVIDE REQUIREMENTS FOR CERTAIN PROMOTERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-408, IDAHO CODE, TO REVISE PROVISIONS

RELATING TO BOND OR OTHER SECURITY FILED BY PROMOTERS; AMENDING SECTION 54-410, IDAHO CODE, TO REQUIRE A PAYMENT OF FEES FOR THE ISSUANCE OF A LICENSE OR SANCTIONING PERMIT; AMENDING SECTION 54-411, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A STATEMENT AND REPORT OF AN EVENT AND TO PROVIDE REQUIREMENTS RELATING TO THE PAYMENT OF A CERTAIN TAX TO THE COMMISSION; AMENDING SECTION 54-413, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-419, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN STATEMENT AND REPORT OF AN EVENT; AND AMENDING SECTION 54-420, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PROHIBITIONS AND PENALTIES.

**HOUSE BILL NO. 685**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

REDUCING THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2010; TRANSFERRING MONEYS FROM THE GUARDIAN AD LITEM FUND TO THE GENERAL FUND FOR FISCAL YEAR 2010; APPROPRIATING AND DIRECTING THE TRANSFER OF MONEYS FROM THE GENERAL FUND TO THE GUARDIAN AD LITEM FUND FOR FISCAL YEAR 2011; APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2011; EXEMPTING THE SUPREME COURT FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS; AND DECLARING AN EMERGENCY.

[H 681](#), [H 682](#), [H 683](#), [H 684](#), and [H 685](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1382](#), as amended, and [S 1383](#), as amended, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1311](#), as amended, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1404](#), [S 1405](#), and [S 1406](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

[H 400](#), as amended in the Senate, by Education Committee, was introduced, read the first time by title, and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

Mr. Loertscher asked unanimous consent that [S 1376](#) be placed on General Orders for consideration. There being no objection it was so ordered.

[H 668](#), [H 669](#), [H 670](#), and [H 671](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 633](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1330](#), as amended, [S 1370](#), and [S 1341](#), as amended in the House, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1248](#), [S 1250](#), [S 1251](#), [S 1323](#), [S 1325](#), and [S 1324](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[S 1366](#), as amended, by Education Committee, was read the second time by title and filed for third reading.

[S 1402](#), by Finance Committee, was read the second time by title and filed for third reading.

[H 586](#), as amended, by Business Committee, was read the second time by title and filed for third reading.

[H 407](#), as amended, and [H 532](#), as amended, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 640](#), as amended, by Education Committee, was read the second time by title and filed for third reading.

[H 645](#), as amended, and [H 646](#), as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

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

#### Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

#### Report of the Committee of the Whole House

March 17, 2010

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 541](#), [S 1354](#), [H 665](#), and [S 1376](#) and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO H.B. NO. 541

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 41 through 43, and insert: "The state of Idaho shall establish the legal presence of persons from those states known to issue driver's licenses or identity credentials to illegal aliens prior to issuing an Idaho driver's license.".

##### AMENDMENT TO SECTION 2

On page 3, in line 9, delete "color" and insert: "color"; and delete lines 11 and 12, and insert: "is made. The department shall use a color photograph, unless the department determines that using a black and white photograph is as effective as a color photograph for identification purposes. The"; delete lines 19 through 21, and insert: "medical condition of the licensee. Machine readable information included in the two-dimensional bar code shall contain no other information about the person

other than the person's full legal name and the human readable information printed on the card including"; following line 25, insert:

"(3) No person shall utilize a one-to-many facial recognition searching technology to search the driver's license database of photographs, unless under the authority of a court order related to a specific crime or in an investigation of a specific crime when the alleged perpetrator is a flight risk and a court order will be timely sought."; in line 26, delete "(3)" and insert: "(4)"; in line 29, delete "(4)" and insert: "(4~~5~~)"; in line 35, delete "(5)" and insert: "(~~5~~6)"; and in line 44, delete "(6)" and insert: "(~~6~~7)".

#### AMENDMENT TO THE BILL

On page 3, following line 49, insert:

"SECTION 3. That Section 49-2444, Idaho Code, be, and the same is hereby amended to read as follows:

49-2444. IDENTIFICATION CARD ISSUED – FOUR-YEAR OR EIGHT-YEAR. (1) The department shall issue a distinguishing identification card which shall set forth the information contained in the application, in a form as prescribed by the department. All identification cards issued on or after January 1, 1993, shall not contain the applicant's social security number. An applicant's social security number shall be exempt from disclosure except for inquiries from agencies or institutions authorized to obtain such information by federal law or regulation, from peace officers or from jury commissioners. Each card shall have printed on it the applicant's full name, date of birth, Idaho residence address, sex, weight, height, eye color, hair color, and shall be issued a distinguishing number assigned to the applicant. Each card shall also have printed on it the name of this state, the date of issuance, and the date of expiration. An identification card shall not be valid until it has been signed on the signature line by the applicant. Each card shall bear upon it a ~~color~~ photograph of the applicant which shall be taken by the examiner at the time of application. The department shall use a color photograph, unless the department determines that using a black and white photograph is as effective as a color photograph for identification purposes. The photograph shall be taken without headgear or other clothing or device that disguises or otherwise conceals the face or head of the applicant. A waiver may be granted by the department allowing the applicant to wear headgear or other head covering for medical, religious or safety purposes so long as the face is not disguised or otherwise concealed. At the request of the applicant, an identification card may contain a statement or indication of the medical condition of the applicant. Machine readable information included in the two-dimensional bar code shall contain no other information about the person other than the person's full legal name and the human readable information printed on the card including any code identifiers used to organize such data. No identification card shall employ any device or technique that can transmit information to any distance from the identification card without the express consent or voluntary participation of the identification card bearer.

No person shall receive an identification card unless and until he surrenders to the department all identification cards in his possession issued to him by Idaho or any other jurisdiction, or any driver's license issued by any other jurisdiction within the United States, or until he executes an affidavit that he does not possess an identification card or any driver's license.

Identification cards issued to persons under eighteen (18) years of age shall include a notation "under 18 until (month, day, year)," and identification cards issued to persons eighteen (18) years of age to twenty-one (21) years of age shall

include a notation "under 21 until (month, day, year)." The nonrefundable fee for a four-year identification card issued to persons twenty-one (21) years of age or older shall be ten dollars (\$10.00) of which five dollars (\$5.00) shall be retained by the county and credited to the current expense fund, and five dollars (\$5.00) shall be deposited in the state treasury to the credit of the highway distribution account. The nonrefundable fee for identification cards issued to persons under twenty-one (21) years of age shall be ten dollars (\$10.00), of which five dollars (\$5.00) shall be retained by the county and credited to the current expense fund, and five dollars (\$5.00) shall be deposited in the state treasury to the credit of the highway distribution account. The nonrefundable fee for an eight-year identification card shall be twenty dollars (\$20.00) of which ten dollars (\$10.00) shall be retained by the county and credited to the current expense fund, and ten dollars (\$10.00) shall be deposited in the state treasury to the credit of the highway distribution account. At the option of the applicant, the identification card issued to a person twenty-one (21) years of age or older shall expire either on the cardholder's birthday in the fourth year or the eighth year following issuance of the card, except as otherwise provided in subsection (3) of this section. Every identification card issued to a person under eighteen (18) years of age shall expire five (5) days after the person's eighteenth birthday, except as otherwise provided in subsection (3) of this section. Every identification card issued to a person eighteen (18) years of age but under twenty-one (21) years of age shall expire five (5) days after the person's twenty-first birthday, except as otherwise provided in subsection (3) of this section.

Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for an identification card. Any registration information so supplied shall be transmitted by the department to the selective service system.

(2) Every identification card, except those issued to persons under twenty-one (21) years of age, shall be renewable on or before its expiration, but not more than twelve (12) months before, and upon application and payment of the required fee.

(3) Every identification card issued to a person who is not a citizen or permanent legal resident of the United States shall have an expiration date that is the same date as the end of lawful stay in the United States as indicated on documents issued and verified by the department of homeland security, provided however, that the expiration date shall not extend beyond the expiration date for the same category of identification card issued to citizens. Persons whose department of homeland security documents do not state an expiration date shall be issued an identification card with an expiration date of one (1) year from the date of issuance.

(4) When an identification card has been expired for less than twelve (12) months, the renewal of the identification card shall start from the original date of expiration regardless of the year in which the application for renewal is made. If the identification card is expired for more than twelve (12) months, the application shall expire, at the option of the applicant, on the applicant's birthday in the fourth year or the eighth year following reissuance of the identification card, except as otherwise provided in subsection (3) of this section.

(5) A person possessing an identification card who desires to donate any or all organs or tissue in the event of death, and who has completed a document of gift pursuant to the provisions for donation of anatomical gifts as set forth in chapter 34, title 39, Idaho Code, may, at the option of the donor, indicate this desire on the identification card by the imprinting of the word "donor" on the identification card. The provisions of this subsection shall

apply to persons possessing an identification card who are sixteen (16) years of age or older but less than eighteen (18) years of age if the requirements provided in chapter 34, title 39, Idaho Code, have been complied with.

(6) A person possessing an identification card or an applicant for an identification card who is a person with a permanent disability may request that the notation "permanently disabled" be imprinted on the identification card, provided the person presents written certification from a licensed physician verifying that the person's stated impairment qualifies as a permanent disability according to the provisions of section 49-117, Idaho Code.

(7) In the case of a name change, the applicant shall provide legal documentation to verify the change in accordance with department rules.

(8) Whenever any person, after applying for or receiving an identification card, shall move from the address shown on the application or on the identification card issued, that person shall, within thirty (30) days, notify the transportation department in writing of the old and new addresses.

(9) The department shall cancel any identification card upon determining that the person was not entitled to the issuance of the identification card, or that the person failed to give the required and correct information in his application or committed fraud in making the application. Upon cancellation, the person shall surrender the canceled identification card to the department.

(10) If any person shall fail to return to the department the identification card as required, the department may direct any peace officer to secure its possession and return the identification card to the department.

(11) The department may issue a no-fee identification card to an individual whose driver's license has been canceled and voluntarily surrendered as provided in section 49-322(4), Idaho Code. The identification card may be renewed at no cost to the applicant as long as the driver's license remains canceled.

(12) It is an infraction for any person to fail to notify the department of a change of address as required by the provisions of subsection (8) of this section.

(13) The state of Idaho shall establish the legal presence of persons from those states known to issue driver's licenses or identity credentials to illegal aliens prior to issuing an Idaho identification card.

(14) No person shall utilize a one-to-many facial recognition searching technology to search the identification card database of photographs, unless under the authority of a court order related to a specific crime or in an investigation of a specific crime when the alleged perpetrator is a flight risk and a court order will be timely sought."

#### CORRECTION TO TITLE

On page 1, delete lines 3 through 7, and insert: "CODE, TO PROVIDE THAT THE STATE OF IDAHO SHALL ESTABLISH THE LEGAL PRESENCE OF CERTAIN PERSONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-315, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN PHOTOGRAPHS, TO PROVIDE PROVISIONS RELATING TO CERTAIN MACHINE READABLE INFORMATION"; in line 8, delete "CODES"; in line 9, delete "AND" and insert: ","; in line 10, following "PARTICIPATION" insert: "AND TO PROVIDE THAT NO PERSON SHALL UTILIZE CERTAIN SEARCHING TECHNOLOGY TO SEARCH A DATABASE AND TO PROVIDE FOR EXCEPTIONS; AND AMENDING SECTION 49-2444, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN PHOTOGRAPHS, TO PROVIDE PROVISIONS RELATING



TO CERTAIN MACHINE READABLE INFORMATION AND TO PROHIBIT THE USE OF CERTAIN DEVICES OR TECHNIQUES THAT CAN TRANSMIT CERTAIN INFORMATION, TO PROVIDE FOR CONSENT OR VOLUNTARY PARTICIPATION, TO PROVIDE THAT THE STATE OF IDAHO SHALL ESTABLISH THE LEGAL PRESENCE OF CERTAIN PERSONS, TO PROVIDE THAT NO PERSON SHALL UTILIZE CERTAIN SEARCHING TECHNOLOGY TO SEARCH A DATABASE AND TO PROVIDE FOR EXCEPTIONS".

#### HOUSE AMENDMENT TO S.B. NO. 1354

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 20, delete "included" and insert: "including".

##### AMENDMENT TO SECTION 2

On page 1, in line 34, following "district" insert: ", which resolution shall be forwarded to the state department of education".

##### AMENDMENT TO SECTION 3

On page 2, in line 7, following "Code" insert: "The provisions of section 33-906, Idaho Code, shall not apply to bonds or portions of bonds issued to acquire, develop or renovate school energy systems as authorized in section 33-604, Idaho Code, when the school district begins to sell thermal energy for revenue as authorized in section 33-605, Idaho Code".

##### CORRECTION TO TITLE

On page 1, in line 11, following "SYSTEMS" insert: "AND TO NEGATE APPLICATION OF THE BOND LEVY EQUALIZATION PROGRAM".

#### HOUSE AMENDMENT TO H.B. NO. 665

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete line 28, and insert: "exclusively for the benefit of elementary or secondary education" and delete line 30, and insert: "and designated as any such elementary or secondary education".

##### CORRECTION TO TITLE

On page 1, delete line 6, and insert: "EXCLUSIVELY FOR THE BENEFIT OF ELEMENTARY OR SECONDARY" and delete line 8, and insert: "RECOGNIZED AND DESIGNATED AS ANY SUCH ELEMENTARY OR SECONDARY".

#### HOUSE AMENDMENT TO S.B. NO. 1376

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 8, delete "be compensated" and insert: "~~be compensated~~"; in line 9, delete "at the rate" and insert: "~~at the rate~~"; in line 15, following "employees" insert: "receive an honorarium"; in line 18, following "Code" insert: "Payment of an honorarium as provided in this section shall not be considered salary as defined in section 59-1302(31), Idaho Code".

##### CORRECTION TO TITLE

On page 1, delete line 3, and insert: "72-1504, IDAHO CODE, TO PROVIDE AN HONORARIUM TO MEMBERS OF THE".

We have also had under consideration [S 1352](#), as amended, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

[H 541](#), as amended, and [H 665](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[S 1354](#), as amended in the House, and [S 1376](#), as amended in the House, were filed for first reading.

[S 1352](#), as amended, was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

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

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 524](#), as amended, be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 573](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [S 1347](#) be returned to the State Affairs Committee. There being no objection, it was so ordered.

[H 656](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Pursuant to Rule 38(3), Mr. Wood(27) disclosed a conflict of interest regarding [H 656](#).

The question being, "Shall [H 656](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Black, Hart. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 656](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 609](#) was read the third time at length, section by section, and placed before the House for final consideration.

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



[S 1321](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1321](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Hart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1321](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 18, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:07 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY  
THURSDAY, MARCH 18, 2010

House of Representatives

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

Roll call showed 68 members present.

Absent and excused – Jarvis, Lake. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Connor Cook, Page.

### Approval of Journal

March 18, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 17, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

H 391, as amended

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

March 17, 2010

Mr. Speaker:

I transmit herewith enrolled S 1286, S 1328, S 1339, S 1342, S 1371, and S 1379 for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1286, S 1328, S 1339, S 1342, S 1371, and S 1379 and, when so signed, ordered them returned to the Senate.

March 17, 2010

Mr. Speaker:

I return herewith enrolled HJM 11, HCR 54, HCR 41, and HCR 57 which have been signed by the President.

WOOD, Secretary

Enrolled HJM 11, HCR 54, HCR 41, and HCR 57 were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 17, 2010

Mr. Speaker:

I return herewith HCR 46, H 510, H 561, H 470, H 480, as amended, H 518, H 579, H 466, H 517, H 519, H 538, H 474, H 445, H 431, H 560, H 553, H 476, and H 424 which have passed the Senate.

WOOD, Secretary

HCR 46, H 510, H 561, H 470, H 480, as amended, H 518, H 579, H 466, H 517, H 519, H 538, H 474, H 445, H 431, H 560, H 553, H 476, and H 424 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed H 681, H 682, H 683, H 684, H 685, and House amendments to H 541, S 1354, H 665, and S 1376.

CLARK, Chairman

H 681 was referred to the Health and Welfare Committee.

H 682 was referred to the Education Committee.

H 683, H 684, and H 685 were filed for second reading.

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled HJR 4, HJR 5, HJR 7, H 471, H 449, H 469, H 444, as amended, H 464, H 465, H 482, H 513, H 416, H 516, H 456, H 458, H 478, H 525, H 415, H 417, H 463, and H 533.

CLARK, Chairman

The Speaker announced he was about to sign enrolled HJR 4, HJR 5, HJR 7, H 471, H 449, H 469, H 444, as amended, H 464, H 465, H 482, H 513, H 416, H 516, H 456, H 458, H 478, H 525, H 415, H 417, H 463, and H 533 and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed H 541, as amended, and H 665, as amended.

CLARK, Chairman

H 541, as amended, and H 665, as amended, were filed for first reading of engrossed bills.

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#) to the Governor at 2:12 p.m., as of this date, March 17, 2010.

CLARK, Chairman

March 17, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 637](#), [S 1305](#), as amended, and [S 1365](#), as amended, and recommend that they do pass.

NONINI, Chairman

[H 637](#), [S 1305](#), as amended, and [S 1365](#), as amended, were filed for second reading.

March 17, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [S 1327](#) and [S 1357](#) and recommend that they do pass.

BLACK, Chairman

[S 1327](#) and [S 1357](#) were filed for second reading.

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 615](#) and recommend that it do pass.

LAKE, Chairman

[H 615](#) was filed for second reading.

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

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

**HOUSE BILL NO. 686  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO INCOME TAXATION; TO PROVIDE A SHORT TITLE; TO PROVIDE LEGISLATIVE INTENT; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 47, TITLE 63, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE A VENTURE CAPITAL TAX CREDIT, TO PROVIDE LIMITATIONS AND OTHER PROVISIONS ON CREDITS AGAINST INCOME TAXES AND TO PROVIDE FOR ADMINISTRATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION AND A SUNSET DATE.

**HOUSE BILL NO. 687  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO FEES; AMENDING SECTION 1-1623, IDAHO CODE, TO PROVIDE AN ADDITIONAL SOURCE OF MONEYS FOR THE IDAHO STATEWIDE TRIAL COURT AUTOMATED RECORDS SYSTEM TECHNOLOGY FUND; AMENDING SECTION 1-1625, IDAHO CODE, TO PROVIDE AN ADDITIONAL SOURCE OF MONEYS FOR THE DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT SERVICES FUND; AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION

31-3201H, IDAHO CODE, TO ESTABLISH AN EMERGENCY SURCHARGE FEE AND TO REQUIRE THE DEPOSIT OF SUCH FEES INTO CERTAIN FUNDS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 688  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO THE DIVISION OF PURCHASING; AMENDING SECTION 67-5716, IDAHO CODE, TO DEFINE A TERM AND TO PROVIDE AN EXCLUSION FROM A DEFINITION; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5728, IDAHO CODE, TO PROVIDE REQUIREMENTS RELATING TO PROCURING AND PURCHASING PROPERTY BY CERTAIN STATE INSTITUTIONS OF HIGHER EDUCATION; AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 689  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE STATE TREASURER FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2011; PROVIDING FOR THE RECOVERY OF BANKING SERVICES COSTS TO THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REQUIRING THAT CERTAIN MONEYS BE EXPENDED FOR BANK SERVICE FEES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 690  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 691  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO AMBULANCE SERVICE; AMENDING SECTION 31-3908, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE AUTHORIZATION TO LEVY A SPECIAL TAX IN CERTAIN COUNTIES WHERE AN AMBULANCE SERVICE DISTRICT WAS CREATED; AND DECLARING AN EMERGENCY.

[H 686](#), [H 687](#), [H 688](#), [H 689](#), [H 690](#), and [H 691](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1354](#), as amended in the House, and [S 1376](#), as amended in the House, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

[H 541](#), as amended, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

[H 665](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

#### Second Reading of Bills and Joint Resolutions

[HCR 64](#), [H 673](#), and [H 680](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 674](#) and [H 653](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

[H 677](#), [H 678](#), and [H 679](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1378](#), as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1404](#), [S 1405](#), and [S 1406](#), by Finance Committee, were read the second time by title and filed for third reading.

[H 400](#), as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

[H 668](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 38(3), Mr. Simpson disclosed a conflict of interest regarding [H 668](#).

The question being, "Shall [H 668](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 50.

NAYS – Andrus, Barrett, Boyle, Collins, Crane, Durst, Hart, Harwood, Kren, Labrador, Nielsen, Nonini, Palmer, Schaefer, Shepherd(08), Takasugi, Thayn. Total – 17.

Absent and excused – Clark, Jarvis, Lake. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 668](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 669](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 669](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor,

Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 61.

NAYS – Barrett, Durst, Harwood, Schaefer, Wood(35). Total – 5.

Absent and excused – Boe, Clark, Jarvis, Lake. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 669](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 670](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

At this time, Mrs. Boe took the Chair.

The question being, "Shall [H 670](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Jarvis, Lake, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 670](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 671](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall [H 671](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Boe, Chavez, Chew, Durst, Ruchti, Rusche, Saylor. Total – 7.

Absent and excused – Clark, Jarvis, Lake, Roberts. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 671](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 573](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hart to open debate.

The question being, "Shall [H 573](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Clark, Collins, Crane, Cronin, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Bell, Chavez, Durst, Gibbs, Killen, Pasley-Stuart, Pence, Smith(24), Takasugi. Total – 9.

Absent and excused – Chew, Jarvis, Lake. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 573](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:30 p.m.

RECESS  
Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Chew, Lake, Wood(35). Total – 3.

Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

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

**Report of Standing Committees**

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1375](#), as amended, and recommend that it do pass.

LOERTSCHER, Chairman

[S 1375](#), as amended, was filed for second reading.

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

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

**HOUSE BILL NO. 692  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO COMPENSATION OF ELECTIVE OFFICERS; AMENDING SECTION 59-501, IDAHO CODE, TO PROVIDE COMPENSATION FOR ELECTIVE

OFFICERS COMMENCING ON THE FIRST MONDAY IN JANUARY 2011 UNTIL THE FIRST MONDAY IN JANUARY 2012, TO PROVIDE COMPENSATION FOR ELECTIVE OFFICERS COMMENCING ON THE FIRST MONDAY IN JANUARY 2012 UNTIL THE FIRST MONDAY IN JANUARY 2013, TO PROVIDE COMPENSATION FOR THE GOVERNOR AND TO PROVIDE COMPENSATION FOR CERTAIN OTHER ELECTIVE OFFICERS AS A PERCENTAGE OF THE GOVERNOR'S COMPENSATION COMMENCING ON THE FIRST MONDAY IN JANUARY 2013 UNTIL THE FIRST MONDAY IN JANUARY 2014, TO PROVIDE COMPENSATION FOR THE GOVERNOR AND TO PROVIDE COMPENSATION FOR CERTAIN OTHER ELECTIVE OFFICERS AS A PERCENTAGE OF THE GOVERNOR'S COMPENSATION COMMENCING ON THE FIRST MONDAY IN JANUARY 2014 UNTIL THE FIRST MONDAY IN JANUARY 2015.

**HOUSE BILL NO. 693  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO ABORTION; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-616, IDAHO CODE, TO PROHIBIT CERTAIN CONDUCT RELATING TO SEX-SELECTION AND RACE-SELECTION ABORTIONS, TO PROVIDE FOR VIOLATIONS AND PENALTIES, TO PROVIDE THAT THE ATTORNEY GENERAL MAY SEEK INJUNCTIVE RELIEF, TO PROVIDE FOR CIVIL CAUSES OF ACTION, TO PROVIDE REPORTING REQUIREMENTS AND TO PROVIDE AN EXCEPTION TO PROSECUTION AND CIVIL LIABILITY; AND AMENDING SECTION 18-616, IDAHO CODE, TO REDESIGNATE THE SECTION.

[H 692](#) and [H 693](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Motions, Memorials, and Resolutions**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 673](#) 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 673](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, Kren, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 56.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Barrett, Burgoyne, Chew, Clark, Collins, Jaquet, King, Labrador, Lake, Ringo, Roberts, Wood(35). Total – 13.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 673](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 673](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, Kren, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – None.

Absent and excused – Anderson, Barrett, Burgoyne, Chew, Clark, Collins, King, Labrador, Lake, Patrick, Ringo, Wood(35). Total – 12.

Total – 70.

Whereupon the Speaker declared that [H 673](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

### Third Reading of Bills and Joint Resolutions

[H 633](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 633](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 51.

NAYS – Boe, Chavez, Cronin, Durst, Jaquet, Killen, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30), Smith(24). Total – 14.

Absent and excused – Anderson, Chew, Clark, Lake, Wood(35). Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 633](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 586](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Smith(30) to open debate.

The question being, "Shall [H 586](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Chew, Clark, Lake, Wood(35). Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 586](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 407](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 407](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 62.

NAYS – Barrett, Harwood, Schaefer. Total – 3.

Absent and excused – Chew, Clark, Lake, Mathews, Wood(35). Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 407](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 532](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

Mr. Nielsen asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of [H 532](#), as amended. There being no objection it was so ordered.

The question being, "Shall [H 532](#), as amended, pass?"

Roll call resulted as follows:

AYES – Bedke, Black, Block, Boe, Boyle, Chadderdon, Chavez, Gibbs, Hagedorn, Jaquet, Kren, Moyle, Palmer, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Smith(30), Stevenson, Trail, Wills, Wood(27), Mr. Speaker. Total – 25.





# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY  
FRIDAY, MARCH 19, 2010

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent and excused – Chew, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills. Total – 7.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Rebecka Seward, Page.

### Approval of Journal

March 19, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 18, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 494](#), [H 484](#), [H 446](#), [H 450](#), [H 411](#), [H 408](#), [H 514](#), [H 483](#), [H 481](#), [H 468](#), [H 410](#), [H 409](#), and [H 472](#)

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

March 18, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1313](#), [S 1314](#), [S 1321](#), [S 1353](#), and [S 1355](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1313](#), [S 1314](#), [S 1321](#), [S 1353](#), and [S 1355](#) and, when so signed, ordered them returned to the Senate.

March 18, 2010

Mr. Speaker:

I transmit herewith [S 1400](#) which has passed the Senate.

WOOD, Secretary

[S 1400](#) was filed for first reading.

March 18, 2010

Mr. Speaker:

I transmit herewith [S 1409](#) which has passed the Senate.

WOOD, Secretary

[S 1409](#) was filed for first reading.

March 18, 2010

Mr. Speaker:

I return herewith [H 467](#), [H 477](#), [H 526](#), [H 527](#), [H 625](#), [H 626](#), [H 490](#), [H 557](#), [H 559](#), [H 599](#), and [H 498](#) which have passed the Senate.

WOOD, Secretary

[H 467](#), [H 477](#), [H 526](#), [H 527](#), [H 625](#), [H 626](#), [H 490](#), [H 557](#), [H 559](#), [H 599](#), and [H 498](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 18, 2010

Mr. Speaker:

I return herewith [H 529](#), [H 558](#), as amended, [H 457](#), [H 486](#), [H 540](#), [H 564](#), [H 642](#), [H 521](#), [H 522](#), [H 588](#), [H 648](#), [H 641](#), [H 649](#), [H 508](#), [H 556](#), as amended, [H 495](#), as amended, and [H 610](#) which have passed the Senate.

WOOD, Secretary

[H 529](#), [H 558](#), as amended, [H 457](#), [H 486](#), [H 540](#), [H 564](#), [H 642](#), [H 521](#), [H 522](#), [H 588](#), [H 648](#), [H 641](#), [H 649](#), [H 508](#), [H 556](#), as amended, [H 495](#), as amended, and [H 610](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 19, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 686](#), [H 687](#), [H 688](#), [H 689](#), [H 690](#), [H 691](#), [H 692](#), and [H 693](#).

CLARK, Chairman

[H 686](#) was referred to the Revenue and Taxation Committee.

[H 688](#), [H 692](#), and [H 693](#) were referred to the State Affairs Committee.

[H 687](#), [H 689](#), [H 690](#), and [H 691](#) were filed for second reading.

March 19, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 46](#), [H 510](#), [H 561](#), [H 470](#), [H 480](#), as amended, [H 518](#), [H 579](#), [H 466](#), [H 517](#), [H 519](#), [H 538](#), [H 474](#), [H 445](#), [H 431](#), [H 560](#), [H 553](#), [H 476](#), and [H 424](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 46](#), [H 510](#), [H 561](#), [H 470](#), [H 480](#), as amended, [H 518](#),

[H 579](#), [H 466](#), [H 517](#), [H 519](#), [H 538](#), [H 474](#), [H 445](#), [H 431](#), [H 560](#), [H 553](#), [H 476](#), and [H 424](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 19, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 54](#), [HCR 41](#), [HCR 57](#), and [HJM 11](#) to the Secretary of State at 4:06 p.m., as of this date, March 18, 2010.

CLARK, Chairman

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 631](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 631](#) was placed on General Orders for consideration.

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 675](#) and [S 1345](#), as amended, and recommend that they do pass.

TRAIL, Chairman

[H 675](#) and [S 1345](#), as amended, were filed for second reading.

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

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

##### **HOUSE BILL NO. 694 BY APPROPRIATIONS COMMITTEE AN ACT**

REDUCING THE APPROPRIATION TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

##### **HOUSE BILL NO. 695 BY APPROPRIATIONS COMMITTEE AN ACT**

REDUCING THE APPROPRIATION TO THE SECRETARY OF STATE FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

##### **HOUSE BILL NO. 696 BY APPROPRIATIONS COMMITTEE AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT

POSITIONS; REAPPROPRIATING CERTAIN FUNDS FOR CAPITAL OUTLAY; EXEMPTING THE DEPARTMENT FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS; PROVIDING AUTHORITY TO SPEND CERTAIN RECEIPTS; AND DECLARING AN EMERGENCY.

[H 694](#), [H 695](#), and [H 696](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1400](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1409](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

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

#### **Second Reading of Bills and Joint Resolutions**

[H 683](#) and [H 685](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 684](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 637](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1305](#), as amended, and [S 1365](#), as amended, by Education Committee, were read the second time by title and filed for third reading.

[S 1327](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[S 1357](#), by Transportation Committee, was read the second time by title and filed for third reading.

[H 615](#) and [H 665](#), as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[S 1354](#), as amended in the House, [S 1376](#), as amended in the House, and [S 1375](#), as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

[H 541](#), as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

#### **Third Reading of Bills and Joint Resolutions**

Mr. Roberts asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the legislative day. There being no objection, it was so ordered.

[H 677](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 677](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen,

King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 59.

NAYS – Durst. Total – 1.

Absent and excused – Bedke, Black, Chew, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 10.  
Total – 70.

Whereupon the Speaker declared that [H 677](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 678](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

At this time, Mr. Moyle took the Chair.

The question being, "Shall [H 678](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27). Total – 55.

NAYS – Clark, Durst, Hart, Harwood, Schaefer. Total – 5.

Absent and excused – Bedke, Chew, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35), Mr. Speaker. Total – 10.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 678](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 679](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall [H 679](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Jarvis, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Patrick, Roberts, Shepherd(08), Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27). Total – 39.

NAYS – Boe, Burgoyne, Chavez, Clark, Cronin, Durst, Hart, Harwood, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Smith(30). Total – 20.

Absent and excused – Bedke, Chew, Lake, Loertscher, Nielsen, Raybould, Shepherd(02), Shirley, Wills, Wood(35), Mr. Speaker. Total – 11.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 679](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 640](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini and Mrs. Chavez to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall [H 640](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 59.

NAYS – Hagedorn, Luker. Total – 2.

Absent and excused – Barrett, Chew, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 9.  
Total – 70.

Whereupon the Speaker declared that [H 640](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 645](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 645](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 58.

NAYS – None.

Absent and excused – Barrett, Bayer, Bedke, Chew, Crane, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 12.

Total – 70.

Whereupon the Speaker declared that [H 645](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 646](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 646](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, Kren, Labrador, Luker,

Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Schaefer, Shepherd(08), Simpson, Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 50.

NAYS – Burgoyne, Chavez, Cronin, Durst, Jaquet, King, Ruchti, Rusche, Saylor, Smith(30), Smith(24). Total – 11.

Absent and excused – Barrett, Chew, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 9.  
Total – 70.

Whereupon the Speaker declared that [H 646](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 674](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 674](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 58.

NAYS – Moyle. Total – 1.

Absent and excused – Anderson, Barrett, Boe, Chew, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 11.

Total – 70.

Whereupon the Speaker declared that [H 674](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 680](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 680](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – None.

Absent and excused – Anderson, Chew, Harwood, Lake, Loertscher, Moyle, Raybould, Shepherd(02), Shirley, Wills. Total – 10.

Total – 70.

Whereupon the Speaker declared that [H 680](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 653](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 653](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – None.

Absent and excused – Anderson, Chew, Harwood, Lake, Loertscher, Moyle, Raybould, Shepherd(02), Shirley, Wills. Total – 10.

Total – 70.

Whereupon the Speaker declared that [H 653](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke asked unanimous consent that [H 400](#), as amended in the Senate, retain its place on the Third Reading Calendar until Monday, March 22, 2010. There being no objection, it was so ordered.

[HCR 64](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 64](#) be adopted?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Roberts, Schaefer, Shepherd(08), Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 46.

NAYS – Boe, Burgoyne, Chavez, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30). Total – 16.

Absent and excused – Anderson, Chew, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills. Total – 8.

Total – 70.

Whereupon the Speaker declared [HCR 64](#) adopted and ordered the resolution transmitted to the Senate.

[S 1404](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1404](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Clark,

Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, Higgins, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Schaefer. Total – 1.

Absent and excused – Anderson, Boyle, Chew, Hartgen, Jaquet, Lake, Loertscher, Mathews, Raybould, Shepherd(02), Shirley, Smith(24), Wills. Total – 13.

Total – 70.

Whereupon the Speaker declared that [S 1404](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1405](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1405](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 59.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Chew, Lake, Loertscher, Raybould, Shepherd(02), Shepherd(08), Shirley, Wills, Wood(35). Total – 10.

Total – 70.

Whereupon the Speaker declared that [S 1405](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1406](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1406](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, King, Kren, Labrador, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 53.

NAYS – Cronin, Durst, Killen, Pasley-Stuart. Total – 4.

Absent and excused – Anderson, Chew, Crane, Henderson, Lake, Loertscher, Mathews, Raybould, Shepherd(02), Shepherd(08), Shirley, Wills, Wood(35). Total – 13.

Total – 70.

Whereupon the Speaker declared that [S 1406](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1402](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1402](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 59.

NAYS – None.

Absent and excused – Anderson, Chew, Crane, Henderson, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 11.

Total – 70.

Whereupon the Speaker declared that [S 1402](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1341](#), as amended in the House, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[S 1341](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1341](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 58.

NAYS – None.

Absent and excused – Anderson, Chew, Hagedorn, Henderson, Lake, Loertscher, Patrick, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 12.

Total – 70.

Whereupon the Speaker declared that [S 1341](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1312](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1312](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 40.

NAYS – None.

Absent and excused – Anderson, Chew, Henderson, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 10.

Total – 70.

Whereupon the Speaker declared that [S 1312](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1359](#) and [S 1330](#), as amended, retain their places on the Third Reading Calendar until Monday, March 22, 2010. There being no objection, it was so ordered.

[S 1370](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall [S 1370](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 59.

NAYS – None.

Absent and excused – Anderson, Bell, Chew, Henderson, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 11.

Total – 70.

Whereupon the Speaker declared that [S 1370](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1248](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1248](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche,

Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 58.

NAYS – None.

Absent and excused – Anderson, Chadderdon, Chew, Henderson, Kren, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 12.

Total – 70.

Whereupon the Speaker declared that [S 1248](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1250](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1250](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 57.

NAYS – None.

Absent and excused – Anderson, Chadderdon, Chew, Henderson, Kren, Lake, Loertscher, Nonini, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 13.

Total – 70.

Whereupon the Speaker declared that [S 1250](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1251](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1251](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 58.

NAYS – None.

Absent and excused – Anderson, Chadderdon, Chew, Henderson, Lake, Loertscher, Nonini, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 12.

Total – 70.

Whereupon the Speaker declared that [S 1251](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1323](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1323](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chavez, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 59.

NAYS – None.

Absent and excused – Anderson, Chadderdon, Chew, Henderson, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 11.

Total – 70.

Whereupon the Speaker declared that [S 1323](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1325](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1325](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Jaquet, Jarvis, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 53.

NAYS – Burgoyne, Chavez, Durst, Higgins, Killen, Ringo. Total – 6.

Absent and excused – Anderson, Chadderdon, Chew, Henderson, Lake, Loertscher, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 11.

Total – 70.

Whereupon the Speaker declared that [S 1325](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1324](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall [S 1324](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chavez, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen,

Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 55.

NAYS – None.

Absent and excused – Anderson, Chadderdon, Chew, Clark, Henderson, Lake, Loertscher, McGeachin, Raybould, Shepherd(02), Shepherd(08), Shirley, Smith(24), Wills, Wood(35). Total – 15.

Total – 70.

Whereupon the Speaker declared that [S 1324](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1366](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1366](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chavez, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Chadderdon, Chew, Clark, Henderson, Labrador, Lake, Loertscher, McGeachin, Raybould, Shepherd(02), Shirley, Wills, Wood(35). Total – 14.

Total – 70.

Whereupon the Speaker declared that [S 1366](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, March 22, 2010. Seconded by Mr. Rusche. Motion carried.

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

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY  
MONDAY, MARCH 22, 2010

House of Representatives

The House convened at 10 a.m., Mr. Moyle in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jonathan Bertsch, Page.

### Approval of Journal

March 22, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 19, 2010

Mr. Speaker:

I return herewith enrolled [HJR 4](#), [HJR 5](#), [HJR 7](#), [H 471](#), [H 449](#), [H 469](#), [H 444](#), as amended, [H 464](#), [H 465](#), [H 482](#), [H 513](#), [H 416](#), [H 516](#), [H 456](#), [H 458](#), [H 478](#), [H 525](#), [H 415](#), [H 417](#), [H 463](#), and [H 533](#) which have been signed by the President.

WOOD, Secretary

Enrolled [HJR 4](#), [HJR 5](#), and [HJR 7](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 471](#), [H 449](#), [H 469](#), [H 444](#), as amended, [H 464](#), [H 465](#), [H 482](#), [H 513](#), [H 416](#), [H 516](#), [H 456](#), [H 458](#), [H 478](#), [H 525](#), [H 415](#), [H 417](#), [H 463](#), and [H 533](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 19, 2010

Mr. Speaker:

I transmit herewith [S 1410](#), [S 1344](#), as amended, and [S 1346](#), as amended, which have passed the Senate.

WOOD, Secretary

[S 1410](#), [S 1344](#), as amended, and [S 1346](#), as amended, were filed for first reading.

March 19, 2010

Mr. Speaker:

I return herewith [HCR 61](#) which has passed the Senate.

WOOD, Secretary

[HCR 61](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 694](#), [H 695](#), and [H 696](#).

CLARK, Chairman

[H 694](#), [H 695](#), and [H 696](#) were filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 467](#), [H 477](#), [H 526](#), [H 527](#), [H 625](#), [H 626](#), [H 490](#), [H 557](#), [H 559](#), [H 599](#), [H 498](#), [H 529](#), [H 558](#), as amended, [H 457](#), [H 486](#), [H 540](#), [H 564](#), [H 642](#), [H 521](#), [H 522](#), [H 588](#), [H 648](#), [H 641](#), [H 649](#), [H 508](#), [H 556](#), as amended, [H 495](#), as amended, and [H 610](#).

CLARK, Chairman

The Speaker Pro Tem announced the Speaker was about to sign enrolled [H 467](#), [H 477](#), [H 526](#), [H 527](#), [H 625](#), [H 626](#), [H 490](#), [H 557](#), [H 559](#), [H 599](#), [H 498](#), [H 529](#), [H 558](#), as amended, [H 457](#), [H 486](#), [H 540](#), [H 564](#), [H 642](#), [H 521](#), [H 522](#), [H 588](#), [H 648](#), [H 641](#), [H 649](#), [H 508](#), [H 556](#), as amended, [H 495](#), as amended, and [H 610](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 681](#) and [S 1320](#), as amended, and recommend that they do pass.

BLOCK, Chairman

[H 681](#) and [S 1320](#), as amended, were filed for second reading.

March 18, 2010

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [H 667](#) and report it back with amendments attached to be placed on General Orders for consideration.

RAYBOULD, Chairman

[H 667](#) was placed on General Orders for consideration.

March 19, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [S 1340](#), as amended, [S 1382](#), as amended, [S 1383](#), as amended, and [S 1384](#) and recommend that they do pass.

CLARK, Chairman

[S 1340](#), as amended, [S 1382](#), as amended, [S 1383](#), as amended, and [S 1384](#) were filed for second reading.

March 19, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1301](#) and recommend that it do pass.

BLOCK, Chairman

[S 1301](#) was filed for second reading.

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

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

**HOUSE BILL NO. 697  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 698  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT REGARDING A SOFTWARE CONTRACT; EXPRESSING LEGISLATIVE INTENT REQUIRING QUARTERLY TAX COMPLIANCE REPORTS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 699  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO SCHOOL DISTRICTS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-357, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE FOR SCHOOL DISTRICTS AND OTHER EDUCATION PROVIDERS TO CREATE AN INTERNET BASED EXPENDITURE SITE.

**HOUSE BILL NO. 700  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO EMPLOYEES OF SCHOOL DISTRICTS; AMENDING SECTION 33-1208, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION PROFESSIONAL STANDARDS COMMISSION MAY TAKE CERTAIN ACTIONS ON CERTAIN CERTIFICATES, TO PROVIDE THAT THE STATE BOARD OF EDUCATION PROFESSIONAL STANDARDS COMMISSION SHALL

PERMANENTLY REVOKE CERTAIN CERTIFICATES, TO PROVIDE THAT THE STATE BOARD OF EDUCATION PROFESSIONAL STANDARDS COMMISSION MAY INVESTIGATE ANY ALLEGATION OF CERTAIN CONDUCT AND TO PROVIDE THAT THE STATE BOARD OF EDUCATION PROFESSIONAL STANDARDS COMMISSION MAY DENY THE ISSUANCE OF A CERTIFICATE FOR ANY REASON THAT WOULD BE A GROUND FOR REVOCATION OR SUSPENSION; AMENDING SECTION 33-1209, IDAHO CODE, TO REVISE PROCEDURES, PROCESSES AND FEES BEFORE THE PROFESSIONAL STANDARDS COMMISSION, TO DEFINE THE TERM "TEACHER" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1210, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE FOR AN APPLICANT FOR EMPLOYMENT AT A SCHOOL DISTRICT TO SIGN A RELEASE THAT PRIOR PERSONNEL FILES SHALL BE RELEASED TO THE DISTRICT, TO PROVIDE IMMUNITY FROM LIABILITY AND TO PROVIDE PENALTIES FOR DISCLOSURE OF INFORMATION; AND AMENDING SECTION 33-1211, IDAHO CODE, TO DELETE REFERENCE TO A PREVIOUSLY REPEALED CODE SECTION.

[H 697](#), [H 698](#), [H 699](#), and [H 700](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1344](#), as amended, and [S 1346](#), as amended, by Agricultural Affairs Committee, were introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

[S 1410](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

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

**Second Reading of Bills and Joint Resolutions**

[H 687](#) and [H 675](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

[H 689](#) and [H 690](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 691](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[S 1345](#), as amended, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[S 1409](#), by Finance Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 683](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

The question being, "Shall [H 683](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez,

Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Bayer, Labrador, Stevenson, Mr. Speaker. Total – 4.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 683](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 685](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall [H 685](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 68.

NAYS – None.

Absent and excused – Stevenson, Mr. Speaker. Total – 2.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 685](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Roberts asked unanimous consent that [H 400](#), as amended in the Senate, be placed immediately following [H 665](#), as amended, on the Third Reading Calendar. There being no objection, it was so ordered.

[H 684](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Anderson to open debate.

The question being, "Shall [H 684](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 67.

NAYS – None.

Absent and excused – Black, Stevenson, Mr. Speaker. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 684](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 637](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall [H 637](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 67.

NAYS – None.

Absent and excused – Black, Stevenson, Mr. Speaker. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 637](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 615](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Saylor to open debate.

The question being, "Shall [H 615](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Black, Stevenson. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 615](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 541](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hart to open debate.

The question being, "Shall [H 541](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Chavez, Chew, Cronin, Killen, Pasley-Stuart, Ringo, Saylor, Smith(30), Smith(24), Trail. Total – 10.

Absent and excused – Black, Stevenson. Total – 2.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 541](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 665](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall [H 665](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Black, Stevenson. Total – 2.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 665](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 400](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

Pursuant to Rule 38(3), Mr. Durst disclosed a conflict of interest regarding [H 400](#), as amended in the Senate.

Pursuant to Rule 38(3), Mr. Rusche disclosed a conflict of interest regarding [H 400](#), as amended in the Senate.

Pursuant to Rule 38(3), Ms. Chew disclosed a conflict of interest regarding [H 400](#), as amended in the Senate.

The question being, "Shall [H 400](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Killen, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, King, Lake, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30), Trail. Total – 19.

Total – 70.

Whereupon the Speaker Pro Tem declared [H 400](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

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

### Motions, Memorials, and Resolutions

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 687](#) 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 687](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 687](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz and Mr. Wills to open debate.

The question being, "Shall [H 687](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Palmer,

Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Barrett, Clark, Crane, Hart, Harwood, Kren, Labrador, Marriott, Nielsen, Nonini, Schaefer, Shepherd(08). Total – 12.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 687](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 689](#) 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 689](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 689](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall [H 689](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Chavez. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 689](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 690](#) 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 690](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 690](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall [H 690](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker Pro Tem declared that [H 690](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 691](#) 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 691](#) be

read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 691](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 691](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker Pro Tem declared that [H 691](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 675](#) 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 675](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer,

Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 675](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Andrus to open debate.

The question being, "Shall [H 675](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Barrett, Hart, McGeachin. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 675](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

### Third Reading of Bills and Joint Resolutions

[S 1359](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood(35) to open debate.

The question being, "Shall [S 1359](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker Pro Tem declared that [S 1359](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1330](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1330](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 68.

NAYS – Patrick. Total – 1.

Absent and excused – Wood(35). Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1330](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1378](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hagedorn to open debate.

Pursuant to Rule 38(3), Mr. Wills disclosed a conflict of interest regarding [S 1378](#), as amended.

The question being, "Shall [S 1378](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker Pro Tem declared that [S 1378](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1305](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Thayn to open debate.

The question being, "Shall [S 1305](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins,

Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Shirley. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1305](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

### Adjournment

Mr. Bedke moved that the House adjourn until 10 a.m., Tuesday, March 23, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:08 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY  
TUESDAY, MARCH 23, 2010

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katie Vincent, Page.

### Approval of Journal

March 23, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 22, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 544](#)

As Always - Idaho, "Esto Perpetua"  
/s/ Brad Little  
Acting Governor of Idaho

March 22, 2010

Mr. Speaker:

I return herewith enrolled [HCR 46](#), [H 510](#), [H 561](#), [H 470](#), [H 480](#), as amended, [H 518](#), [H 579](#), [H 466](#), [H 517](#), [H 519](#), [H 538](#), [H 474](#), [H 445](#), [H 431](#), [H 560](#), [H 553](#), [H 476](#), and [H 424](#) which have been signed by the President.

WOOD, Secretary

Enrolled [HCR 46](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 510](#), [H 561](#), [H 470](#), [H 480](#), as amended, [H 518](#), [H 579](#), [H 466](#), [H 517](#), [H 519](#), [H 538](#), [H 474](#), [H 445](#), [H 431](#), [H 560](#), [H 553](#), [H 476](#), and [H 424](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 22, 2010

Mr. Speaker:

I transmit herewith [S 1408](#), [S 1412](#), [S 1413](#), [S 1403](#), [S 1407](#), [S 1415](#), [S 1416](#), [S 1389](#), as amended, and [S 1397](#), as amended, which have passed the Senate.

WOOD, Secretary

[S 1408](#), [S 1412](#), [S 1413](#), [S 1403](#), [S 1407](#), [S 1415](#), [S 1416](#), [S 1389](#), as amended, and [S 1397](#), as amended, were filed for first reading.

March 22, 2010

Mr. Speaker:

I transmit herewith [S 1418](#) which has passed the Senate.

WOOD, Secretary

[S 1418](#) was filed for first reading.

### Report of Standing Committees

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 697](#), [H 698](#), [H 699](#), and [H 700](#).

CLARK, Chairman

[H 697](#), [H 698](#), [H 699](#), and [H 700](#) were filed for second reading.

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 61](#) and [H 400](#), as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 61](#) and [H 400](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HJR 4](#), [HJR 5](#), and [HJR 7](#) to the Secretary of State at 1:36 p.m., as of this date, March 22, 2010.

CLARK, Chairman

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 471](#), [H 449](#), [H 469](#), [H 444](#), as amended, [H 464](#), [H 465](#), [H 482](#), [H 513](#), [H 416](#), [H 516](#), [H 456](#), [H 458](#), [H 478](#), [H 525](#), [H 415](#), [H 417](#), [H 463](#), and [H 533](#) to the Governor at 1:35 p.m., as of this date, March 22, 2010.

CLARK, Chairman

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 676](#) and [H 692](#) and report



them back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 676](#) and [H 692](#) were placed on General Orders for consideration.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 686](#) and recommend that it do pass.

LAKE, Chairman

[H 686](#) was filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 682](#) and recommend that it do pass.

NONINI, Chairman

[H 682](#) was filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [H 590](#) and recommend that it do pass.

RAYBOULD, Chairman

[H 590](#) was filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1310](#), [S 1399](#), and [S 1400](#) and recommend that they do pass.

BLOCK, Chairman

[S 1310](#), [S 1399](#), and [S 1400](#) were filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1335](#) and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

[S 1335](#) was placed on General Orders for consideration.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [HJM 14](#), [S 1311](#), as amended, [S 1361](#), as amended, and [S 1398](#) and recommend that they do pass.

WOOD, Chairman

[HJM 14](#), [S 1311](#), as amended, [S 1361](#), as amended, and [S 1398](#) were filed for second reading.

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 688](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 688](#) was filed for second reading.

Mr. Roberts asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the legislative session. There being no objection, it was so ordered.

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

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

**HOUSE BILL NO. 701  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AUTHORIZING THE EXPENDITURE OF ALL DEDICATED FUNDS COLLECTED; AUTHORIZING A TRANSFER OF CERTAIN MONEYS APPROPRIATED FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING FOR REAPPROPRIATION OF GENERAL FUNDS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; PROVIDING LEGISLATIVE INTENT FOR MEDICAID PRICING FREEZES; PROVIDING LEGISLATIVE INTENT FOR MEDICAID PROGRAM FLEXIBILITY FOR FISCAL YEAR 2011; PROVIDING LEGISLATIVE INTENT FOR COST CONTAINMENT MEASURES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 702  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PHYSICAL HEALTH SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; EXPRESSING LEGISLATIVE INTENT RELATING TO CERTAIN MILLENNIUM INCOME FUND APPROPRIATIONS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; APPROPRIATING ADDITIONAL MONEYS

TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PHYSICAL HEALTH SERVICES FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PHYSICAL HEALTH SERVICES FOR FISCAL YEAR 2011; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 703**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY AND THE DEPARTMENT OF HEALTH AND WELFARE FOR SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR WITS SYSTEM MODIFICATIONS AND ACCESS TO RECOVERY FUNDING.

**HOUSE BILL NO. 704**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 705**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2011; AND REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES.

**HOUSE BILL NO. 706**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO ATVS, UTVS, SPECIALTY OFF-HIGHWAY VEHICLES AND MOTORBIKES; AMENDING SECTION 49-302, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM LICENSING FOR CERTAIN OPERATORS OF ATVS, UTVS, SPECIALTY OFF-HIGHWAY VEHICLES AND MOTORBIKES, TO REQUIRE CERTAIN UNLICENSED OPERATORS TO COMPLETE A SAFETY COURSE, TO PROVIDE FOR CERTIFICATES OR PROOFS OF COMPLETION AND TO DEFINE A TERM.

**HOUSE BILL NO. 707**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO INCOME TAXATION POLICIES; AMENDING SECTION 63-3024, IDAHO CODE, TO REVISE INDIVIDUAL INCOME TAX RATES AND THE RATE OF TAX ON ESTATES AND TRUSTS; AMENDING SECTION 63-3025, IDAHO CODE, TO REVISE CORPORATE INCOME TAX RATES; AMENDING SECTION 63-3025A, IDAHO CODE, TO REVISE FRANCHISE TAX RATES; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 708**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 39-5606, IDAHO CODE, TO REMOVE A SUPPLEMENTAL COMPONENT AND TO PROVIDE FOR AN ADJUSTMENT TO PAYMENTS UNDER CERTAIN CONDITIONS; AMENDING SECTION 56-102, IDAHO CODE, TO REVISE DATES FOR DECREASING EACH SKILLED CARE FACILITY'S QUARTERLY RATE, TO REMOVE PROVISIONS REGARDING INCENTIVE PAYMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-113, IDAHO CODE, TO REVISE THE REIMBURSEMENT RATE FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED AND TO REMOVE A PROSPECTIVE RATE COMPONENT; AMENDING SECTION 56-136, IDAHO CODE, TO REVISE A DATE THROUGH WHICH A CERTAIN REIMBURSEMENT RATE SHALL REMAIN CONSTANT; AMENDING SECTION 56-209g, IDAHO CODE, TO REMOVE A POLICY STATEMENT WITH REGARD TO REDUCTION OF PHARMACY REIMBURSEMENT LEVELS FOR MEDICAID AND TO PROVIDE FOR A PERIODIC COST SURVEY TO ESTABLISH A PHARMACY REIMBURSEMENT FEE SCHEDULE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 709**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE; TO PROVIDE FOR THE APPLICATION OF CERTAIN EXPIRED PROVISIONS OF THE INTERNAL REVENUE CODE WHEN EXTENDED BY CONGRESS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 710**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 711**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS FROM THE PERMANENT BUILDING FUND TO THE DIVISION OF PUBLIC WORKS FOR THE VARIOUS PURPOSES SPECIFIED; EXPRESSING LEGISLATIVE INTENT CONCERNING THE USE OF MONEYS APPROPRIATED IN THIS ACT; EXEMPTING

THE APPROPRIATIONS FROM THE PROVISIONS OF CHAPTER 36, TITLE 67, IDAHO CODE, AND FROM THE PROVISIONS OF SECTION 67-3516, IDAHO CODE; AND AUTHORIZING THE USE OF TAX ANTICIPATION NOTES.

**HOUSE BILL NO. 712**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

REDUCING THE APPROPRIATION TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON SHARING OFFICE SPACE; AND DECLARING AN EMERGENCY.

[H 701](#), [H 702](#), [H 703](#), [H 704](#), [H 705](#), [H 706](#), [H 707](#), [H 708](#), [H 709](#), [H 710](#), [H 711](#), and [H 712](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1408](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1403](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1407](#), by Finance Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1389](#), as amended, and [S 1397](#), as amended, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1412](#), [S 1413](#), [S 1415](#), [S 1416](#), and [S 1418](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

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

**Second Reading of Bills and Joint Resolutions**

[H 694](#), [H 695](#), and [H 696](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 681](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1320](#), as amended, and [S 1301](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1340](#), as amended, [S 1382](#), as amended, [S 1383](#), as amended, and [S 1384](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1410](#), by Finance Committee, was read the second time by title and filed for third reading.

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

**Motions, Memorials, and Resolutions**

Mr. Nonini asked unanimous consent that [H 650](#) be returned to the Education Committee from General Orders. There being no objection, it was so ordered.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 694](#) 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 694](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 694](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 694](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 694](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 695](#) 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 695](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 695](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 695](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 695](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 696](#) 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 696](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne,

Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 696](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

Mr. Durst asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of [H 696](#). There being no objection it was so ordered.

The question being, "Shall [H 696](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 696](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 681](#) 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 681](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 681](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 681](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Clark, Nonini. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 681](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1410](#) 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 1410](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1410](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1410](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Clark, Nonini. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [S 1410](#) passed the House. Title was approved and the bill ordered returned to the Senate.

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

### Third Reading of Bills and Joint Resolutions

[S 1409](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1409](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Jaquet, Jarvis, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Burgoyne, Chavez, Cronin, Durst, Higgins, King, Pasley-Stuart, Ruchti, Saylor, Trail. Total – 10.

Absent and excused – Clark, Henderson. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [S 1409](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1365](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1365](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley,

Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1365](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1327](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 38(3), Mr. Nonini disclosed a conflict of interest regarding [S 1327](#).

Pursuant to Rule 38(3), Mr. Nielsen disclosed a conflict of interest regarding [S 1327](#).

Pursuant to Rule 38(3), Mr. Jarvis disclosed a conflict of interest regarding [S 1327](#).

The question being, "Shall [S 1327](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Bell, Clark. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1327](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1357](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1357](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Clark, Wills. Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1357](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1354](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [S 1354](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Simpson. Total – 1.

Absent and excused – Black, Clark, Harwood, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1354](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1376](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1376](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Harwood, Shepherd(08), Thompson, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1376](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1375](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1375](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Clark, McGeachin, Nonini, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1375](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1345](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1345](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Burgoyne. Total – 1.

Absent and excused – Clark, Kren, McGeachin, Nonini, Thompson. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1345](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[SCR 119](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [SCR 119](#) be adopted?"

Whereupon the Speaker declared [SCR 119](#) adopted by voice vote and ordered the resolution returned to the Senate.

[SCR 120](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [SCR 120](#) be adopted?"

Whereupon the Speaker declared [SCR 120](#) adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Moyle asked unanimous consent that [SCR 124](#) retain its place on the Third Reading Calendar until Friday, March 26, 2010. There being no objection, it was so ordered.

[SCR 115](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [SCR 115](#) be adopted?"

Whereupon the Speaker declared [SCR 115](#) adopted by voice vote and ordered the resolution returned to the Senate.

[SCR 113](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [SCR 113](#) be adopted?"

Whereupon the Speaker declared [SCR 113](#) adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Moyle moved that the House recess until 1 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Barrett. Total – 1.

Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

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

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

#### HOUSE BILL NO. 713 BY APPROPRIATIONS COMMITTEE

#### AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2011.

[H 713](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

#### Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

March 23, 2010

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 631](#), [H 667](#), [H 676](#), [H 692](#), and [S 1335](#) and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO H.B. NO. 631

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 39 through 42; on page 2, delete lines 1 through 5, and insert: "and (g)(4) apply. If the court so finds, the clerk of the court shall forward a"; in line 11, following "the" insert: "magistrate division of the"; in line 12, following "or the" insert: "magistrate division of the"; in line 13, delete "for relief from the order and"; in line 14, following "disabilities" insert: "as provided in section 105(a) of P.L. 110-180".

##### CORRECTION TO TITLE

On page 1, delete lines 5 through 7, and insert: "APPLIES TO PERSONS IN SPECIFIED CASES, TO PROVIDE FOR".

#### HOUSE AMENDMENT TO H.B. NO. 667

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 31 through 41; and on page 2, delete lines 1 and 2, and insert:

"(5) Public health districts shall have all proposed rules regarding environmental protection or programs administered by the department of environmental quality submitted for review and comment to the state board of environmental quality and such rules must be approved by adoption of a concurrent resolution by both houses of the legislature or such rules shall expire at the conclusion of a regular session of the legislature. It is the intent of the legislature that standards and rules relating to subsurface sewage systems, wastewater treatment, sewage systems and water quality be consistent statewide."

##### AMENDMENT TO THE BILL

On page 2, following line 2, insert:

"SECTION 2. That, having found that the following rules violate the legislative intent of the statute under which the rules were adopted, IDAPA 41.01.01.901; IDAPA 41.01.01.100.02; and IDAPA 41.01.01.100.06 shall be null, void and of no force and effect at the conclusion of the Second Regular Session of the Sixtieth Idaho Legislature.

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."

##### CORRECTION TO TITLE

On page 1, delete lines 3 through 6, and insert: "PROVIDE THAT CERTAIN RULES OF THE PUBLIC HEALTH DISTRICTS BE SUBMITTED FOR REVIEW AND COMMENT BY THE STATE BOARD OF ENVIRONMENTAL QUALITY, TO PROVIDE THAT SUCH RULES EXPIRE AT THE END OF A REGULAR SESSION OF THE LEGISLATURE IF NOT APPROVED BY CONCURRENT RESOLUTION AND TO PROVIDE LEGISLATIVE INTENT REGARDING CERTAIN RULES; DECLARING CERTAIN RULES NULL, VOID AND OF NO FORCE AND EFFECT

AT THE END OF THE SECOND REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE; AND DECLARING AN EMERGENCY."

#### HOUSE AMENDMENT TO H.B. NO. 676

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 1, following "(1)" delete "(a)"; in line 7, delete "(b)" and insert: "(2)"; in line 8, following "(1)" delete "(a)"; and delete lines 14 through 49.

##### CORRECTION TO TITLE

On page 1, in line 6, following "FORMS" delete "," and insert: "AND"; in line 7, following "FORMS" delete ", TO" and insert: "."; and delete lines 8 through 15.

#### HOUSE AMENDMENT TO H.B. NO. 692

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 6, delete "\$121,000" and insert: "\$117,000"; and in line 27, delete "\$125,000" and insert: "\$119,000".

#### HOUSE AMENDMENT TO S.B. NO. 1335

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, delete "voluntary" and insert: "voluntary"; in line 21, delete "voluntary" and insert: "voluntary"; and delete lines 27 through 31, and insert:

"(2) The name of a child ~~or~~ and information relating to the immunization status of that child ~~may~~ shall be collected ~~or~~ and included in the registry ~~only upon the separate and specific written authorization of~~ unless a parent, guardian or other person legally responsible for the care of the child chooses not to have the child included in the registry upon a specified written".

##### AMENDMENT TO THE BILL

On page 2, following line 38, insert:

"SECTION 2. That Section 39-4804, Idaho Code, be, and the same is hereby amended to read as follows:

39-4804. NOTIFICATION TO PARENT OR GUARDIAN. (1) Before an immunization is administered to any child in this state, the parent or guardian of the child shall be notified that:

(~~4~~a) Immunizations are not mandatory and may be refused on religious or other grounds;

(~~2~~b) Participation in the immunization registry is voluntary;

(~~3~~c) The parent or guardian is entitled to an accurate explanation of the complications known to follow such immunization.

(2) At the time information is initially collected regarding any child for entry into the registry created pursuant to this chapter, the parent or guardian shall be notified that:

(a) They have the right under Idaho law to submit a statement pursuant to the provisions of sections 39-1118 and 39-4802, Idaho Code, which exempts them from any requirement to have information regarding the child entered into the registry;

(b) At any time they have the right to remove any information from the registry regarding the child; and

(c) Immunizations are not mandatory and may be refused on religious or other grounds.

(3) The decision of a parent or guardian to:

(a) Submit a statement pursuant to the provisions of either section 39-1118(2) or 39-4802(2), Idaho Code;



(b) Remove any information regarding the child from the registry pursuant to the provisions of section 39-4803(4), Idaho Code; or

(c) Refuse the immunization on religious or other grounds; shall not be used in any manner against the interests of the parent or guardian in any administrative, civil or criminal action."

#### CORRECTION TO TITLE

On page 1, in line 3, delete "LANGUAGE REGARDING A VOLUNTARY IMMUNIZATION REGISTRY, TO REMOVE"; in line 10, following "PERSONS" insert: "; AND AMENDING SECTION 39-4804, IDAHO CODE, TO REVISE NOTIFICATION REQUIREMENTS AND TO PROVIDE THAT CERTAIN DECISIONS OF THE PARENT OR GUARDIAN SHALL NOT BE USED AGAINST THE PARENT OR GUARDIAN IN CERTAIN ACTIONS".

We have also had under consideration [S 1352](#), as amended, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

[H 631](#), as amended, [H 667](#), as amended, [H 676](#), as amended, and [H 692](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[S 1335](#), as amended in the House, was filed for first reading.

[S 1352](#), as amended, was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

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

#### Second Reading of Bills and Joint Resolutions

[H 697](#) and [H 698](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 699](#), [H 700](#), [H 682](#), and [HJM 14](#), by Education Committee, were read the second time by title and filed for third reading.

[H 686](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 590](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1310](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[S 1399](#) and [S 1398](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1400](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1311](#), as amended, and [S 1361](#), as amended, by Transportation Committee, were read the second time by title and filed for third reading.

[H 688](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

#### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Wednesday, March 24, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:42 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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SEVENTY-THIRD LEGISLATIVE DAY  
WEDNESDAY, MARCH 24, 2010

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Briana Berreman, Page.

### Approval of Journal

March 24, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 23, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1248](#), [S 1250](#), [S 1251](#), [S 1312](#), [S 1323](#), [S 1324](#), [S 1325](#), [S 1366](#), as amended, [S 1370](#), [S 1402](#), [S 1404](#), [S 1405](#), and [S 1406](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1248](#), [S 1250](#), [S 1251](#), [S 1312](#), [S 1323](#), [S 1324](#), [S 1325](#), [S 1366](#), as amended, [S 1370](#), [S 1402](#), [S 1404](#), [S 1405](#), and [S 1406](#) and, when so signed, ordered them returned to the Senate.

March 23, 2010

Mr. Speaker:

I return herewith enrolled [H 467](#), [H 477](#), [H 527](#), [H 625](#), [H 526](#), [H 626](#), [H 490](#), [H 557](#), [H 559](#), [H 599](#), [H 498](#), [H 529](#), [H 558](#), as amended, [H 457](#), [H 486](#), [H 540](#), [H 564](#), [H 642](#), [H 521](#), [H 522](#), [H 588](#), [H 648](#), [H 641](#), [H 649](#), [H 508](#), [H 556](#), as amended, [H 495](#), as amended, and [H 610](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 467](#), [H 477](#), [H 527](#), [H 625](#), [H 626](#), [H 490](#), [H 526](#), [H 557](#), [H 559](#), [H 599](#), [H 498](#), [H 529](#), [H 558](#), as amended, [H 457](#), [H 486](#), [H 540](#), [H 564](#), [H 642](#), [H 521](#), [H 522](#), [H 588](#), [H 648](#), [H 641](#), [H 649](#), [H 508](#), [H 556](#), as amended, [H 495](#),

as amended, and [H 610](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 23, 2010

Mr. Speaker:

I transmit herewith [S 1417](#) and [S 1425](#) which have passed the Senate.

WOOD, Secretary

[S 1417](#) and [S 1425](#) were filed for first reading.

March 23, 2010

Mr. Speaker:

I transmit herewith [SJR 102](#), [SJR 103](#), and [S 1411](#), as amended, which have passed the Senate.

WOOD, Secretary

[S 1411](#), as amended, was filed for first reading.

Upon presentation of a petition signed by House Leadership, the Speaker waived the provisions of Joint Rule 20, pertaining to the transmittal of proposed constitutional amendments after the fifty-fifth Legislative Day, and [SJR 102](#) and [SJR 103](#) were filed for first reading. The correspondence was ordered filed in the office of the Chief Clerk.

March 24, 2010

Mr. Speaker:

I transmit herewith [S 1401](#), as amended, which has passed the Senate.

WOOD, Secretary

[S 1401](#), as amended, was filed for first reading.

March 23, 2010

Mr. Speaker:

I return herewith [HCR 36](#), [HCR 37](#), [HCR 47](#), [HCR 49](#), [HCR 55](#), [HCR 63](#), and [HCR 58](#) which have passed the Senate.

WOOD, Secretary

[HCR 36](#), [HCR 37](#), [HCR 47](#), [HCR 49](#), [HCR 55](#), [HCR 63](#), and [HCR 58](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 23, 2010

Mr. Speaker:

I return herewith [H 604](#), as amended, [H 428](#), [H 429](#), [H 461](#), [H 537](#), as amended, and [H 502](#) which have passed the Senate.

WOOD, Secretary

[H 604](#), as amended, [H 428](#), [H 429](#), [H 461](#), [H 537](#), as amended, and [H 502](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 23, 2010

Mr. Speaker:

I return herewith [H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, which have passed the Senate.

WOOD, Secretary

[H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, were ordered held at the Desk.

Mr. Jarvis asked unanimous consent that the House concur in the Senate amendments to [H 545](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Thayne asked unanimous consent that the House concur in the Senate amendments to [H 493](#), as amended in the Senate. There being no objection, it was so ordered.

[H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

#### Report of Standing Committees

March 24, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 701](#), [H 702](#), [H 703](#), [H 704](#), [H 705](#), [H 706](#), [H 707](#), [H 708](#), [H 709](#), [H 710](#), [H 711](#), [H 712](#), [H 713](#), and House amendments to [H 631](#), [H 667](#), [H 676](#), [H 692](#), and [S 1335](#).

CLARK, Chairman

[H 701](#), [H 702](#), [H 703](#), [H 704](#), [H 705](#), [H 709](#), [H 710](#), [H 711](#), [H 712](#), and [H 713](#) were filed for second reading.

[H 706](#) was referred to the Transportation and Defense Committee.

[H 707](#) was referred to the Revenue and Taxation Committee.

[H 708](#) was referred to the Health and Welfare Committee.

March 24, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 631](#), as amended, [H 667](#), as amended, [H 676](#), as amended, and [H 692](#), as amended.

CLARK, Chairman

[H 631](#), as amended, [H 667](#), as amended, [H 676](#), as amended, and [H 692](#), as amended, were filed for first reading of engrossed bills.

March 24, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 46](#) to the Secretary of State at 2:40 p.m., as of this date, March 23, 2010.

CLARK, Chairman

March 24, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 510](#), [H 561](#), [H 470](#), [H 480](#), as amended, [H 518](#), [H 579](#), [H 466](#), [H 517](#), [H 519](#), [H 538](#), [H 474](#), [H 445](#), [H 431](#), [H 560](#), [H 553](#), [H 476](#), and [H 424](#) to the Governor at 2:40 p.m., as of this date, March 23, 2010.

CLARK, Chairman

March 24, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [S 1385](#) and [S 1390](#) and recommend that they do pass.

CLARK, Chairman

[S 1385](#) and [S 1390](#) were filed for second reading.

March 24, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1403](#) and [S 1408](#) and recommend that they do pass.

LOERTSCHER, Chairman

[S 1403](#) and [S 1408](#) were filed for second reading.

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

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

##### HOUSE BILL NO. 714 BY APPROPRIATIONS COMMITTEE

AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICE INTEGRATION FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICE INTEGRATION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICE INTEGRATION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; DIRECTING THE HEAD START APPROPRIATIONS FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES FUNDS; AND DECLARING AN EMERGENCY.

##### HOUSE BILL NO. 715 BY APPROPRIATIONS COMMITTEE

AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE CHILDREN'S MENTAL HEALTH PROGRAM AND THE ADULT MENTAL HEALTH PROGRAM; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT SERVICES FUND; DIRECTING AN INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT; LIMITING THE TRANSFER OF TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT ON PROGRAM INTEGRITY; DIRECTING THE USE OF CERTAIN MONEYS IN THE MENTAL HEALTH GRANT PROGRAM; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AND DECLARING AN EMERGENCY.

##### HOUSE BILL NO. 716 BY APPROPRIATIONS COMMITTEE

AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICALLY INDIGENT ADMINISTRATION DIVISION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICALLY INDIGENT ADMINISTRATION DIVISION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING LEGISLATIVE INTENT FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 717**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE DIVISION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS FOR THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE DIVISION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT FOR EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 718**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029H, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE AN INCOME TAX CREDIT FOR QUALIFYING BIOMASS, TO PROVIDE PROCEDURES, TO PROVIDE FOR CARRY FORWARD AUTHORITY, TO PROVIDE FOR APPLICATION OF THE CREDIT, TO PROVIDE THE CREDITS SHALL BE FOR A FIVE YEAR PERIOD AND TO PROVIDE FOR RECAPTURE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 719**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO REVENUE AND TAXATION AND INCOME TAX CREDIT FOR INFRASTRUCTURE AND FACILITIES INVESTMENT; PROVIDING LEGISLATIVE FINDINGS; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR A CREDIT AGAINST CERTAIN TAXES IMPOSED, TO PROVIDE FOR A MAXIMUM ALLOWABLE CREDIT, TO

DEFINE TERMS, TO PROVIDE THAT THE AMOUNT OF THE CREDIT ALLOWED SHALL NOT EXCEED A CERTAIN AMOUNT, TO PROVIDE PROVISIONS RELATING TO CREDIT CARRYOVER, TO PROVIDE PROVISIONS RELATING TO INSTANCES WHERE A GROUP OF CORPORATIONS FILE A COMBINED REPORT, TO PROVIDE FOR RECAPTURE OF CREDIT AND TO PROVIDE FOR RULES; PROVIDING AN EFFECTIVE DATE AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 720**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO ALTERNATIVE ENERGY RESOURCES; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029H, IDAHO CODE, TO PROVIDE A STATE INCOME TAX CREDIT FOR CERTAIN RENEWABLE ENERGY RESOURCES, TO PROVIDE PROCEDURES AND TO DEFINE TERMS; AMENDING SECTION 63-3067, IDAHO CODE, TO PROVIDE FOR REMITTANCE OF MONEYS TO THE OFFICE OF ENERGY RESOURCES; AMENDING CHAPTER 8, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-829, IDAHO CODE, TO PROVIDE STANDARDS FOR CERTAIN BUILDINGS AND EQUIPMENT; PROVIDING AN EFFECTIVE DATE AND PROVIDING A SUNSET CLAUSE.

**HOUSE BILL NO. 721**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

REDUCING THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 722**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICES FOR THE DEVELOPMENTALLY DISABLED FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR COMMUNITY DEVELOPMENTAL DISABILITIES SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICES FOR THE DEVELOPMENTALLY DISABLED FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE

INTENT FOR PROGRAM INTEGRITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 723**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; DIRECTING APPROPRIATIONS FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES FUNDS FOR HEAD START SERVICES; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; DIRECTING THE DEPARTMENT OF HEALTH AND WELFARE REGARDING EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AND DECLARING AN EMERGENCY.

[H 714](#), [H 715](#), [H 716](#), [H 717](#), [H 718](#), [H 719](#), [H 720](#), [H 721](#), [H 722](#), and [H 723](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1335](#), as amended in the House, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

[S 1417](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

[S 1425](#), [SJR 102](#), and [SJR 103](#), by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1411](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

[S 1401](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

**First Reading of Engrossed Bills**

[H 631](#), as amended, [H 676](#), as amended, and [H 692](#), as amended, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

[H 667](#), as amended, by Ways and Means Committee, was introduced, read the first time by title, and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

[S 1412](#), [S 1413](#), [S 1415](#), [S 1416](#), and [S 1418](#), by Finance Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

[H 697](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 697](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Burgoyne, Durst. Total – 2.

Absent and excused – Lake, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 697](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 698](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz and Ms. Jaquet to open debate.

The question being, "Shall [H 698](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Lake, Ruchti, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 698](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 699](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 699](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Chavez, Gibbs, Jaquet, King, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Smith(30), Smith(24), Trail. Total – 12.  
Absent and excused – Lake, Patrick, Ruchti, Wills. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 699](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 700](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis and Mrs. Wood(35) to open debate.

The question being, "Shall [H 700](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Stevenson, Takasugi, Thayn, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 45.

NAYS – Boe, Bolz, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Luker, McGeachin, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Simpson, Smith(30), Thompson, Trail. Total – 22.

Absent and excused – Bayer, Ruchti, Smith(24). Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 700](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 686](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 686](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Clark, Luker. Total – 2.  
Absent and excused – Bayer, Black, Kren, Ruchti. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [H 686](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 682](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 682](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Kren. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 682](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 590](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 38(3), Mr. Nielsen disclosed a conflict of interest regarding [H 590](#).

The question being, "Shall [H 590](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 44.

NAYS – Boe, Burgoyne, Chavez, Chew, Clark, Cronin, Durst, Higgins, Jaquet, Killen, King, Lake, Marriott, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30), Smith(24), Trail. Total – 23.

Absent and excused – Black, Boyle, Wills. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 590](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 688](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 688](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley,

Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.  
NAYS – None.

Absent and excused – Black, Shepherd(08), Wills. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 688](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HJM 14](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall [HJM 14](#) be adopted?"

Whereupon the Speaker declared [HJM 14](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

#### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 701](#) 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 701](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Wills. Total – 2.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 701](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 701](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Collins, Eskridge, Gibbs,

Hartgen, Henderson, Jarvis, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 38.

NAYS – Bayer, Boe, Boyle, Burgoyne, Chavez, Chew, Clark, Crane, Cronin, Durst, Hagedorn, Higgins, Jaquet, Killen, King, Kren, Labrador, Loertscher, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Smith(30), Trail, Wood(35). Total – 30.

Absent and excused – Hart, Harwood. Total – 2.

Paired Votes:

AYE – Roberts NAY – Ruchti

AYE – Mathews NAY – Pence

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [H 701](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 702](#) 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 702](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Wills. Total – 2.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 702](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Mr. Burgoyne asked unanimous consent that, pursuant to Rule 22, discussion of other legislation be allowed in debate of [H 702](#). There being no objection it was so ordered.

The question being, "Shall [H 702](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Jarvis, Kren, Labrador, Lake, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02),





# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY  
THURSDAY, MARCH 25, 2010

House of Representatives

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

Roll call showed 69 members present.

Absent and excused – Shepherd(02). Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Caroline Eggers, Page.

### Approval of Journal

March 25, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 24, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1305](#), as amended, [S 1330](#), as amended, [S 1359](#), and [S 1378](#), as amended, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1305](#), as amended, [S 1330](#), as amended, [S 1359](#), and [S 1378](#), as amended, and, when so signed, ordered them returned to the Senate.

March 24, 2010

Mr. Speaker:

I return herewith enrolled [HCR 61](#) and [H 400](#), as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled [HCR 61](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 400](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 24, 2010

Mr. Speaker:

I transmit herewith [S 1419](#), [S 1420](#), [S 1423](#), [S 1424](#), [S 1426](#), and [S 1427](#) which have passed the Senate.

WOOD, Secretary

[S 1419](#), [S 1420](#), [S 1423](#), [S 1424](#), [S 1426](#), and [S 1427](#) were filed for first reading.

March 24, 2010

Mr. Speaker:

I return herewith [HCR 59](#) which has passed the Senate.

WOOD, Secretary

[HCR 59](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 24, 2010

Mr. Speaker:

I return herewith [H 459](#), [H 602](#), as amended, [H 398](#), [H 438](#), [H 542](#), [H 574](#), [H 425](#), [H 608](#), as amended, [H 596](#), as amended, [H 496](#), [H 555](#), [H 603](#), [H 543](#), [H 550](#), [H 554](#), [H 593](#), as amended, [H 613](#), and [H 531](#), as amended, which have passed the Senate.

WOOD, Secretary

[H 459](#), [H 602](#), as amended, [H 398](#), [H 438](#), [H 542](#), [H 574](#), [H 425](#), [H 608](#), as amended, [H 596](#), as amended, [H 496](#), [H 555](#), [H 603](#), [H 543](#), [H 550](#), [H 554](#), [H 593](#), as amended, [H 613](#), and [H 531](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 24, 2010

Mr. Speaker:

I return herewith [H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, and [H 598](#), as amended in the Senate, which have passed the Senate.

WOOD, Secretary

[H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, and [H 598](#), as amended in the Senate, were ordered held at the Desk.

Ms. Chew asked unanimous consent that the House concur in the Senate amendments to [H 534](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that the House concur in the Senate amendments to [H 576](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Hagedorn asked unanimous consent that the House concur in the Senate amendments to [H 509](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Raybould asked unanimous consent that the House concur in the Senate amendments to [H 598](#), as amended in the Senate. There being no objection, it was so ordered.

[H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, and [H 598](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

### Report of Standing Committees

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 714](#), [H 715](#),

[H 716](#), [H 717](#), [H 718](#), [H 719](#), [H 720](#), [H 721](#), [H 722](#), [H 723](#), and [H 724](#).

CLARK, Chairman

[H 714](#), [H 715](#), [H 716](#), [H 717](#), [H 721](#), [H 722](#), [H 723](#), and [H 724](#) were filed for second reading.

[H 718](#), [H 719](#), and [H 720](#) were referred to the Revenue and Taxation Committee.

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 36](#), [HCR 37](#), [HCR 47](#), [HCR 49](#), [HCR 55](#), [HCR 63](#), [HCR 58](#), [H 604](#), as amended, [H 428](#), [H 429](#), [H 461](#), [H 537](#), as amended, and [H 502](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 36](#), [HCR 37](#), [HCR 47](#), [HCR 49](#), [HCR 55](#), [HCR 63](#), [HCR 58](#), [H 604](#), as amended, [H 428](#), [H 429](#), [H 461](#), [H 537](#), as amended, and [H 502](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate.

CLARK, Chairman

[H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, were filed for first reading of engrossed bills.

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 467](#), [H 477](#), [H 527](#), [H 625](#), [H 626](#), [H 490](#), [H 526](#), [H 557](#), [H 559](#), [H 599](#), [H 498](#), [H 529](#), [H 558](#), as amended, [H 457](#), [H 486](#), [H 540](#), [H 564](#), [H 642](#), [H 521](#), [H 522](#), [H 588](#), [H 648](#), [H 641](#), [H 649](#), [H 508](#), [H 556](#), as amended, [H 495](#), as amended, and [H 610](#) to the Governor at 2:55 p.m., as of this date, March 24, 2010.

CLARK, Chairman

March 24, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [S 1344](#), as amended, and [S 1346](#), as amended, and recommend that they do pass.

TRAIL, Chairman

[S 1344](#), as amended, and [S 1346](#), as amended, were filed for second reading.

March 24, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 708](#) and recommend that it do pass.

BLOCK, Chairman

[H 708](#) was filed for second reading.

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1425](#) and recommend that it do pass.

LOERTSCHER, Chairman

[S 1425](#) was filed for second reading.

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1347](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[S 1347](#) was placed on General Orders for consideration.

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

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

[S 1419](#), [S 1420](#), [S 1423](#), [S 1424](#), [S 1426](#), and [S 1427](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

#### First Reading of Engrossed Bills

[H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, by Education Committee, were introduced, read the first time by title, and filed for second reading.

#### Second Reading of Bills and Joint Resolutions

[H 704](#), [H 705](#), [H 710](#), [H 711](#), [H 712](#), and [H 713](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 709](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[S 1385](#), [S 1390](#), and [S 1403](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1408](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1335](#), as amended in the House, by Health and Welfare Committee, was read the second time by title and filed for third reading.

[S 1417](#), by Finance Committee, was read the second time by title and filed for third reading.

[H 631](#), as amended, [H 676](#), as amended, and [H 692](#), as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

[H 667](#), as amended, by Ways and Means Committee, was read the second time by title and filed for third reading.

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

#### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 704](#) 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 704](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 704](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 704](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 704](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 705](#) 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 705](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker,

Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 705](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 705](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Shepherd(02). Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 705](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 709](#) 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 709](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 709](#) was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 709](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Wood(35). Total – 1.

Absent and excused – Roberts, Shepherd(02), Thompson. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 709](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 710](#) 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 710](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 710](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 710](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet,

Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Roberts, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 710](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 711](#) 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 711](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 711](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 711](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Roberts, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 711](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 712](#) 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 712](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 712](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 712](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst, Hart. Total – 2.

Absent and excused – Patrick, Roberts, Shepherd(02). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 712](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 713](#) 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 713](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 713](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 713](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Barrett, Boyle, Clark, Hagedorn, Hart, Kren, Labrador, Mathews, Palmer, Simpson, Thompson. Total – 11.

Absent and excused – Roberts, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 713](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Durst moved that pursuant to Joint Rule 18, the fiscal note on **S 1418** be revised. Seconded by Mr. Rusche.

The question being, "Shall the motion pass?"

Roll call resulted as follows:

AYES – Boe, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30), Smith(24). Total – 17.

NAYS – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 52.

Absent and excused – Shepherd(02). Total – 1.

Total – 70.

Whereupon the Speaker declared the motion failed.

At this time, Mr. Moyle took the Chair.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [S 1335](#), as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [S 1335](#), as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1335](#), as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Luker to open debate.

The question being, "Shall [S 1335](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 64.

NAYS – None.

Absent and excused – Anderson, Bayer, Kren, McGeachin, Shepherd(02), Mr. Speaker. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1335](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 631](#), as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 631](#), as amended, be read the first time by title, second time by title,

and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 631](#), as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Labrador to open debate.

The question being, "Shall [H 631](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Boe, Chavez, Cronin, King, Pasley-Stuart, Ringo, Saylor. Total – 7.

Absent and excused – Clark, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 631](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 667](#), as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 667](#), as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet,

Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 667](#), as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Anderson to open debate.

The question being, "Shall [H 667](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Burgoyne. Total – 1.

Absent and excused – Shepherd(02). Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 667](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 676](#), as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 676](#), as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative,

the motion carried, the rules were suspended, and [H 676](#), as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Smith(30) to open debate.

The question being, "Shall [H 676](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Clark, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 676](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 692](#), as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 692](#), as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 692](#), as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

Mr. Crane asked unanimous consent that, pursuant to Rule 38(3), he be excused from voting on [H 692](#), as amended, due to a conflict of interest. There being no objection, it was so ordered.

The question being, "Shall [H 692](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Collins, Eskridge, Gibbs, Hagedorn, Hart, Harwood, Henderson, King, Lake, Loertscher, Luker, Marriott, Moyle, Nielsen, Nonini, Palmer, Raybould, Roberts, Shepherd(08), Shirley, Smith(24), Stevenson, Wills, Wood(27), Mr. Speaker. Total – 37.

NAYS – Barrett, Burgoyne, Chavez, Chew, Cronin, Durst, Hartgen, Higgins, Jaquet, Jarvis, Killen, Kren, Labrador, Mathews, McGeachin, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Simpson, Smith(30), Takasugi, Thayn, Thompson, Trail, Wood(35). Total – 30.

Absent and excused – Clark, Shepherd(02). Total – 2.

Excused from voting – Crane. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 692](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 708](#) 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 708](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Black, Shepherd(02). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 708](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Block to open debate.

The question being, "Shall [H 708](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Raybould, Schaefer, Shepherd(08), Shirley, Simpson,

Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Boe, Burgoyne, Chavez, Cronin, Durst, Higgins, Jaquet, Killen, King, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30), Trail. Total – 16.

Absent and excused – Black, Clark, Kren, Roberts, Shepherd(02). Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 708](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Loertscher asked unanimous consent that [S 1403](#) be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Bedke moved that the House recess until 1:45 p.m. Seconded by Mr. Roberts. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:45 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1:45 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Clark, Shepherd(02). Total – 2.

Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

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

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

##### HOUSE BILL NO. 725

##### BY APPROPRIATIONS COMMITTEE

##### AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2011.

##### HOUSE BILL NO. 726

##### BY APPROPRIATIONS COMMITTEE

##### AN ACT

RELATING TO THE IDAHO SOIL AND WATER CONSERVATION COMMISSION; CLARIFYING THAT ANY REFERENCE TO THE IDAHO SOIL CONSERVATION COMMISSION SHALL MEAN THE IDAHO SOIL AND WATER CONSERVATION COMMISSION WHERE MONEYS HAVE BEEN APPROPRIATED BY A PRIOR ACT.

[H 725](#) and [H 726](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

#### Third Reading of Bills and Joint Resolutions

[S 1412](#) was read the third time at length, section by section, and placed before the House for final consideration.

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



The question being, "Shall [S 1412](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst, Wood(35). Total – 2.

Absent and excused – Clark, Shepherd(02). Total – 2.  
Total – 70.

Whereupon the Speaker declared that [S 1412](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1413](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

At this time, Mr. Moyle took the Chair.

The question being, "Shall [S 1413](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Shepherd(02), Smith(24), Mr. Speaker. Total – 4.  
Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1413](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1415](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Patrick to open debate.

Pursuant to Rule 38(3), Mr. Durst disclosed a conflict of interest regarding [S 1415](#).

The question being, "Shall [S 1415](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson,

Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35). Total – 49.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Hart, Higgins, Killen, King, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Smith(30), Trail. Total – 18.

Absent and excused – Clark, Shepherd(02), Mr. Speaker. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1415](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1416](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall [S 1416](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Schaefer. Total – 1.

Absent and excused – Anderson, Clark, Mathews, Raybould, Shepherd(02). Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1416](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1418](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 38(3), Mr. Durst disclosed a conflict of interest regarding [S 1418](#).

Pursuant to Rule 38(3), Mr. Patrick disclosed a conflict of interest regarding [S 1418](#).

The question being, "Shall [S 1418](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 50.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo,

Ruchti, Rusche, Saylor, Shepherd(02), Smith(30), Trail.  
Total – 19.

Absent and excused – Clark. Total – 1.

Paired Votes:

AYE – Collins                               NAY – Shepherd(02)

AYE – Anderson                            NAY – Pasley-Stuart

AYE – Eskridge                            NAY – Jaquet

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [S 1418](#) passed the House. Title was approved and the bill ordered returned to the Senate.

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

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

**HOUSE BILL NO. 727  
BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO THE IDAHO EDUCATION NETWORK;  
AMENDING SECTION 33-125A, IDAHO CODE, TO REVISE  
THE DUTIES OF THE STATE SUPERINTENDENT OF  
PUBLIC INSTRUCTION AND THE STATE DEPARTMENT  
OF EDUCATION WITH REGARD TO THE IDAHO  
EDUCATION NETWORK AND TO PROVIDE A CORRECT  
CODE REFERENCE; AMENDING SECTION 67-5745D,  
IDAHO CODE, TO PROVIDE A CODE REFERENCE  
AND TO REMOVE LANGUAGE PROVIDING FOR  
GOVERNANCE AND OPERATIONS OF THE IDAHO  
EDUCATION NETWORK AND FOR THE IDAHO  
EDUCATION NETWORK FUND; AMENDING CHAPTER  
57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A  
NEW SECTION 67-5745E, IDAHO CODE, TO PROVIDE  
FOR THE IDAHO EDUCATION NETWORK PROGRAM  
AND RESOURCE ADVISORY COUNCIL (IPRAC); AND  
DECLARING AN EMERGENCY.

[H 727](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

**Report of Standing Committees**

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 725](#), [H 726](#), and [H 727](#).

CLARK, Chairman

[H 725](#), [H 726](#), and [H 727](#) were filed for second reading.

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [S 1401](#), as amended, and recommend that it do pass.

BLACK, Chairman

[S 1401](#), as amended, was filed for second reading.

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

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

**Adjournment**

Mr. Moyle moved that the House adjourn until 8:30 a.m., Friday, March 26, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 5:57 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 26, 2010

House of Representatives

The House convened at 8:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Clark, Pasley-Stuart, Shepherd(02).

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katrine Franks, Page.

Approval of Journal

March 26, 2010

Mr. Speaker:

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

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 25, 2010

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

H 513

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

OFFICE OF THE GOVERNOR
Boise

March 25, 2010

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

H 415, H 416, H 417, H 424, H 431, H 444, as amended, H 445, H 449, H 456, H 458, H 463, H 464, H 465, H 466, H 469, H 470, H 471, H 474, H 476, H 478, H 480, as amended, H 482, H 510, H 516, H 517, H 518, H 519, H 525, H 533, H 538, H 553, H 560, H 561, and H 579

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

March 25, 2010

Mr. Speaker:

I transmit herewith enrolled S 1327, S 1345, as amended, S 1357, S 1365, as amended, S 1375, as amended, S 1409, and S 1410 for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1327, S 1345, as amended, S 1357, S 1365, as amended, S 1375, as amended, S 1409, and S 1410 and, when so signed, ordered them returned to the Senate.

March 25, 2010

Mr. Speaker:

I transmit herewith enrolled SCR 113, SCR 115, SCR 119, and SCR 120 for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled SCR 113, SCR 115, SCR 119, and SCR 120 and, when so signed, ordered them returned to the Senate.

March 25, 2010

Mr. Speaker:

I return herewith enrolled HCR 36, HCR 37, HCR 47, HCR 49, HCR 55, HCR 63, HCR 58, H 604, as amended, H 428, H 429, H 461, H 537, as amended, and H 502 which have been signed by the President.

WOOD, Secretary

Enrolled HCR 36, HCR 37, HCR 47, HCR 49, HCR 55, HCR 63, and HCR 58 were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled H 604, as amended, H 428, H 429, H 461, H 537, as amended, and H 502 were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 25, 2010

Mr. Speaker:

I transmit herewith SCR 125, SCR 126, and S 1422 which have passed the Senate.

WOOD, Secretary

SCR 125, SCR 126, and S 1422 were filed for first reading.

March 25, 2010

Mr. Speaker:

I transmit herewith [S 1428](#), [S 1429](#), [S 1430](#), [S 1431](#), [S 1432](#), [S 1433](#), [S 1434](#), and [S 1435](#) which have passed the Senate.

WOOD, Secretary

[S 1428](#), [S 1429](#), [S 1430](#), [S 1431](#), [S 1432](#), [S 1433](#), [S 1434](#), and [S 1435](#) were filed for first reading.

March 25, 2010

Mr. Speaker:

I return herewith [HCR 44](#), [H 607](#), [H 630](#), [H 601](#), [H 611](#), [H 462](#), [H 504](#), [H 548](#), as amended, [H 581](#), [H 644](#), and [H 605](#) which have passed the Senate.

WOOD, Secretary

[HCR 44](#), [H 607](#), [H 630](#), [H 601](#), [H 611](#), [H 462](#), [H 504](#), [H 548](#), as amended, [H 581](#), [H 644](#), and [H 605](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 25, 2010

Mr. Speaker:

I return herewith [H 647](#), [H 460](#), [H 624](#), [H 664](#), [H 659](#), [H 660](#), [H 661](#), [H 668](#), [H 670](#), [H 671](#), [H 492](#), [H 575](#), [H 617](#), [H 636](#), [H 662](#), [H 677](#), [H 678](#), [H 679](#), [H 669](#), [H 407](#), as amended, [H 656](#), [H 683](#), [H 687](#), [H 685](#), [H 689](#), [H 690](#), [H 503](#), [H 646](#), as amended, [H 586](#), as amended, [H 609](#), [H 426](#), [H 433](#), as amended, [H 566](#), [H 652](#), [H 673](#), [H 674](#), [H 680](#), [H 694](#), [H 695](#), [H 696](#), and [H 657](#) which have passed the Senate.

WOOD, Secretary

[H 647](#), [H 460](#), [H 624](#), [H 664](#), [H 659](#), [H 660](#), [H 661](#), [H 668](#), [H 670](#), [H 671](#), [H 492](#), [H 575](#), [H 617](#), [H 636](#), [H 662](#), [H 677](#), [H 678](#), [H 679](#), [H 669](#), [H 407](#), as amended, [H 656](#), [H 683](#), [H 687](#), [H 685](#), [H 689](#), [H 690](#), [H 503](#), [H 646](#), as amended, [H 586](#), as amended, [H 609](#), [H 426](#), [H 433](#), as amended, [H 566](#), [H 652](#), [H 673](#), [H 674](#), [H 680](#), [H 694](#), [H 695](#), [H 696](#), and [H 657](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 59](#), [H 459](#), [H 602](#), as amended, [H 398](#), [H 438](#), [H 542](#), [H 574](#), [H 425](#), [H 608](#), as amended, [H 596](#), as amended, [H 496](#), [H 555](#), [H 603](#), [H 543](#), [H 550](#), [H 554](#), [H 593](#), as amended, [H 613](#), and [H 531](#), as amended.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 59](#), [H 459](#), [H 602](#), as amended, [H 398](#), [H 438](#), [H 542](#), [H 574](#), [H 425](#), [H 608](#), as amended, [H 596](#), as amended, [H 496](#), [H 555](#), [H 603](#), [H 543](#), [H 550](#), [H 554](#), [H 593](#), as amended, [H 613](#), and [H 531](#), as amended, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, and [H 598](#), as amended in the Senate.

CLARK, Chairman

[H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, and [H 598](#), as amended in the Senate, were filed for first reading of engrossed bills.

March 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 61](#) to the Secretary of State at 1:19 p.m., as of this date, March 25, 2010.

CLARK, Chairman

March 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 400](#), as amended in the Senate, to the Governor at 1:15 p.m., as of this date, March 25, 2010.

CLARK, Chairman

March 25, 2010

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1407](#) and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

[S 1407](#) was placed on General Orders for consideration.

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

### Motions, Memorials, and Resolutions

[SCR 125](#) and [SCR 126](#), by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

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

#### HOUSE BILL NO. 728 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2010; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON STATE EMPLOYEE HEALTH INSURANCE BENEFITS; DIRECTING THE TRANSFER OF MONEYS ON OR AFTER JULY 1, 2010; DIRECTING THE TRANSFER OF MONEYS ON OR AFTER JANUARY 1, 2011; PROVIDING LEGISLATIVE INTENT ON THE IDAHO EDUCATION NETWORK; AND DECLARING AN EMERGENCY.

[H 728](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1422](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1428](#), [S 1429](#), [S 1430](#), [S 1431](#), [S 1432](#), [S 1433](#), [S 1434](#), and [S 1435](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

### First Reading of Engrossed Bills

[H 534](#), as amended in the Senate, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

[H 576](#), as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

[H 509](#), as amended in the Senate, by Commerce and Human Resources Committee, was introduced, read the first time by title, and filed for second reading.

[H 598](#), as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

### Second Reading of Bills and Joint Resolutions

[H 714](#), [H 715](#), [H 716](#), [H 717](#), [H 721](#), [H 722](#), [H 723](#), [H 724](#), [H 725](#), [H 726](#), and [H 727](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1344](#), as amended, and [S 1346](#), as amended, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

[S 1425](#) and [S 1401](#), as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1419](#), [S 1420](#), [S 1423](#), [S 1424](#), [S 1426](#), and [S 1427](#), by Finance Committee, were read the second time by title and filed for third reading.

[H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, by Education Committee, were read the second time by title and filed for third reading.

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

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 714](#) 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 714](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 714](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 714](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Chew, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Schaefer, Shepherd(02), Smith(30), Thompson. Total – 15.

Total – 70.

Whereupon the Speaker declared that [H 714](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 715](#) 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 715](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 715](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 715](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Chew, Collins, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Saylor, Schaefer, Shepherd(08), Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 48.

NAYS – Burgoyne, Cronin, Durst, Higgins, Killen, King, Ringo, Rusche. Total – 8.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Luker, Moyle, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Shirley, Smith(30), Thompson. Total – 14.

Total – 70.

Whereupon the Speaker declared that [H 715](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 716](#) 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 716](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 716](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 716](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer,

Shepherd(08), Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 51.

NAYS – Burgoyne, Durst, King. Total – 3.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Jaquet, Luker, Moyle, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Shirley, Smith(30), Thompson, Wills. Total – 16.

Total – 70.

Whereupon the Speaker declared that [H 716](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 717](#) 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 717](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 717](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 717](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Chavez, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Ruchti, Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Wood(27), Wood(35), Mr. Speaker. Total – 49.

NAYS – Burgoyne, Chew, Cronin, Durst, Higgins, King, Pence, Ringo, Rusche, Saylor, Schaefer, Smith(24), Trail. Total – 13.

Absent and excused – Boe, Clark, Pasley-Stuart, Roberts, Shepherd(02), Shirley, Thompson, Wills. Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 717](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 721](#) 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 721](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 721](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 721](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Boe, Clark, Lake, Pasley-Stuart, Roberts, Shepherd(02), Shirley. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 721](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 722](#) 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 722](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 722](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 722](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst, Trail. Total – 2.

Absent and excused – Black, Boe, Clark, Lake, Pasley-Stuart, Roberts, Shepherd(02). Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 722](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 723](#) 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 723](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson,

Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 723](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 723](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Burgoyne, Durst, Saylor. Total – 3.

Absent and excused – Boe, Clark, Lake, Pasley-Stuart, Roberts, Shepherd(02), Trail. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 723](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 724](#) 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 724](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 724](#) was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 724](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Boe, Clark, Lake, Pasley-Stuart, Roberts, Shepherd(02), Trail, Wills. Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 724](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 725](#) 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 725](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 725](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 725](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs,



Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Schaefer. Total – 1.

Absent and excused – Boe, Clark, Lake, Pasley-Stuart, Roberts, Shepherd(02), Trail, Wills. Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 725](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 726](#) 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 726](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 726](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 726](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Boe, Clark, Lake, Pasley-Stuart, Roberts, Shepherd(02), Trail. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 726](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 727](#) 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 727](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Durst. Total – 1.

Absent and excused – Black, Boe, Chavez, Clark, Crane, Kren, Luker, Pasley-Stuart, Roberts, Ruchti, Shepherd(02), Smith(30), Thompson, Wills. Total – 14.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 727](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 727](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Boe, Clark, Lake, Pasley-Stuart, Roberts, Shepherd(02), Smith(24), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 727](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

### Report of Standing Committees

March 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 728](#).

CLARK, Chairman

[H 728](#) was filed for second reading.

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

### Third Reading of Bills and Joint Resolutions

[S 1417](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1417](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pence, Raybould, Ringo, Rusche, Saylor, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Barrett, Thayne. Total – 2.

Absent and excused – Boe, Clark, Loertscher, Pasley-Stuart, Patrick, Roberts, Ruchti, Schaefer, Shepherd(02), Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that [S 1417](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1320](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [S 1320](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Bell, Boe, Clark, Pasley-Stuart, Roberts, Schaefer, Shepherd(02), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that [S 1320](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1340](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall [S 1340](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Bell, Boe, Clark, Pasley-Stuart, Shepherd(02), Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that [S 1340](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1382](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall [S 1382](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Boe, Clark, Nonini, Pasley-Stuart, Shepherd(02), Trail. Total – 7.

Total – 70.

Whereupon the Speaker declared that [S 1382](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1383](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1383](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis,

Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Block, Boe, Clark, Pasley-Stuart, Shepherd(02), Trail. Total – 6.

Total – 70.

Whereupon the Speaker declared that [S 1383](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1384](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1384](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Bedke, Boe, Clark, Harwood, Pasley-Stuart, Rusche, Shepherd(02), Trail. Total – 8.

Total – 70.

Whereupon the Speaker declared that [S 1384](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1301](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1301](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – None.

Absent and excused – Bedke, Boe, Chadderdon, Clark, Jaquet, Kren, Mathews, McGeachin, Pasley-Stuart, Pence, Ruchti, Shepherd(02), Trail. Total – 13.

Total – 70.

Whereupon the Speaker declared that [S 1301](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1310](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1310](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – None.

Absent and excused – Black, Boe, Clark, Kren, McGeachin, Pasley-Stuart, Schaefer, Shepherd(02), Stevenson, Trail. Total – 10.

Total – 70.

Whereupon the Speaker declared that [S 1310](#) passed the House. Title was approved and the bill ordered returned to the Senate.

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

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

#### **HOUSE BILL NO. 729 BY WAYS AND MEANS COMMITTEE AN ACT**

RELATING TO DRIVING WHILE TEXTING; AMENDING SECTION 49-121, IDAHO CODE, TO DEFINE THE TERM "TEXTING"; AMENDING SECTION 49-529, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO PROHIBIT TEXTING WHILE DRIVING A MOTOR VEHICLE, TO PROVIDE FOR EXCEPTIONS AND TO PROVIDE PENALTIES.

[H 729](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

#### **Report of Standing Committees**

March 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 729](#).

CLARK, Chairman

[H 729](#) was filed for second reading.

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

#### **Third Reading of Bills and Joint Resolutions**

[S 1399](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1399](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Burgoyne, Harwood, Ruchti, Smith(24). Total – 4.

Absent and excused – Anderson, Boe, Clark, Pasley-Stuart, Shepherd(02), Thayne, Trail, Wood(35). Total – 8.  
Total – 70.

Whereupon the Speaker declared that [S 1399](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Roberts. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

March 26, 2010

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [S 1403](#) and [S 1407](#) and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO S.B. NO. 1403

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 20 through 25, and insert: "board of fire protection commissioners. If ~~the~~ thirty-three percent (33%) of the property and/or population in the fire protection district is situated in two (2) or more counties, not more than two (2) of the fire protection district commissioners shall be from the same county, unless pursuant to section 31-1410A, Idaho Code, the board is comprised of five (5) members, in which event not more than three (3) of the commissioners shall be from the same county."; and in line 29, delete "general" and insert: "~~general~~".

##### CORRECTION TO TITLE

On page 1, in line 3, delete "DELETE" and insert: "REVISE".

#### HOUSE AMENDMENT TO S.B. NO. 1407

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 30, following "moneys" insert: "voluntarily"; in line 37, delete "facilitation" and insert:

"project management"; and in line 39, following "projects" insert: "associated with the statewide comprehensive aquifer planning and management effort".

##### AMENDMENT TO THE BILL

On page 2, following line 2, insert:

"SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

##### CORRECTION TO TITLE

On page 1, in line 13, following "INVESTMENTS" insert: "; AND DECLARING AN EMERGENCY".

We have also had under consideration [S 1352](#), as amended, and [S 1347](#), report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

[S 1403](#), as amended in the House, and [S 1407](#), as amended in the House, were filed for first reading.

[S 1352](#), as amended, and [S 1347](#) were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

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

### Third Reading of Bills and Joint Resolutions

[S 1400](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher and Mr. Gibbs to open debate.

The question being, "Shall [S 1400](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Pasley-Stuart, Ruchti, Shepherd(02), Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1400](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1311](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1311](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Pasley-Stuart, Ruchti, Shepherd(02), Trail. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1311](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

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

#### Report of Standing Committees

March 26, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed House amendments to [S 1403](#) and [S 1407](#).

CLARK, Chairman

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

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

[S 1403](#), as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

[S 1407](#), as amended in the House, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

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

#### Third Reading of Bills and Joint Resolutions

[S 1361](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

At this time, Mr. Moyle took the Chair.

The question being, "Shall [S 1361](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick,

Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35). Total – 63.

NAYS – Loertscher, Mathews. Total – 2.

Absent and excused – Clark, Pasley-Stuart, Shepherd(02), Trail, Mr. Speaker. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1361](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1398](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Ruchti to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall [S 1398](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hartgen, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Palmer, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 53.

NAYS – Barrett, Hagedorn, Hart, Harwood, Henderson, Loertscher, McGeachin, Nielsen, Nonini, Patrick, Schaefer, Shepherd(08), Wood(35). Total – 13.

Absent and excused – Clark, Pasley-Stuart, Shepherd(02), Trail. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1398](#) passed the House. Title was approved and the bill ordered returned to the Senate.

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

#### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 729](#) 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 729](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Bayer, Black, Clark, Pasley-Stuart, Shepherd(02), Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 729](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

Mr. Hartgen asked unanimous consent that, pursuant to Rule 22, discussion of [S 1352](#), as amended, be allowed in debate of [H 729](#). There being no objection it was so ordered.

The question being, "Shall [H 729](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(35), Mr. Speaker. Total – 51.

NAYS – Anderson, Bayer, Chadderdon, Hart, Hartgen, Harwood, Henderson, Labrador, McGeachin, Nonini, Patrick, Sayler, Shepherd(08), Simpson, Thompson, Wood(27). Total – 16.

Absent and excused – Clark, Pasley-Stuart, Shepherd(02). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 729](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 728](#) 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 728](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Bayer, Black, Clark, Pasley-Stuart, Shepherd(02), Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and [H 728](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo and Ms. Jaquet to open debate.

The question being, "Shall [H 728](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Schaefer. Total – 2.

Absent and excused – Black, Clark, Lake, McGeachin, Pasley-Stuart, Shepherd(02). Total – 6.

Paired Votes:

AYE – Boe

NAY – Durst

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [H 728](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1403](#), as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [S 1403](#), as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Bayer, Black, Clark, Pasley-Stuart, Shepherd(02), Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1403](#), as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1403](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Clark, Crane, Durst, McGeachin, Pasley-Stuart, Shepherd(02). Total – 6.

Total – 70.

Whereupon the Speaker declared that [S 1403](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1407](#), as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [S 1407](#), as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst. Total – 1.

Absent and excused – Bayer, Black, Clark, Pasley-Stuart, Shepherd(02), Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1407](#), as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1407](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Burgoyne, Chadderdon, Chavez, Chew, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen,

Chew, Collins, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Barrett, Loertscher. Total – 2.

Absent and excused – Clark, Crane, Durst, McGeachin, Pasley-Stuart, Shepherd(02). Total – 6.

Total – 70.

Whereupon the Speaker declared that [S 1407](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

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

### Consideration of Messages from the Governor and the Senate

March 26, 2010

Mr. Speaker:

I transmit herewith [S 1440](#), [S 1441](#), [S 1439](#), [S 1438](#), [S 1436](#), and [S 1437](#) which have passed the Senate.

WOOD, Secretary

[S 1440](#), [S 1441](#), [S 1439](#), [S 1438](#), [S 1436](#), and [S 1437](#) were filed for first reading.

March 26, 2010

Mr. Speaker:

I transmit herewith [S 1442](#) and [S 1443](#) which have passed the Senate.

WOOD, Secretary

[S 1442](#) and [S 1443](#) were filed for first reading.

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

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

[S 1440](#), [S 1441](#), [S 1439](#), [S 1438](#), [S 1436](#), [S 1437](#), [S 1442](#), and [S 1443](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

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

### Third Reading of Bills and Joint Resolutions

[S 1385](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley and Ms. Jaquet to open debate.

At this time, Mr. Mathews took the Chair.

The question being, "Shall [S 1385](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Burgoyne, Chadderdon, Chavez, Chew, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen,

Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Smith(30), Takasugi, Thayn, Wills, Wood(27), Mr. Speaker. Total – 54.

NAYS – Block, Bolz, Boyle, Collins, Crane, Kren, Palmer, Schaefer, Simpson, Smith(24), Stevenson, Thompson, Trail, Wood(35). Total – 14.

Absent and excused – Clark, McGeachin. Total – 2.

Paired Votes:

AYE – Durst	NAY – Kren
AYE – Shepherd(02)	NAY – Stevenson
AYE – Pasley-Stuart	NAY – Trail
AYE – Mr. Speaker	NAY – Smith(24)
AYE – Moyle	NAY – Schaefer
AYE – Wood(27)	NAY – Simpson

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1385](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 29, 2010. There being no objection, it was so ordered.

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

#### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, March 29, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 3:57 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk



# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

SEVENTY-EIGHTH LEGISLATIVE DAY  
MONDAY, MARCH 29, 2010

House of Representatives

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

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

Prayer was offered by Guest Chaplain Gary Moore.

The Pledge of Allegiance was led by Jared Wilson, Page.

### Approval of Journal

March 29, 2010

Mr. Speaker:

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

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 26, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

H 529

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

March 26, 2010

Mr. Speaker:

I transmit herewith enrolled S 1354, as amended in the House, and S 1376, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1354, as amended in the House, and S 1376, as amended in the House, and, when so signed, ordered them returned to the Senate.

March 26, 2010

Mr. Speaker:

I transmit herewith enrolled S 1412, S 1413, S 1415, S 1416, and S 1418 for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1412, S 1413, S 1415, S 1416, and S 1418 and, when so signed, ordered them returned to the Senate.

March 26, 2010

Mr. Speaker:

I return herewith H 640, as amended, H 645, as amended, H 653, H 697, and H 691 which have passed the Senate.

WOOD, Secretary

H 640, as amended, H 645, as amended, H 653, H 697, and H 691 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 26, 2010

Mr. Speaker:

I return herewith H 698, H 701, H 702, H 703, H 615, and H 665, as amended, which have passed the Senate.

WOOD, Secretary

H 698, H 701, H 702, H 703, H 615, and H 665, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled HCR 44, H 607, H 630, H 601, H 611, H 462, H 504, H 548, as amended, H 581, H 644, H 605, H 647, H 460, H 624, H 664, H 659, H 660, H 661, H 668, H 670, H 671, H 492, H 575, H 617, H 636, H 662, H 677, H 678, H 679, H 669, H 407, as amended, H 656, H 683, H 687, H 685, H 689, H 690, H 503, H 646, as amended, H 586, as amended, H 609, H 426, H 433, as amended, H 566, H 652, H 673, H 674, H 680, H 694, H 695, H 696, and H 657.

CLARK, Chairman

The Speaker announced he was about to sign enrolled HCR 44, H 607, H 630, H 601, H 611, H 462, H 504, H 548, as amended, H 581, H 644, H 605, H 647, H 460, H 624, H 664, H 659, H 660, H 661, H 668, H 670, H 671, H 492, H 575, H 617, H 636, H 662, H 677, H 678, H 679, H 669, H 407, as amended, H 656, H 683, H 687, H 685, H 689, H 690, H 503, H 646, as amended, H 586, as amended, H 609, H 426, H 433, as amended, H 566, H 652, H 673, H 674, H 680, H 694, H 695, H 696, and H 657 and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled HCR 36, HCR 37, HCR 47, HCR 49, HCR 55, HCR 63, and

[HCR 58](#) to the Secretary of State at 2:16 p.m., as of this date, March 26, 2010.

CLARK, Chairman

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 604](#), as amended, [H 428](#), [H 429](#), [H 461](#), [H 537](#), as amended, and [H 502](#) to the Governor at 2:20 p.m., as of this date, March 26, 2010.

CLARK, Chairman

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1422](#) and report it back with amendments attached to be placed on General Orders for consideration.

NONINI, Chairman

[S 1422](#) was placed on General Orders for consideration.

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

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

##### HOUSE BILL NO. 730 BY EDUCATION COMMITTEE

AN ACT  
TO THE JOINT  
FINANCE-APPROPRIATIONS COMMITTEE; AMENDING  
SECTION 67-435, IDAHO CODE, TO REVISE  
THE POWERS AND DUTIES OF THE JOINT  
FINANCE-APPROPRIATIONS COMMITTEE; AND  
DECLARING AN EMERGENCY.

[H 730](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1343](#), by Resources and Environment Committee, previously read the first time and held at the Desk, March 10, 2010, was referred to the Ways and Means Committee.

[S 1349](#), by Transportation Committee, previously read the first time and held at the Desk, March 10, 2010, was referred to the Ways and Means Committee.

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

#### Second Reading of Bills and Joint Resolutions

[SCR 125](#) and [SCR 126](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1428](#), [S 1429](#), [S 1430](#), [S 1431](#), [S 1432](#), [S 1433](#), [S 1434](#), [S 1435](#), [S 1440](#), [S 1441](#), [S 1439](#), [S 1438](#), [S 1436](#), [S 1437](#), [S 1442](#), and [S 1443](#), by Finance Committee, were read the second time by title and filed for third reading.

[H 534](#), as amended in the Senate, by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 576](#), as amended in the Senate, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 509](#), as amended in the Senate, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 598](#), as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

[H 545](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 545](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Hart, Lake, Pasley-Stuart. Total – 3.  
Total – 70.

Whereupon the Speaker declared [H 545](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

[H 493](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 493](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Gibbs, Loertscher, Ringo, Smith(30). Total – 4.

Absent and excused – Hart, Lake, Pasley-Stuart. Total – 3.  
Total – 70.

Whereupon the Speaker declared [H 493](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

[S 1419](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1419](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 48.

NAYS – Boe, Burgoyne, Chavez, Chew, Clark, Cronin, Durst, Higgins, Jaquet, Killen, King, Pence, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Smith(30), Trail. Total – 20.

Absent and excused – Hart, Pasley-Stuart. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [S 1419](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1420](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1420](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Takasugi, Thayn, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 55.

NAYS – Burgoyne, Chavez, Cronin, Durst, Higgins, Killen, King, Ringo, Rusche, Smith(30), Trail. Total – 11.

Absent and excused – Clark, Pasley-Stuart, Schaefer, Stevenson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [S 1420](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1423](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1423](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Hagedorn, Pasley-Stuart, Schaefer, Stevenson. Total – 4.  
Total – 70.

Whereupon the Speaker declared that [S 1423](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1424](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1424](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Pasley-Stuart, Stevenson. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [S 1424](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1426](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1426](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1426](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1427](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Mr. Labrador asked unanimous consent that, pursuant to Rule 38(3), he be excused from voting on [S 1427](#) due to a conflict of interest. There being no objection, it was so ordered.

Pursuant to Rule 38(3), Mr. Moyle disclosed a conflict of interest regarding [S 1427](#).

The question being, "Shall [S 1427](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Moyle, Nonini, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27). Total – 45.

NAYS – Andrus, Barrett, Bayer, Boyle, Clark, Hart, Hartgen, Harwood, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Palmer, Raybould, Roberts, Schaefer, Shepherd(08), Shirley, Simpson, Smith(24), Wood(35), Mr. Speaker. Total – 24.

Excused from voting – Labrador. Total – 1.

Paired Votes:

AYE – Pasley-Stuart                      NAY – Boyle

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [S 1427](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS  
Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

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

### Consideration of Messages from the Governor and the Senate

March 29, 2010

Mr. Speaker:

I return herewith enrolled [HCR 44](#), [H 607](#), [H 630](#), [H 601](#), [H 611](#), [H 462](#), [H 504](#), [H 548](#), as amended, [H 581](#), [H 644](#), [H 605](#), [H 647](#), [H 460](#), [H 624](#), [H 664](#), [H 659](#), [H 660](#), [H 661](#), [H 668](#), [H 670](#), [H 671](#), [H 492](#), [H 575](#), [H 617](#), [H 636](#), [H 662](#), [H 677](#), [H 678](#), [H 679](#), [H 669](#), [H 407](#), as amended, [H 656](#), [H 683](#), [H 687](#), [H 685](#), [H 689](#), [H 690](#), [H 503](#), [H 646](#), as amended, [H 586](#), as amended, [H 609](#), [H 426](#), [H 433](#), as amended, [H 566](#), [H 652](#), [H 673](#), [H 674](#), [H 680](#), [H 694](#), [H 695](#), [H 696](#), and [H 657](#) which have been signed by the President.

WOOD, Secretary

Enrolled [HCR 44](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 607](#), [H 630](#), [H 601](#), [H 611](#), [H 462](#), [H 504](#), [H 548](#), as amended, [H 581](#), [H 644](#), [H 605](#), [H 647](#), [H 460](#), [H 624](#), [H 664](#), [H 659](#), [H 660](#), [H 661](#), [H 668](#), [H 670](#), [H 671](#), [H 492](#), [H 575](#), [H 617](#), [H 636](#), [H 662](#), [H 677](#), [H 678](#), [H 679](#), [H 669](#), [H 407](#), as amended, [H 656](#), [H 683](#), [H 687](#), [H 685](#), [H 689](#), [H 690](#), [H 503](#), [H 646](#), as amended, [H 586](#), as amended, [H 609](#), [H 426](#), [H 433](#), as amended, [H 566](#), [H 652](#), [H 673](#), [H 674](#), [H 680](#), [H 694](#), [H 695](#), [H 696](#), and [H 657](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 29, 2010

Mr. Speaker:

I transmit herewith [SJM 106](#) which has passed the Senate.  
WOOD, Secretary

[SJM 106](#) was filed for first reading.

March 29, 2010

Mr. Speaker:

I return herewith [H 704](#) and [H 705](#) which have passed the Senate.

WOOD, Secretary

[H 704](#) and [H 705](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 29, 2010

Mr. Speaker:

I return herewith [HCR 64](#) which has passed the Senate.  
WOOD, Secretary

[HCR 64](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

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

### Motions, Memorials, and Resolutions

[SJM 106](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [SCR 125](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [SCR 125](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [SCR 125](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

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

The question being, "Shall [SCR 125](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Crane, Moyle, Pasley-Stuart, Simpson, Wood(35). Total – 5.

Total – 70.

Whereupon the Speaker declared [SCR 125](#) adopted and ordered the resolution returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [SCR 126](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [SCR 126](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [SCR 126](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

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

The question being, "Shall [SCR 126](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Crane, Moyle, Pasley-Stuart. Total – 3. Total – 70.

Whereupon the Speaker declared [SCR 126](#) adopted and ordered the resolution returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1428](#) 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 1428](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1428](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1428](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1428](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1429](#) 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 1429](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1429](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1429](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher,

Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Schaefer. Total – 1.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1429](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1430](#) 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 1430](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1430](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1430](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Mr. Speaker. Total – 64.

NAYS – Barrett, Hart, Schaefer, Wood(35). Total – 4.

Absent and excused – Pasley-Stuart, Wills. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1430](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1431](#) 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 1431](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1431](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1431](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Schaefer. Total – 1.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1431](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1432](#) 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 1432](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1432](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1432](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Rusche, Schaefer. Total – 2.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1432](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 534](#), 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 534](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35).

Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 534](#), as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 534](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Henderson, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared [H 534](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 576](#), 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 576](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35).

Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 576](#), as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 576](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Henderson, Pasley-Stuart, Wills.

Total – 3.

Total – 70.

Whereupon the Speaker declared [H 576](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 509](#), 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 509](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35).

Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 509](#), as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.



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

The question being, "Shall [H 509](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared [H 509](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 598](#), 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 598](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 598](#), as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 598](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Hagedorn, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared [H 598](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1440](#) 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 1440](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1440](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1440](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn,

Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.  
Total – 69.

NAYS – None.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1440](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1441](#) 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 1441](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35).  
Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1441](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1441](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Harwood, Pasley-Stuart, Smith(24).  
Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1441](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1439](#) 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 1439](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35).  
Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1439](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1439](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, McGeachin, Moyle, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Smith(30), Takasugi, Thayn, Trail, Wills, Wood(27), Mr. Speaker. Total – 51.

NAYS – Andrus, Barrett, Boyle, Harwood, Loertscher, Luker, Marriott, Mathews, Nielsen, Palmer, Shepherd(08), Simpson, Thompson, Wood(35). Total – 14.

Absent and excused – Nonini, Pasley-Stuart, Schaefer, Smith(24), Stevenson. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1439](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1438](#) 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 1438](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1438](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 38(3), Mr. Raybould disclosed a conflict of interest regarding [S 1438](#).

The question being, "Shall [S 1438](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Hagedorn. Total – 1.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1438](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1436](#) 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 1436](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1436](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1436](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Black, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1436](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1437](#) 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 1437](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1437](#) was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1437](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 59.

NAYS – Barrett, Boyle, Hart, Luker, Palmer, Schaefer, Thayne, Wood(35). Total – 8.

Absent and excused – Loertscher, Pasley-Stuart, Shepherd(08). Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1437](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1442](#) 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 1442](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1442](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1442](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez,

Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Bedke, Luker, Moyle, Roberts. Total – 4.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1442](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1443](#) 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 1443](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1443](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1443](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Burgoyne, Durst. Total – 2.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1443](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1433](#) 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 1433](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1433](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1433](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1433](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1434](#) 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 1434](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1434](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [S 1434](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Boe, Cronin, Durst, Ringo. Total – 4.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1434](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1435](#) 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 1435](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

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

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Harwood, Pasley-Stuart, Wood(35).

Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1435](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1435](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Killen, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 55.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, King, Ringo, Rusche, Saylor, Smith(30), Wood(35). Total – 13.

Absent and excused – Kren, Pasley-Stuart. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [S 1435](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 29, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 400](#), as amended in the Senate, [H 457](#), [H 467](#), [H 477](#), [H 486](#), [H 490](#), [H 495](#), as amended, [H 498](#), [H 508](#), [H 521](#), [H 522](#), [H 527](#), [H 540](#), [H 556](#), as amended, [H 557](#), [H 558](#), as amended, [H 559](#), [H 564](#), [H 599](#), [H 610](#), [H 625](#), [H 626](#), [H 641](#), [H 642](#), [H 648](#), and [H 649](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

### Report of Standing Committees

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 730](#).

CLARK, Chairman

[H 730](#) was ordered held at the Desk.

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 640](#), as amended, [H 645](#), as amended, [H 653](#), [H 697](#), [H 691](#), [H 698](#), [H 701](#), [H 702](#), [H 703](#), [H 615](#), [H 665](#), as amended, [H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 640](#), as amended, [H 645](#), as amended, [H 653](#), [H 697](#), [H 691](#), [H 698](#), [H 701](#), [H 702](#), [H 703](#), [H 615](#), [H 665](#), as amended, [H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [SJM 106](#) and recommend that it do pass.

LOERTSCHER, Chairman

[SJM 106](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [SJM 106](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [SJM 106](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Jarvis, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Ruchti, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Burgoyne, Chavez, Durst, Higgins, Killen, King, Ringo, Saylor, Smith(30). Total – 9.

Absent and excused – Boe, Clark, Lake, Pasley-Stuart, Thayn. Total – 5.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and [SJM 106](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall [SJM 106](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Bolz, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hartgen, Harwood, Henderson, Jarvis, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 43.

NAYS – Barrett, Bayer, Boe, Boyle, Burgoyne, Chavez, Chew, Cronin, Durst, Hagedorn, Hart, Higgins, Jaquet, Killen, King, Labrador, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Smith(30), Smith(24), Thayn, Trail. Total – 26.

Absent and excused – Pasley-Stuart. Total – 1.

Total – 70.

Whereupon the Speaker declared [SJM 106](#) adopted and ordered the memorial returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

[S 1390](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1390](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Barrett, Burgoyne. Total – 2.

Absent and excused – McGeachin, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1390](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1408](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall [S 1408](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane,

Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Boe, Burgoyne, Chavez, Chew, Jaquet, Killen, King, Pence, Ringo, Ruchti, Rusche, Sayler. Total – 12.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1408](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1344](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [S 1344](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bell, Bilbao, Black, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Loertscher, Nonini, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Smith(30), Stevenson, Takasugi, Trail, Wills. Total – 39.

NAYS – Barrett, Bayer, Bedke, Boyle, Burgoyne, Crane, Hagedorn, Hart, Harwood, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Roberts, Schaefer, Shepherd(08), Simpson, Smith(24), Thayn, Thompson, Wood(27), Wood(35), Mr. Speaker. Total – 29.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1344](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1346](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

Mr. Lake asked unanimous consent that, pursuant to Rule 38(3), he be excused from voting on [S 1346](#), as amended, due to a conflict of interest. There being no objection, it was so ordered.

The question being, "Shall [S 1346](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Jaquet, Killen, King, Pence, Ringo, Ruchti, Sayler. Total – 13.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Excused from voting – Lake. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1346](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1425](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall [S 1425](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Marriott, Patrick. Total – 2.

Absent and excused – Barrett, Clark, Pasley-Stuart, Shepherd(08). Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1425](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1401](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

Pursuant to Rule 38(3), Mr. Crane disclosed a conflict of interest regarding [S 1401](#), as amended.

The question being, "Shall [S 1401](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Roberts, Shepherd(08). Total – 2.

Absent and excused – Clark, Kren, Pasley-Stuart. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [S 1401](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Roberts asked unanimous consent that [SCR 124](#) be returned to the Agricultural Affairs Committee. There being no objection, it was so ordered.

[SCR 118](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [SCR 118](#) be adopted?"

Whereupon the Speaker declared [SCR 118](#) adopted by voice vote and ordered the resolution returned to the Senate.

[SJM 104](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall [SJM 104](#) be adopted?"

Whereupon the Speaker declared [SJM 104](#) adopted by voice vote and ordered the memorial returned to the Senate.

[SJM 105](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall [SJM 105](#) be adopted?"

Whereupon the Speaker declared [SJM 105](#) adopted by voice vote and ordered the memorial returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### **Consideration of Messages from the Governor and the Senate**

March 29, 2010

Mr. Speaker:

I return herewith enrolled [HCR 59](#) which has been signed by the President.

WOOD, Secretary

Enrolled [HCR 59](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 29, 2010

Mr. Speaker:

I transmit herewith [S 1444](#) and [S 1445](#) which have passed the Senate.

WOOD, Secretary

[S 1444](#) and [S 1445](#) were filed for first reading.

March 29, 2010

Mr. Speaker:

I transmit herewith [SCR 127](#) which has passed the Senate.

WOOD, Secretary

[SCR 127](#) was filed for first reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### **Motions, Memorials, and Resolutions**

[SCR 127](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

[S 1444](#) and [S 1445](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.



### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [SCR 127](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [SCR 127](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [SCR 127](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall [SCR 127](#) be adopted?"

Whereupon the Speaker declared [SCR 127](#) adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1444](#) 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 1444](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1444](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall [S 1444](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Barrett. Total – 1.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1444](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1445](#) 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 1445](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1445](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall [S 1445](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 64.

NAYS – Barrett, Boyle, Schaefer, Wood(35). Total – 4.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1445](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent, pursuant to Rule 46, that [S 1422](#) be corrected as follows:

Page 7, line 28 of the printed bill change "2009" to "2010".

There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [S 1422](#) be removed from General Orders and placed on the Second Reading Calendar. There being no objection, it was so ordered.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1422](#) 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 1422](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Durst. Total – 1.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1422](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall [S 1422](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Schaefer. Total – 1.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1422](#), passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

March 29, 2010

Mr. Speaker:

I return herewith [H 589](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 699](#), as amended in the Senate, [H 729](#), as amended in the Senate, and [H 681](#), as amended in the Senate, which have passed the Senate.

WOOD, Secretary

[H 589](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 699](#), as amended in the Senate, [H 729](#), as amended in the Senate, and [H 681](#), as amended in the Senate, were ordered held at the Desk.

Mr. Harwood asked unanimous consent that the House concur in the Senate amendments to [H 589](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Takasugi asked unanimous consent that the House concur in the Senate amendments to [H 614](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Hart asked unanimous consent that the House concur in the Senate amendments to [H 699](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Kren asked unanimous consent that the House not concur in the Senate amendments to [H 729](#), as amended in the Senate. Mr. Durst objected.

Mr. Bedke moved that the House concur in the Senate amendments to [H 729](#), as amended in the Senate. Mr. Durst seconded the motion.

The question being ""Shall the motion pass?""

Roll call resulted as follows:

AYES – Anderson, Andrus, Bedke, Bell, Bilbao, Black, Boe, Bolz, Burgoyne, Chavez, Chew, Cronin, Durst, Gibbs, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Moyle, Nielsen, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Shirley, Smith(30), Stevenson, Takasugi, Trail, Wills, Wood(27). Total – 37.

NAYS – Barrett, Bayer, Block, Boyle, Chadderdon, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Kren, Labrador,

Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nonini, Palmer, Patrick, Roberts, Schaefer, Shepherd(08), Simpson, Smith(24), Thayn, Thompson, Wood(35), Mr. Speaker. Total – 31.

Absent and excused – Clark, Pasley-Stuart. Total – 2.  
Total – 70.

Whereupon the Speaker declared the motion passed and the House concurred in the Senate amendments to [H 729](#), as amended in the Senate.

Mr. Rusche asked unanimous consent that the House concur in the Senate amendments to [H 681](#), as amended in the Senate. There being no objection, it was so ordered.

[H 699](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 589](#), as amended in the Senate, [H 681](#), as amended in the Senate, and [H 729](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

### Report of Standing Committees

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 699](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 589](#), as amended in the Senate, [H 681](#), as amended in the Senate, and [H 729](#), as amended in the Senate.

CLARK, Chairman

[H 699](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 589](#), as amended in the Senate, [H 681](#), as amended in the Senate, and [H 729](#), as amended in the Senate, were filed for first reading of engrossed bills.

There being no objection, the House advanced to the Ninth Order of Business.

### First Reading of Engrossed Bills

[H 699](#), as amended in the Senate, by Education Committee, was introduced, read the first time by title, and filed for second reading.

[H 614](#), as amended in the Senate, [H 589](#), as amended in the Senate, and [H 681](#), as amended in the Senate, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

[H 729](#), as amended in the Senate, by Ways and Means Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 699](#), 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 699](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Barrett, Clark, Pasley-Stuart. Total – 3.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 699](#), as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall [H 699](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jarvis, Killen, Kren, Labrador, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 52.

NAYS – Andrus, Barrett, Boe, Chavez, Gibbs, Jaquet, King, Lake, Marriott, Ringo, Ruchti, Rusche, Sayler, Smith(30), Smith(24), Wood(35). Total – 16.

Absent and excused – Clark, Pasley-Stuart. Total – 2.  
Total – 70.

Whereupon the Speaker declared [H 699](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 589](#), 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 589](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson,

Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Barrett, Clark, Pasley-Stuart. Total – 3.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 589](#), as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall [H 589](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 53.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pence, Ringo, Ruchti, Saylor, Smith(30). Total – 15.

Absent and excused – Clark, Pasley-Stuart. Total – 2.  
Total – 70.

Whereupon the Speaker declared [H 589](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 614](#), 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 614](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Barrett, Clark, Pasley-Stuart. Total – 3.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and [H 614](#), as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Takasugi to open debate.

The question being, "Shall [H 614](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Clark, Pasley-Stuart. Total – 2.  
Total – 70.

Whereupon the Speaker declared [H 614](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 681](#), 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 681](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Barrett, Clark, Pasley-Stuart. Total – 3.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 681](#), as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall [H 681](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Clark, Pasley-Stuart. Total – 2.

Total – 70.

Whereupon the Speaker declared [H 681](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent that all rules of the House interfering with the immediate consideration of [H 729](#), 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 729](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Mr. Crane objected.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of [H 729](#), 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 729](#), as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Durst.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Bedke, Bell, Bilbao, Black, Boe, Bolz, Burgoyne, Chavez, Chew, Collins, Cronin, Durst, Eskridge, Gibbs, Hartgen, Higgins, Jaquet, Killen, King, Luker, Moyle, Nielsen, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shirley, Smith(30), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27). Total – 37.

NAYS – Anderson, Andrus, Barrett, Bayer, Block, Boyle, Chadderdon, Crane, Hagedorn, Hart, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Nonini, Palmer, Patrick, Roberts, Schaefer, Shepherd(08), Simpson, Thompson, Wood(35), Mr. Speaker. Total – 30.

Absent and excused – Clark, Pasley-Stuart, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that less than two thirds of the membership having voted in the affirmative, the motion failed.

Mr. Moyle asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate

that the House is ready to adjourn Sine Die. There being no objection, it was so ordered.

The Speaker appointed Representatives Block, Mathews, and Sayler to notify the Governor and Representatives Loertscher, Labrador, and Durst to notify the Senate. The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor.

Representative Block read the following correspondence to the members of the House:

OFFICE OF THE GOVERNOR  
Boise

March 29, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker,

To all the distinguished members of the Idaho House of Representatives, please accept my humble and sincere appreciation for your work, and my congratulations on concluding an efficient and productive session.

You served the people of Idaho with dignity and great character these past months, negotiating a balanced budget through a difficult economy with sensitivity and discretion.

Thank you for holding the line against tax increases that other states have enacted or are considering. Thank you for expressing your civic virtue by protecting our citizens' self determination and our state's sovereignty. And thank you most of all for seeking after the proper role of government in the lives of the people of Idaho.

Travel home safely, and Godspeed until we meet again.

As Always - Idaho, "Esto Perpetua"  
/s/ C.L. "Butch" Otter  
Governor of Idaho

The letter was ordered filed in the office of the Chief Clerk.

The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that they had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the Second Regular Session of the Sixtieth Legislature adjourn Sine Die. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the motion carried and the Second Regular Session of the Sixtieth Legislature adjourned Sine Die at 9:19 p.m., Monday, March 29, 2010.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

\* \* \* \* \*

**Note: The following actions were recorded after House Sine Die:**

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 44](#) to the Secretary of State at 3:23 p.m., as of this date, March 29, 2010.

CLARK, Chairman

March 30, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 59](#) to the Secretary of State at 1:51 p.m., as of this date, March 30, 2010.

CLARK, Chairman

March 29, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 607](#), [H 630](#), [H 601](#), [H 611](#), [H 462](#), [H 504](#), [H 548](#), as amended, [H 581](#), [H 644](#), [H 605](#), [H 647](#), [H 460](#), [H 624](#), [H 664](#), [H 659](#), [H 660](#), [H 661](#), [H 668](#), [H 670](#), [H 671](#), [H 492](#), [H 575](#), [H 617](#), [H 636](#), [H 662](#), [H 677](#), [H 678](#), [H 679](#), [H 669](#), [H 407](#), as amended, [H 656](#), [H 683](#), [H 687](#), [H 685](#), [H 689](#), [H 690](#), [H 503](#), [H 646](#), as amended, [H 586](#), as amended, [H 609](#), [H 426](#), [H 433](#), as amended, [H 566](#), [H 652](#), [H 673](#), [H 674](#), [H 680](#), [H 694](#), [H 695](#), [H 696](#), and [H 657](#) to the Governor at 5:40 p.m., as of this date, March 29, 2010.

CLARK, Chairman

March 30, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 704](#), [H 705](#), [HCR 64](#), [H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, [H 598](#), as amended in the Senate, [H 589](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 681](#), as amended in the Senate, and [H 699](#), as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 704](#), [H 705](#), [HCR 64](#), [H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, [H 598](#), as amended in the Senate, [H 589](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 681](#), as amended in the Senate, and [H 699](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 30, 2010

Mr. Speaker:

I return herewith enrolled [HCR 64](#) which has been signed by the President.

WOOD, Secretary

Enrolled [HCR 64](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 31, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 64](#) to the Secretary of State at 8:11 a.m., as of this date, March 31, 2010.

CLARK, Chairman

March 31, 2010

Mr. Speaker:

I return herewith enrolled [H 704](#), [H 705](#), [H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, [H 598](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 681](#), as amended in the Senate, and [H 699](#), as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled [H 704](#), [H 705](#), [H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, [H 598](#), as amended in the Senate, [H 589](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 681](#), as amended in the Senate, and [H 699](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 31, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 704](#), [H 705](#), [H 534](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 509](#), as amended in the Senate, [H 598](#), as amended in the Senate, [H 589](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 681](#), as amended in the Senate, and [H 699](#), as amended in the Senate, to the Governor at 8:15 a.m., as of this date, March 31, 2010.

CLARK, Chairman

March 29, 2010

Mr. Speaker:

I return herewith [HCR 48](#) which has passed the Senate.

WOOD, Secretary

[HCR 48](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 29, 2010

Mr. Speaker:

I return herewith [H 688](#), [H 675](#), [H 684](#), [H 710](#), [H 711](#), [H 712](#), [H 713](#), [H 631](#), as amended, [H 692](#), as amended, [H 667](#), as amended, [H 676](#), as amended, [H 722](#), [H 721](#), [H 717](#), [H 716](#), [H 715](#), [H 714](#), [H 726](#), [H 723](#), [H 724](#), [H 725](#), [H 637](#), [H 682](#), [H 708](#), and [H 727](#) which have passed the Senate.

WOOD, Secretary

[H 688](#), [H 675](#), [H 684](#), [H 710](#), [H 711](#), [H 712](#), [H 713](#), [H 631](#), as amended, [H 692](#), as amended, [H 667](#), as amended, [H 676](#), as amended, [H 722](#), [H 721](#), [H 717](#), [H 716](#), [H 715](#), [H 714](#), [H 726](#), [H 723](#), [H 724](#), [H 725](#), [H 637](#), [H 682](#), [H 708](#), and [H 727](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 29, 2010

Mr. Speaker:

I return herewith [H 728](#) which has passed the Senate.

WOOD, Secretary

[H 728](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 29, 2010

Mr. Speaker:

I return herewith [H 600](#) which has passed the Senate.

WOOD, Secretary

[H 600](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 30, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 48](#), [H 688](#), [H 675](#), [H 684](#), [H 710](#), [H 711](#), [H 712](#), [H 713](#), [H 631](#), as amended, [H 692](#), as amended, [H 667](#), as amended, [H 676](#), as amended, [H 722](#), [H 721](#), [H 717](#), [H 716](#), [H 715](#), [H 714](#), [H 726](#), [H 723](#), [H 724](#), [H 725](#), [H 637](#), [H 682](#), [H 708](#), [H 727](#), [H 728](#), and [H 600](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 48](#), [H 688](#), [H 675](#), [H 684](#), [H 710](#), [H 711](#), [H 712](#), [H 713](#), [H 631](#), as amended, [H 692](#), as amended, [H 667](#), as amended, [H 676](#), as amended, [H 722](#), [H 721](#), [H 717](#), [H 716](#), [H 715](#), [H 714](#), [H 726](#), [H 723](#), [H 724](#), [H 725](#), [H 637](#), [H 682](#), [H 708](#), [H 727](#), [H 728](#), and [H 600](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 31, 2010

Mr. Speaker:

I return herewith enrolled [HCR 48](#), [H 688](#), [H 675](#), [H 684](#), [H 710](#), [H 711](#), [H 712](#), [H 713](#), [H 631](#), as amended, [H 692](#), as amended, [H 667](#), as amended, [H 722](#), [H 721](#), [H 717](#), [H 716](#), [H 715](#), [H 714](#), [H 726](#), [H 723](#), [H 724](#), [H 725](#), [H 637](#), [H 682](#), [H 708](#), [H 727](#), [H 728](#), and [H 600](#) which have been signed by the President.

WOOD, Secretary

Enrolled [HCR 48](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 688](#), [H 675](#), [H 684](#), [H 710](#), [H 711](#), [H 712](#), [H 713](#), [H 631](#), as amended, [H 692](#), as amended, [H 667](#), as amended, [H 676](#), as amended, [H 722](#), [H 721](#), [H 717](#), [H 716](#), [H 715](#), [H 714](#), [H 726](#), [H 723](#), [H 724](#), [H 725](#), [H 637](#), [H 682](#), [H 708](#), [H 727](#), [H 728](#), and [H 600](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 31, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 48](#) to the Secretary of State at 11:39 a.m., as of this date, March 31, 2010.

CLARK, Chairman

March 31, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 688](#), [H 675](#), [H 684](#), [H 710](#), [H 711](#), [H 712](#), [H 713](#), [H 631](#), as amended, [H 692](#), as amended, [H 667](#), as amended, [H 676](#), as amended, [H 722](#), [H 721](#), [H 717](#), [H 716](#), [H 715](#), [H 714](#), [H 726](#), [H 723](#), [H 724](#), [H 725](#), [H 637](#), [H 682](#), [H 708](#), [H 727](#), [H 728](#), and [H 600](#) to the Governor at 11:40 a.m., as of this date, March 31, 2010.

CLARK, Chairman

March 29, 2010

Mr. Speaker:

I return herewith enrolled [H 459](#), [H 602](#), as amended, [H 398](#), [H 438](#), [H 542](#), [H 574](#), [H 425](#), [H 608](#), as amended, [H 596](#), as amended, [H 496](#), [H 555](#), [H 543](#), [H 603](#), [H 550](#), [H 554](#), [H 593](#), as amended, [H 613](#), and [H 531](#), as amended, which have been signed by the President.

WOOD, Secretary

Enrolled [H 459](#), [H 602](#), as amended, [H 398](#), [H 438](#), [H 542](#), [H 574](#), [H 425](#), [H 608](#), as amended, [H 596](#), as amended, [H 496](#), [H 555](#), [H 543](#), [H 603](#), [H 550](#), [H 554](#), [H 593](#), as amended, [H 613](#), and [H 531](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 30, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 459](#), [H 602](#), as amended, [H 398](#), [H 438](#), [H 542](#), [H 574](#), [H 425](#), [H 608](#), as amended, [H 596](#), as amended, [H 496](#), [H 555](#), [H 543](#), [H 603](#), [H 550](#), [H 554](#), [H 593](#), as amended, [H 613](#), and [H 531](#), as amended, to the Governor at 2:30 p.m., as of this date, March 30, 2010.

CLARK, Chairman

March 30, 2010

Mr. Speaker:

I return herewith enrolled [H 691](#) which has been signed by the President.

WOOD, Secretary

Enrolled [H 691](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 30, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 691](#) to the Governor at 2:30 p.m., as of this date, March 30, 2010.

CLARK, Chairman

March 30, 2010

Mr. Speaker:

I return herewith enrolled [H 640](#), as amended, [H 645](#), as amended, [H 653](#), [H 697](#), [H 698](#), [H 701](#), [H 702](#), [H 703](#), [H 615](#), [H 665](#), as amended, [H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled [H 640](#), as amended, [H 645](#), as amended, [H 653](#), [H 697](#), [H 698](#), [H 701](#), [H 702](#), [H 703](#), [H 615](#), [H 665](#), as amended, [H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 31, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 640](#), as amended, [H 645](#), as amended, [H 653](#), [H 697](#), [H 698](#), [H 701](#), [H 702](#), [H 703](#), [H 615](#), [H 665](#), as amended, [H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, to the Governor at 8:15 a.m., as of this date, March 31, 2010.

CLARK, Chairman

March 30, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1301](#), [S 1310](#), [S 1311](#), as amended, [S 1320](#), as amended, [S 1340](#), as amended, [S 1361](#), as amended, [S 1382](#), as amended, [S 1383](#), as amended, [S 1384](#), [S 1385](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1417](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1301](#), [S 1310](#), [S 1311](#), as amended, [S 1320](#), as amended, [S 1340](#), as amended, [S 1361](#), as amended, [S 1382](#), as amended, [S 1383](#), as amended, [S 1384](#), [S 1385](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1417](#) and, when so signed, ordered them returned to the Senate.

March 30, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1428](#), [S 1429](#), [S 1430](#), [S 1431](#), [S 1432](#), [S 1433](#), [S 1434](#), [S 1435](#), [S 1436](#), [S 1437](#), [S 1438](#), [S 1439](#), [S 1440](#), [S 1441](#), [S 1442](#), [S 1443](#), [SCR 125](#), and [SCR 126](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1428](#), [S 1429](#), [S 1430](#), [S 1431](#), [S 1432](#), [S 1433](#), [S 1434](#), [S 1435](#), [S 1436](#), [S 1437](#), [S 1438](#), [S 1439](#), [S 1440](#), [S 1441](#), [S 1442](#), [S 1443](#), [SCR 125](#), and [SCR 126](#) and, when so signed, ordered them returned to the Senate.

March 31, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1344](#), as amended, [S 1346](#), as amended, [S 1390](#), [S 1401](#), as amended, [S 1408](#), [S 1422](#), [S 1425](#), [S 1444](#), [S 1445](#), [SCR 118](#), [SCR 127](#), [SJM 104](#), [SJM 105](#), and [SJM 106](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1344](#), as amended, [S 1346](#), as amended, [S 1390](#), [S 1401](#), as amended, [S 1408](#), [S 1422](#), [S 1425](#), [S 1444](#), [S 1445](#), [SCR 118](#), [SCR 127](#), [SJM 104](#), [SJM 105](#), and [SJM 106](#) and, when so signed, ordered them returned to the Senate.

March 31, 2010

Mr. Speaker:

I transmit herewith enrolled [S 1335](#), as amended in the House, [S 1403](#), as amended in the House, [S 1407](#), as amended in the House, [S 1419](#), [S 1420](#), [S 1423](#), [S 1424](#), [S 1426](#), and [S 1427](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1335](#), as amended in the House, [S 1403](#), as amended in the House, [S 1407](#), as amended in the House, [S 1419](#), [S 1420](#), [S 1423](#), [S 1424](#), [S 1426](#), and [S 1427](#) and, when so signed, ordered them returned to the Senate.

OFFICE OF THE GOVERNOR  
Boise

March 30, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 526](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 31, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 407](#), as amended, [H 426](#), [H 428](#), [H 429](#), [H 461](#), [H 502](#), [H 537](#), as amended, [H 433](#), as amended, [H 460](#), [H 462](#), [H 503](#), [H 504](#), [H 575](#), [H 581](#), [H 548](#), as amended, [H 566](#), [H 586](#), as amended, [H 588](#), [H 604](#), as amended, [H 601](#), [H 605](#), [H 607](#), [H 609](#), [H 611](#), [H 617](#), [H 624](#), [H 636](#), [H 644](#), [H 646](#), as amended, [H 647](#), [H 652](#), [H 656](#), [H 657](#), [H 659](#), [H 660](#), [H 661](#), [H 662](#), [H 664](#), [H 668](#), [H 669](#), [H 670](#), [H 671](#), [H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 683](#), [H 685](#), [H 687](#), [H 689](#), [H 690](#), [H 691](#), [H 694](#), [H 695](#), and [H 696](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

OFFICE OF THE GOVERNOR  
Boise

April 8, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 589](#), as amended in the Senate, [H 531](#), as amended, [H 496](#), [H 602](#), as amended, [H 603](#), [H 550](#), [H 554](#), [H 593](#), as amended, [H 613](#), [H 608](#), as amended, [H 596](#), as amended, [H 555](#), [H 425](#), [H 459](#), [H 542](#), [H 398](#), [H 438](#), [H 543](#), [H 574](#), [H 699](#), as amended in the Senate, [H 692](#), as amended, [H 697](#), [H 698](#), [H 631](#), as amended, [H 701](#), [H 702](#), [H 703](#), [H 704](#), [H 705](#), [H 681](#), as amended in the Senate, [H 665](#), as amended, [H 493](#), as amended in the Senate, [H 509](#), as amended in the Senate, [H 534](#), as amended in the Senate, [H 545](#), as amended in the Senate, [H 576](#), as amended in the Senate, [H 614](#), as amended in the Senate, [H 615](#), [H 640](#), as amended, [H 645](#), as amended, [H 653](#), and [H 598](#), as amended in the Senate

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

OFFICE OF THE GOVERNOR  
Boise



April 8, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 630](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

OFFICE OF THE GOVERNOR  
Boise

April 11, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 600](#), [H 676](#), as amended, [H 682](#), [H 708](#), [H 710](#), [H 711](#), [H 712](#),  
[H 713](#), [H 714](#), [H 715](#), [H 716](#), [H 717](#), [H 722](#), [H 723](#), [H 724](#),  
[H 726](#), [H 637](#), [H 667](#), as amended, [H 684](#), [H 725](#), and [H 721](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

THE OFFICE OF THE GOVERNOR  
Boise

April 12, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting today to the Secretary of State the following House bill which will be allowed to become law without my signature:

[H 688](#)

as prescribed by the Constitution.

As governor, I have concentrated on increasing efficiencies in agencies to ensure our state government lives within the means of the people we serve. I can appreciate the effort by universities and colleges under this bill to increase efficiencies and cut costs as budgets decrease in order to continue providing a world-class education here in Idaho.

I understand the desire of colleges and universities to have more autonomy, flexibility and discretion relating to purchasing items outside of statewide contracts. I also understand this authority is exercised under the direction of the State Board of Education and in the event the state enters into an open contract all universities and colleges will defer to the Division of Purchasing, unless an exemption is granted.

That said, I am concerned that under this legislation the state will have multiple procurement processes for state agencies

and each institution of higher education. While there could be redundancies and inefficiencies in the near term, I am willing to see if savings can be achieved. I take comfort in knowing that if success is not achieved the law will sunset in 3 years and a new solution can be forged.

I believe the key to success will be increased communication and collaboration between higher education and the Department of Administration. I hope that our colleges and universities are right and this effort will save money that can be used to prepare our post-secondary students for careers and a better tomorrow.

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

THE OFFICE OF THE GOVERNOR  
Boise

April 12, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting today to the Secretary of State the following House bill which will be allowed to become law without my signature:

[H 492](#)

as prescribed by the Constitution.

As governor, I applaud the efforts of County Coroners to improve their members training and proficiency through educational development. Requiring a minimum level of training is a positive step in producing better skilled coroners that are able to serve the counties and the public.

That being said, I cannot overlook the fact that this is not just a bill to improve the education of coroners. The underlying issue is the precedent of allowing the funding for coroner training to be raised via a State agency instead of through the counties. Adding fees to death certificates under the purview of the Bureau of Vital Records and Health Statistics could encourage other entities to engage in similar pursuits, inflating the costs of certificates which are the primary source of income for the administration of this bureau of the Department of Health and Welfare. It is the only bureau that is self-supporting, using no general fund dollars. Adding fees for other purposes simply erodes the integrity of the system.

Citizens of Idaho are legally required to file records of vital events. The Bureau of Vital Records and Health Statistics is the steward for recording these events, protecting the records, and producing certified copies when requested by those legally authorized. I am not convinced that select citizens should have to pay an additional fee to obtain certified records that they are required to produce for other purposes later in life because the County Coroners deemed this a reasonable avenue for acquiring educational funding. I believe in user pay, and while there is a nexus between the fee imposed by this legislation and the service, it is tenuous at best.

I am allowing this bill to become a law, but future attempts similar to this legislation will not be supported without detailed development of the plan. I encourage further review of this legislation to explore a more equitable solution. I suggest the following ideas for consideration:

• Coroners certify a percentage of death certificates in Idaho. It may be more reasonable to adjust the fees according to a record by record basis, verifying the number of coroner certified death certificates.

• Placing a moratorium on any additional fee changes outside the purview of the Bureau of Vital Records and Health Statistics.

Additionally, the Association of Counties and the Idaho State Association of County Coroners have addressed subsequent concerns and have made a written commitment to work on the following issues:

• Providing for upfront financial assistance that allows the bureau to develop a workable system for tracking and distribution of funds.

• Allowing time for the extra funds to be held in trust, until there are sufficient funds to reprogram the bureau's system before distributing to the coroners the added funding for the bill's stated purpose.

• Establishing a system for a regular review of how those funds are being spent by the counties.

Each of these issues should be considered as the counties go forward in working with the bureau to establish protocols that provide an equitable working relationship.

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

OFFICE OF THE GOVERNOR  
Boise

April 11, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 675](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

THE OFFICE OF THE GOVERNOR  
Boise

April 12, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting today to the Secretary of State the following House bills which will be allowed to become law without my signature:

[H 727](#) and [H 728](#)

as prescribed by the Constitution.

There is broad agreement that the Idaho Education Network (IEN) is an important element in our goal of extending the highest quality education to every student of Idaho public

schools. There also is broad agreement that responsible and transparent governance of the IEN is a critical factor in its success politically as well as academically.

I agree with the compromise reached in order to keep advancing our shared IEN goals, as embodied in House Bill 727 and the intent language accompanying House Bill 728. The quarterly reporting requirements and level of legislative oversight are entirely appropriate, and I recognize the important role that both JFAC and the House and Senate Education committees play in this undertaking. However, I would have preferred that more educators and private sector representatives also be included in the IEN's Program and Resource Advisory Council (IPRAC) as provided specifically in HB 727.

It is my sincere wish - as I know it is yours - that we not politicize or otherwise marginalize the utility of this exceptional tool for education as well as training, workforce development and economic development, especially for our more rural communities. The IPRAC provides us with a great opportunity to bring to bear the experience, training, talents and other resources of world-class instructors, technical experts and education specialists to help our students and citizens realize their full potential through the IEN. The structure created in HB 727 is good; it is my hope that we ensure it is the best it can possibly be in the years ahead.

Once again, I highly respect the Legislature's wisdom and authority in restructuring this advisory panel. I am perfectly comfortable with the level of legislative oversight these bills create in order to ensure the IEN's success. While I am withholding my signature, I will not withhold my full support for either the process or the goals it is intended to advance.

The Legislature has my thanks and admiration for working through the issues involved and arriving at this compromise. And this truly is a compromise, providing improvement in the form of an imperfect solution upon which everyone could disagree equally. Along with the Legislature, I look forward to making it work for our students, and I hope that legislators will be open to adjusting the IPRAC membership if we find that more technical and educational expertise is needed.

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

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**CERTIFICATE**

WE, LAWRENCE DENNEY, Speaker of the House of Representatives, and BONNIE ALEXANDER, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the Second Regular Session of the Sixtieth Legislature all of the proceedings of the Seventy-eighth Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this 14th day of April, 2010.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

For legislation subject or topic search, refer to the 2010 Final Weekly Bill Status publication, or online at [www.legislature.idaho.gov](http://www.legislature.idaho.gov).

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			(House Amendments - p. 131)			
524 AA	J R & A	73	FEES .....	-	211	H Jud
			(House Amendments - p. 163)			
525	C & H R	73	FILM AND TELEVISION PRODUCTION BUSINESS REBATE FUND .....	121	261	LAW
526	C & H R	73	DEPARTMENT OF LANDS - TIMBER SALES .....	140	298	LAW
527	C & H R	74	INDUSTRIAL COMMISSION .....	115	288	LAW
528	Business	74	INSURANCE .....	148	148	H FAILED
529	Business	74	DENTAL SERVICES .....	154	275	LAW
530	Business	74	INSURANCE .....	-	78	H Bus
531 AA	Res & Cons	74	FISH AND GAME .....	152	298	LAW
			(House Amendments - p. 132)			
532 AA	Res & Cons	74	FISH AND GAME - CONSERVATION PERMITS .....	218	218	H FAILED
			(House Amendments - p. 195)			
533	Res & Cons	74	INVASIVE SPECIES .....	151	261	LAW
534 AAS	Health & W	79	PHARMACISTS .....	282	298	LAW
			(Senate Amendments - See Senate Journal)			
535 AA	Local Gov	79	FEES .....	152	152	S Jud
			(House Amendments - p. 131)			
536	Local Gov	79	COMMUNITY INFRASTRUCTURE DISTRICTS .....	-	81	H Loc Gov
537 AA	Health & W	79	SOCIAL WORK LICENSING ACT .....	183	298	LAW
			(House Amendments - p. 164)			
538	Health & W	79	FREEDOM OF CHOICE OF DENTURES ACT .....	151	261	LAW
539	Health & W	79	RESIDENTIAL CARE ADMINISTRATORS ACT .....	-	81	H Health/Wel
540	Transp & Def	79	MOTOR VEHICLES - LICENSE PLATES .....	123	288	LAW
541 AA	Transp & Def	79	MOTOR VEHICLES - DRIVER'S LICENSES .....	229	229	S St Aff
			(House Amendments - p. 209)			
542	Transp & Def	79	MOTOR VEHICLE REGISTRATION AND CERTIFICATION .....	123	298	LAW
543	State Affairs	80	FIREARMS, EXPLOSIVES AND OTHER DEADLY WEAPONS .....	160	298	LAW
544	Education	80	HIGHER EDUCATION STABILIZATION FUND .....	115	234	LAW
545 AAS	Education	80	EDUCATION .....	276	298	LAW
			(Senate Amendments - See Senate Journal)			

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546	Education	80	POLITICAL SUBDIVISIONS - SCHOOL DISTRICTS .....	-	81	H Educ
547	C & H R	82	EQUAL PAY DAY .....	-	87	H St Aff
548 AA	C & H R	83	BRIBERY AND CORRUPTION .....	189	298	LAW
			(House Amendments - p. 164)			
549	Business	83	SMALL BUSINESS INCUBATORS .....	-	87	H Bus
550	Business	83	TRUST DEEDS .....	136	298	LAW
551	Business	83	TRUST DEEDS .....	136	136	H FAILED
552	Business	83	HVAC INSTALLATIONS .....	-	87	H Bus
553	Business	83	ELECTRICAL BOARD FUND .....	154	261	LAW
554	Business	83	NAME CHANGES .....	177	298	LAW
555	Res & Cons	83	ADMINISTRATIVE PROCEDURES .....	140	298	LAW
556 AA	Res & Cons	83	FLOOD PROTECTIONS .....	184	288	LAW
			(House Amendments - p. 164)			
557	Res & Cons	83	IRRIGATION DISTRICTS - TRUSTS .....	142	288	LAW
558 AA	Res & Cons	83	PUBLIC EMPLOYEE RETIREMENT SYSTEM .....	152	288	LAW
			(House Amendments - p. 132)			
559	Res & Cons	84	PRESCRIPTIVE OVERFLOW EASEMENTS .....	142	288	LAW
560	Res & Cons	84	PROCUREMENT REQUIREMENTS .....	142	261	LAW
561	Res & Cons	84	NAVIGATIONAL ENCROACHMENT .....	140	261	LAW
562	Res & Cons	84	FISH AND GAME .....	-	87	H Res/Con
563	Res & Cons	84	FISH AND GAME .....	-	87	H Res/Con
564	State Affairs	84	DRIVING BUSINESSES .....	121	288	LAW
565	State Affairs	84	PUBLIC WRITINGS .....	-	87	H St Aff
566	State Affairs	84	SECURITY BREACHES .....	153	298	LAW
567	Rev & Tax	90	URBAN RENEWAL .....	-	95	H Rev/Tax
568	Rev & Tax	91	REVENUE ALLOCATION AREAS .....	-	95	H Rev/Tax
569	Rev & Tax	91	URBAN RENEWAL LAW .....	-	95	H Rev/Tax
570	Rev & Tax	91	URBAN RENEWAL LAW .....	-	95	H Rev/Tax
571	Rev & Tax	91	LOCAL ECONOMIC DEVELOPMENT ACT .....	-	95	H Rev/Tax
572	Rev & Tax	91	URBAN RENEWAL AGENCIES .....	-	95	H Rev/Tax
573	Transp & Def	91	WHOLE-BODY IMAGING .....	217	217	S St Aff
574	Transp & Def	91	VEHICLE RENTALS .....	173	298	LAW

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575	State Affairs	91	PUBLIC UTILITIES COMMISSION .....	141	298	LAW
576 AAS	Rev & Tax	91	SOIL CONSERVATION DISTRICT LAW .....	282	298	LAW
			(Senate Amendments - See Senate Journal)			
577	Rev & Tax	92	HIGHWAYS - BRIDGES - CONTRACTS .....	-	95	H Transp
578	Rev & Tax	93	LOCAL ECONOMIC DEVELOPMENT ACT .....	-	95	H Rev/Tax
579	Education	96	EDUCATION .....	135	261	LAW
580	Business	96	MOBILE HOME PARK LANDLORD-TENANT ACT .....	-	100	H Bus
581	Business	96	MOBILE HOME PARK LANDLORD-TENANT ACT .....	204	298	LAW
582	Business	96	INSURANCE .....	-	100	H Bus
583 AA	Business	96	URBAN RENEWAL - SINGLE COUNTYWIDE HIGHWAY DISTRICTS .....	182	182	S Loc Gov
			(House Amendments - p. 163)			
584	Business	96	MICRO ENTERPRISE DEVELOPMENT AUTHORITY ....	-	100	H Rev/Tax
585	Business	96	BOARD OF COSMETOLOGY .....	-	100	H Bus
586 AA	Business	96	MOTOR VEHICLES .....	218	298	LAW
			(House Amendments - p. 195)			
587	Business	97	LIENS - HEALTH CARE PROFESSIONALS .....	-	100	H Bus
588	State Affairs	101	OFFICE HOURS .....	142	298	LAW
589 AAS	State Affairs	101	FIREARMS MANUFACTURED IN IDAHO .....	294	298	LAW
			(Senate Amendments - See Senate Journal)			
590	State Affairs	104	HEALTH AND SAFETY .....	248	248	S Health/Wel
591	State Affairs	104	VEHICLE EMISSIONS .....	-	108	H Env
592	State Affairs	104	PARI-MUTUEL BETTING .....	-	108	H St Aff
593 AA	State Affairs	104	ATTORNEY'S FEES .....	183	298	LAW
			(House Amendments - p. 163)			
594	State Affairs	104	COMMISSION FOR REAPPORTIONMENT .....	-	108	H St Aff
595	Rev & Tax	109	INCOME TAX - NET OPERATING LOSS .....	-	112	H Rev/Tax
596 AA	Rev & Tax	109	COLLEGE AND UNIVERSITY IMPROVEMENTS .....	183	298	LAW
			(House Amendments - p. 163)			
597	Rev & Tax	109	INCOME TAXATION .....	143	143	S Loc Gov
598 AAS	State Affairs	119	IRRIGATION DISTRICTS .....	283	298	LAW
			(Senate Amendments - See Senate Journal)			
599	State Affairs	119	SOLID WASTE LANDFILLS .....	160	288	LAW
600	Transp & Def	119	HIGHWAYS - BRIDGES - CONTRACTS .....	173	299	LAW

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601	Education	120	PUBLIC SCHOOLS - PLAN REVIEW .....	172	298	LAW
602 AA	State Affairs	129	IMMUNITY FROM LIABILITY .....	184	298	LAW
			(House Amendments - p. 164)			
603	State Affairs	129	HUMAN RIGHTS COMMISSION .....	165	298	LAW
604 AA	State Affairs	129	PERSONNEL SYSTEM .....	184	298	LAW
			(House Amendments - p. 164)			
605	State Affairs	129	LOCAL LAND USE PLANNING .....	189	298	LAW
606	Ways & Means	129	SAFETY RESTRAINTS .....	-	133	H Transp
607	Ways & Means	130	FIRE PROTECTION DISTRICTS .....	172	298	LAW
608 AA	Ways & Means	130	LOCAL LAND USE PLANNING .....	184	298	LAW
			(House Amendments - p. 164)			
609	Ways & Means	130	IDAHO STATE POLICE - PROJECT CHOICE .....	212	298	LAW
610	Ways & Means	130	CHILD PROTECTIVE ACT .....	160	288	LAW
611	State Affairs	130	AUDITS .....	172	298	LAW
612	State Affairs	130	CIVIL OFFICES .....	172	172	S St Aff
613	State Affairs	130	CORRECTIONAL INDUSTRIES - AUDITS .....	189	298	LAW
614 AAS	State Affairs	130	ADMINISTRATIVE RULES .....	294	298	LAW
			(Senate Amendments - See Senate Journal)			
615	Rev & Tax	130	OPPORTUNITY SCHOLARSHIP .....	229	298	LAW
616	Rev & Tax	130	LOCAL IMPROVEMENT DISTRICTS .....	160	160	S Loc Gov
617	State Affairs	134	HOMELAND SECURITY .....	182	298	LAW
618	State Affairs	138	MOTOR VEHICLE REGISTRATION .....	173	173	S Transp
619	State Affairs	138	IDAHO ELECTRICAL BOARD - INFORMATION TRANSPORT CONTRACTORS .....	-	145	H Bus
620	State Affairs	139	HISTORICAL SOCIETY .....	177	177	S St Aff
621	State Affairs	147	MEDICALLY INDIGENT .....	-	150	H Health/Wel
622	Ways & Means	147	GOLD AND SILVER COIN - ELECTRONIC OUNCES ....	-	150	H W/M
623	Ways & Means	147	ENVIRONMENTAL QUALITY .....	-	150	H Agric Aff
624	Education	147	EDUCATION .....	182	298	LAW
625	Appropriations	148	APPROPRIATIONS - DEPARTMENT OF FINANCE .....	164	288	LAW
626	Appropriations	148	BUILDING SAFETY DIVISION .....	165	288	LAW
627	Education	148	MINORS .....	-	150	H Jud
628	State Affairs	148	SHEEP .....	-	150	H Agric Aff
629	Rev & Tax	148	AMBULANCE DISTRICTS - TAX LEVY .....	-	150	H Rev/Tax

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630	Rev & Tax	148	INCOME TAX CREDITS - CHARITABLE CONTRIBUTIONS .....	182	299	LAW
631 AA	State Affairs	158	FIREARMS .....	256	298	LAW
			(House Amendments - p. 242)			
632	State Affairs	158	ELECTION CONSOLIDATION .....	-	162	H St Aff
633	State Affairs	158	IDAHO SILVER GEM ACT .....	218	218	S Loc Gov
634	State Affairs	159	PSYCHOSOCIAL REHABILITATION SPECIALIST EXAMINERS BOARD .....	-	162	H Health/Wel
635	State Affairs	159	PREGNANT PRISONERS - RESTRAINT .....	-	162	H Jud
636	Education	159	EDUCATION - INTERNET USE POLICY .....	190	298	LAW
637	Education	159	EDUCATION AND TEACHERS .....	229	299	LAW
638	Education	159	EDUCATION - EXPECTANT OR DELIVERED MOTHERS .....	-	162	H Educ
639	Education	159	DRIVER'S EDUCATION .....	-	162	H Educ
640 AA	Education	159	EDUCATION .....	222	298	LAW
			(House Amendments - p. 195)			
641	Appropriations	163	APPROPRIATIONS - FISH AND GAME DEPARTMENT .....	181	288	LAW
642	Appropriations	163	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION .....	181	288	LAW
643	Education	169	EDUCATION .....	-	174	H Educ
644	Rev & Tax	169	PUBLIC EMPLOYEE RETIREMENT SYSTEM .....	204	298	LAW
645 AA	Rev & Tax	169	CONSTRUCTION ROLL - PROPERTY TAX .....	222	298	LAW
			(House Amendments - p. 196)			
646 AA	Rev & Tax	169	EMPLOYMENT SECURITY LAW .....	222	298	LAW
			(House Amendments - p. 196)			
647	Rev & Tax	169	SMALL LAWSUIT RESOLUTION ACT .....	189	298	LAW
648	Appropriations	169	APPROPRIATIONS .....	188	288	LAW
649	Appropriations	169	APPROPRIATIONS .....	188	288	LAW
650	Education	170	PUBLIC SCHOOLS .....	-	237	H Educ
651	Education	170	SCHOOL DISTRICTS - EMPLOYEES .....	-	174	H Educ
652	State Affairs	170	ELECTION CONSOLIDATION .....	189	298	LAW
653	Ways & Means	176	CHILD PROTECTIVE ACT .....	223	298	LAW
654	Ways & Means	176	GEOHERMAL RESOURCES .....	-	179	H Env
655	Ways & Means	176	GEOHERMAL RESOURCES .....	-	179	H Env

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656	Ways & Means	176	HOSPITAL ASSESSMENT ACT .....	211	298	LAW
657	Rev & Tax	176	IMMUNIZATION ASSESSMENTS .....	196	298	LAW
658	Rev & Tax	176	TAX COMMISSION - SALES AND USE TAX .....	-	179	H Rev/Tax
659	Appropriations	180	APPROPRIATIONS - PUBLIC EMPLOYEE RETIREMENT SYSTEM .....	203	298	LAW
660	Appropriations	180	APPROPRIATIONS - HUMAN RESOURCES .....	203	298	LAW
661	Appropriations	180	APPROPRIATIONS - STATE CONTROLLER .....	203	298	LAW
662	Education	180	EDUCATION - DEAF - BLIND .....	203	298	LAW
663	Education	181	COMMUNITY COLLEGE DISTRICTS .....	-	187	H Educ
664	State Affairs	181	STATE TREASURER - UNPAID WARRANTS .....	203	298	LAW
665 AA	Rev & Tax	181	INCOME TAXATION .....	230	298	LAW
			(House Amendments - p. 211)			
666	Ways & Means	188	MOTOR VEHICLES .....	-	193	H Transp
667 AA	Ways & Means	188	PUBLIC HEALTH DISTRICTS .....	257	299	LAW
			(House Amendments - p. 242)			
668	Appropriations	194	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY .....	216	298	LAW
669	Appropriations	194	APPROPRIATIONS - DEPARTMENT OF LANDS .....	216	298	LAW
670	Appropriations	194	APPROPRIATIONS - SOIL CONSERVATION COMMISSION .....	216	298	LAW
671	Appropriations	194	APPROPRIATIONS - DEPARTMENT OF COMMERCE ....	216	298	LAW
672	Rev & Tax	194	URBAN RENEWAL .....	-	199	H Rev/Tax
673	State Affairs	201	ELECTION CONSOLIDATION .....	218	298	LAW
674	Ways & Means	201	ADMINISTRATIVE RULES .....	223	298	LAW
675	Ways & Means	201	RAW MILK .....	232	300	LAW
676 AA	State Affairs	201	YOUTH ATHLETES .....	257	299	LAW
			(House Amendments - p. 242)			
677	Appropriations	201	APPROPRIATIONS - SPECIAL PROGRAMS - STATE BOARD OF EDUCATION .....	221	298	LAW
678	Appropriations	201	APPROPRIATIONS - IDAHO STATE POLICE .....	222	298	LAW
679	Appropriations	201	APPROPRIATIONS - DEPARTMENT OF CORRECTION .....	222	298	LAW
680	State Affairs	202	UNCLAIMED PROPERTY LAW .....	223	298	LAW
681 AAS	State Affairs	207	MEDICALLY INDIGENT .....	294	298	LAW
			(Senate Amendments - See Senate Journal)			



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682	Education	208	SCHOOL BOND GUARANTY ACT .....	248	299	LAW
683	Appropriations	208	APPROPRIATIONS - STATE HISTORICAL SOCIETY .....	228	298	LAW
684	State Affairs	208	STATE ATHLETIC COMMISSION .....	229	299	LAW
685	Appropriations	208	APPROPRIATIONS - SUPREME COURT .....	229	298	LAW
686	Rev & Tax	215	INCOME TAXATION .....	248	248	S Loc Gov
687	Ways & Means	215	FEES .....	230	298	LAW
688	Ways & Means	215	DIVISION OF PURCHASING .....	248	299	LAW
689	Appropriations	215	APPROPRIATIONS - STATE TREASURER .....	231	298	LAW
690	Appropriations	215	APPROPRIATIONS - LIEUTENANT GOVERNOR .....	231	298	LAW
691	Rev & Tax	215	AMBULANCE SERVICE .....	232	298	LAW
692 AA	State Affairs	217	ELECTIVE OFFICERS - COMPENSATION .....	257	298	LAW
			(House Amendments - p. 242)			
693	State Affairs	217	ABORTION .....	-	220	H St Aff
694	Appropriations	221	APPROPRIATIONS - BOARD OF TAX APPEALS .....	237	298	LAW
695	Appropriations	221	APPROPRIATIONS - SECRETARY OF STATE .....	238	298	LAW
696	Appropriations	221	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION .....	238	298	LAW
697	Appropriations	228	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES .....	247	298	LAW
698	Appropriations	228	APPROPRIATIONS - STATE TAX COMMISSION .....	247	298	LAW
699 AAS	Education	228	PUBLIC SCHOOLS .....	293	298	LAW
			(Senate Amendments - See Senate Journal)			
700	Education	228	SCHOOL DISTRICTS - EMPLOYEES .....	248	248	S Educ
701	Appropriations	235	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES .....	249	298	LAW
702	Appropriations	235	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - PUBLIC HEALTH SERVICES .....	249	298	LAW
703	Appropriations	236	APPROPRIATIONS - OFFICE OF DRUG POLICY .....	250	298	LAW
704	Appropriations	236	APPROPRIATIONS - DEPARTMENT OF JUVENILE CORRECTIONS .....	253	298	LAW
705	Appropriations	236	APPROPRIATIONS - CAPITOL COMMISSION .....	253	298	LAW
706	Ways & Means	236	MOTOR VEHICLES .....	-	245	H Transp
707	Ways & Means	236	TAXATION POLICIES .....	-	245	H Rev/Tax
708	Ways & Means	236	PUBLIC ASSISTANCE .....	258	299	LAW

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709	Rev & Tax	236	INCOME TAXES .....	254	254	S Loc Gov
710	Appropriations	236	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDIRECT SUPPORT SERVICES .....	254	299	LAW
711	Appropriations	236	APPROPRIATIONS - DIVISION OF PUBLIC WORKS - PERMANENT BUILDING FUND .....	254	299	LAW
712	Appropriations	237	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED .....	255	299	LAW
713	Appropriations	241	APPROPRIATIONS - PARKS AND RECREATION .....	255	299	LAW
714	Appropriations	245	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - SERVICE INTEGRATION .....	263	299	LAW
715	Appropriations	245	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MENTAL HEALTH SERVICES .....	263	299	LAW
716	Appropriations	245	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICALLY INDIGENT ADMINISTRATION .....	264	299	LAW
717	Appropriations	246	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - CHILD WELFARE .....	264	299	LAW
718	Rev & Tax	246	INCOME TAXATION - QUALIFYING BIOMASS .....	-	252	H Rev/Tax
719	Rev & Tax	246	INCOME TAX CREDIT .....	-	252	H Rev/Tax
720	Rev & Tax	246	RENEWABLE ENERGY TAX CREDIT .....	-	252	H Rev/Tax
721	Appropriations	246	APPROPRIATIONS - DIVISION OF VETERANS SERVICES .....	265	299	LAW
722	Appropriations	246	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - SERVICES FOR THE DEVELOPMENTALLY DISABLED .....	265	299	LAW
723	Appropriations	247	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - DIVISION OF WELFARE .....	266	299	LAW
724	Appropriations	250	APPROPRIATIONS - TAX COMMISSION AND STATE TREASURER .....	266	299	LAW
725	Appropriations	258	APPROPRIATIONS - SUPREME COURT .....	266	299	LAW
726	Appropriations	258	SOIL AND WATER CONSERVATION COMMISSION .....	267	299	LAW
727	Appropriations	260	IDAHO EDUCATION NETWORK .....	267	300	LAW
728	Appropriations	262	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION .....	272	300	LAW
729 AAS	Ways & Means	269	MOTOR VEHICLES - TEXTING .....	272	295	H 2nd Rdgaa (Senate Amendments - See Senate Journal)
730	Education	276	JOINT FINANCE-APPROPRIATIONS COMMITTEE .....	-	288	H Held at Desk

<u>House Concurrent Resolution</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
35	Moyle and Rusche	2	GOVERNOR - STATE OF STATE ADDRESS .....	2	19	ADOPTED
36	State Affairs	41	BOISE STATE UNIVERSITY FOOTBALL .....	75	275	ADOPTED
37	State Affairs	48	UNIVERSITY OF IDAHO FOOTBALL TEAM - COMMENDED .....	75	275	ADOPTED
38	State Affairs	49	BOYS STATE AND GIRLS STATE MONTH .....	70	124	ADOPTED
39	Health & W	59	HEALTH PLANNING COMMISSION .....	120	179	ADOPTED
40	Ag Affairs	66	LOCALLY GROWN FOOD PRODUCTIONS .....	-	105	H Agric Aff
41	Ag Affairs	67	AGRICULTURAL HISTORY PRESERVATION .....	121	221	ADOPTED
42	State Affairs	78	PERSI .....	102	102	S Com/HuRes
43	Res & Cons	81	WOLVES .....	-	87	H Res/Con
44	State Affairs	88	SOVEREIGNTY UNDER THE TENTH AMENDMENT ....	156	295	ADOPTED
45	Rev & Tax	89	TAX COMMISSION .....	114	179	ADOPTED
46	State Affairs	118	TAIWAN .....	143	245	ADOPTED
47	State Affairs	118	LEWISTON AND THE LEWIS-CLARK VALLEY .....	125	275	ADOPTED
48	State Affairs	125	RULES - REJECTED .....	154	297	ADOPTED
49	State Affairs	125	BUREAU OF HOMELAND SECURITY .....	154	275	ADOPTED
50	State Affairs	126	RULES - REJECTED .....	155	155	S Com/HuRes
51	State Affairs	126	AGENCY RULE COMPLIANCE .....	178	178	S St Aff
52	Ways & Means	126	FISH AND GAME .....	155	155	S Res/Env
53	Ways & Means	127	RULES - REJECTED .....	155	155	S Res/Env
54	Ways & Means	127	DEPARTMENT OF LANDS .....	155	221	ADOPTED
55	Ways & Means	127	DRUG TESTING - COST STUDY .....	166	275	ADOPTED
56	Ways & Means	128	LOCALLY GROWN FOOD PRODUCTIONS .....	-	133	H Agric Aff
57	State Affairs	128	IDAHO STATE UNIVERSITY .....	155	221	ADOPTED
58	State Affairs	146	CONSTITUTIONAL DEFENSE COUNCIL .....	205	275	ADOPTED
59	State Affairs	168	IDAHO GROWN FOOD PRODUCTION .....	196	296	ADOPTED
60	State Affairs	168	TENTH AMENDMENT .....	-	174	H St Aff
61	Ways & Means	175	INSURANCE DEPARTMENT .....	196	262	ADOPTED
62	Ways & Means	175	HEALTH QUALITY PLANNING COMMISSION .....	-	179	H Health/Wel
63	Rev & Tax	175	KRISTIN ARMSTRONG .....	196	275	ADOPTED
64	State Affairs	200	TENTH AMENDMENT .....	223	296	ADOPTED

<u>House Joint Memorial</u>	<u>Introduced By:</u>	<u>Intro-duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
9	Res & Cons	42	CLEAN WATER RESTORATION - OPPOSITION TO .....	99	162	ADOPTED
10	Transp & Def	44	JOINT STRIKE FIGHTER .....	61	124	ADOPTED
11	E E & T	73	CAP-AND-TRADE LEGISLATION .....	109	221	ADOPTED
12	State Affairs	113	CAMPAIGN CONTRIBUTIONS - CORPORATIONS AND LABOR ORGANIZATIONS .....	-	117	H St Aff
13	Ways & Means	146	LCV FREEZE .....	178	178	S Transp
14	Education	180	BUSINESS ACTIVITY TAX SIMPLIFICATION ACT .....	249	249	S Transp

<u>House Joint Resolution</u>	<u>Introduced By:</u>	<u>Intro-duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
2	State Affairs	36	LEGISLATIVE SESSION .....	-	37	H St Aff
3	Rev & Tax	69	MUNICIPAL ELECTRIC SYSTEMS .....	-	72	H St Aff
4	Rev & Tax	69	HOSPITALS AND HEALTH SERVICES .....	111	234	ADOPTED
5	Rev & Tax	69	REVENUE AND SPECIAL FACILITY BONDS - AIRPORTS .....	115	234	ADOPTED
6	Education	80	STATE BOARD OF EDUCATION - SUPERVISION .....	-	81	H St Aff
7	Rev & Tax	89	MUNICIPAL ELECTRIC SYSTEMS .....	122	234	ADOPTED

<u>House Resolution</u>	<u>Introduced By:</u>	<u>Intro-duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
3	Moyle and Rusche	2	HOUSE ATTACHES - COMPENSATION .....	14	14	ADOPTED

<u>House Proclamation</u>	<u>Introduced By:</u>	<u>Intro-duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
3	State Affairs	45	CHINESE HERITAGE DAY - DRAGON PARADE .....	58	72	ADOPTED

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro-duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1247	Com & HR	114	PERSONNEL SYSTEM - VACATION TIME .....	191	206	LAW
1248	Com & HR	93	REAL ESTATE LICENSE LAW .....	225	244	LAW
1250	Com & HR	93	REAL ESTATE LICENSE LAW .....	225	244	LAW
1251	Com & HR	93	SUBDIVIDED LANDS DISPOSITION ACT .....	225	244	LAW
1252 AA	Com & HR	120	DIVISION OF HUMAN RESOURCES .....	191	206	LAW
			(Senate Amendments - See Senate Journal)			
1253	Jud & Rules	43	APPEAL .....	106	117	LAW
1254	Jud & Rules	57	IDAHO STATE BAR .....	106	117	LAW
1255	Jud & Rules	57	PRISONERS - JUVENILES .....	106	117	LAW
1256	Jud & Rules	57	EXECUTIONS .....	115	133	LAW
1257	Jud & Rules	57	JUSTICE COURT - POLICE COURT .....	115	133	LAW
1265	Res & Env	93	OUTFITTERS AND GUIDES .....	143	157	LAW
1266	Res & Env	93	OUTFITTERS AND GUIDES .....	143	157	LAW
1267	Jud & Rules	65	LICENSE FEES - LAWYERS .....	135	150	LAW
1268	Finance	38	APPROPRIATIONS .....	47	56	LAW
1282	Res & Env	104	FISH AND GAME .....	185	199	LAW
1283	Res & Env	104	FISH AND GAME .....	186	199	LAW
1284	Res & Env	104	FISH AND GAME .....	186	199	LAW
1285	Res & Env	104	FISH AND GAME .....	186	199	LAW
1286	Res & Env	104	FISH AND GAME - RACCOONS .....	197	214	LAW
1287	Jud & Rules	65	HOMEOWNER'S ASSOCIATION LIENS .....	135	150	LAW
1292	Finance	57	APPROPRIATIONS - DEPARTMENT OF LANDS .....	71	81	LAW
1293	Finance	57	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY .....	71	81	LAW
1294	Finance	60	APPROPRIATIONS - STATE TAX COMMISSION .....	94	103	LAW
1295	LG & Tax	148	TAX COMMISSION - SALES AND USE TAX .....	-	148	H Rev/Tax
1296	Transportation	70	COMMERCIAL MOTOR VEHICLES .....	185	199	LAW
1297	Transportation	70	TRANSPORTATION - VEHICLE TITLES .....	110	124	LAW
1299	State Affairs	84	CODIFIER CORRECTIONS .....	191	206	LAW
1301	Health & W	70	PUBLIC HEALTH DISTRICTS - PHARMACEUTICALS .....	269	297	LAW
1302	Finance	70	APPROPRIATIONS - OFFICE OF ENERGY RESOURCES .....	98	108	LAW

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro-duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1305 AA	Education	163	EXCISION AND ANNEXATION OF TERRITORY ..... (Senate Amendments - See Senate Journal)	233	251	LAW
1306	Education	93	EDUCATION - PERSONAL PROPERTY .....	143	157	LAW
1307	Finance	70	APPROPRIATIONS .....	99	108	LAW
1308	Jud & Rules	93	DISPOSITION OF REMAINS .....	136	150	LAW
1310	Health & W	93	HEALTH AND WELFARE .....	269	297	LAW
1311 AA	Transportation	208	MOTOR VEHICLE REGISTRATION ..... (Senate Amendments - See Senate Journal)	271	297	LAW
1312	Jud & Rules	148	CHILD PROTECTIVE ACT .....	224	244	LAW
1313	Health & W	93	PHYSICIANS AND SURGEONS .....	212	220	LAW
1314	Health & W	93	PHYSICIANS AND SURGEONS .....	212	220	LAW
1315	Health & W	93	HEALTH AND WELFARE .....	192	206	LAW
1316	Ag Affairs	114	ANIMALS .....	185	199	LAW
1317	Ag Affairs	139	ANIMAL CRUELTY .....	-	139	H St Aff
1319	LG & Tax	109	AMBULANCE DISTRICTS - TAX LEVY .....	-	109	H Rev/Tax
1320 AA	Health & W	120	IDAHO LEGEND DRUG DONATION ACT ..... (Senate Amendments - See Senate Journal)	268	297	LAW
1321	Health & W	104	PUBLIC ASSISTANCE .....	213	220	LAW
1322	Health & W	114	UNIFORM PROBATE CODE .....	-	114	H Health/Wel
1323	Com & HR	101	REAL ESTATE LICENSE LAW .....	226	244	LAW
1324	Com & HR	109	SUBCONTRACTOR LICENSING .....	226	244	LAW
1325	Com & HR	114	INTERNATIONAL FIRE CODE .....	226	244	LAW
1327	Com & HR	109	ANNUITY CONTRACTS .....	240	261	LAW
1328	Res & Env	104	FISH AND GAME .....	197	214	LAW
1329	Jud & Rules	114	SAFE BOATING ACT .....	191	206	LAW
1330 AA	Jud & Rules	151	ARCHAIC STATUTORY LANGUAGE ..... (Senate Amendments - See Senate Journal)	233	251	LAW
1331	Ag Affairs	139	LIVESTOCK CARE STANDARDS BOARD .....	-	139	H St Aff
1332	Ag Affairs	114	PESTICIDES AND CHEMIGATION .....	185	199	LAW
1335 AAH	Health & W	148	IMMUNIZATION REGISTRY ..... (House Amendments - p. 242)	256	298	LAW
1336	Transportation	194	MOTOR VEHICLES .....	-	194	H Transp
1337	Transportation	202	MOTOR CARRIER SAFETY INSPECTIONS .....	-	202	H Transp

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1338	Education	104	EDUCATION - MILITARY CHILDREN .....	185	199	LAW
1339	Health & W	109	HOSPITAL LICENSES AND INSPECTIONS .....	196	214	LAW
1340 AA	Jud & Rules	176	CIVIL ACTIONS .....	268	297	LAW
			(Senate Amendments - See Senate Journal)			
1341 AAH	Jud & Rules	148	INJURY TO CHILDREN .....	224	224	S 10th Ord
			(House Amendments - p. 195)			
1342	Res & Env	139	FISH AND GAME .....	198	214	LAW
1343	Res & Env	176	IDAHO WORKING LANDS .....	-	276	H W/M
1344 AA	Ag Affairs	228	INVASIVE SPECIES .....	289	298	LAW
			(Senate Amendments - See Senate Journal)			
1345 AA	Ag Affairs	202	LIVESTOCK .....	241	261	LAW
			(Senate Amendments - See Senate Journal)			
1346 AA	Ag Affairs	228	BEEF CATTLE FEEDING OPERATIONS .....	289	298	LAW
			(Senate Amendments - See Senate Journal)			
1347	Com & HR	120	MINIMUM WAGE .....	-	270	H Gen Ord
1349	Transportation	176	BICYCLES - RIGHTS-OF-WAY - BRAKES .....	-	276	H W/M
1352 AA	Transportation	181	MOTOR VEHICLES - TEXTING .....	-	270	H Gen Ord
			(Senate Amendments - See Senate Journal)			
1353	State Affairs	134	FREEDOM OF CONSCIENCE - HEALTH CARE PROFESSIONALS .....	212	220	LAW
1354 AAH	State Affairs	151	DEVELOPMENT OF THERMAL ENERGY SYSTEMS - SCHOOL DISTRICTS .....	240	275	LAW
			(House Amendments - p. 211)			
1355	Res & Env	170	FOREST PRODUCTS - ASSESSMENTS .....	212	220	LAW
1357	Transportation	170	MOTOR VEHICLE SERVICE CONTRACTS .....	240	261	LAW
1359	Transportation	163	DEALER ADVISORY BOARD .....	232	251	LAW
1360	Transportation	170	SAFE BOATING ACT .....	-	170	H Transp
1361 AA	Transportation	202	DEALERS AND SALESMEN LICENSING .....	271	297	LAW
			(Senate Amendments - See Senate Journal)			
1365 AA	Education	176	RURAL PHYSICIAN INCENTIVE FUND .....	239	261	LAW
			(Senate Amendments - See Senate Journal)			
1366 AA	Education	163	RECORDS EXEMPT FROM DISCLOSURE .....	226	244	LAW
			(Senate Amendments - See Senate Journal)			
1367	Education	120	EDUCATION .....	192	206	LAW
1370	Jud & Rules	148	EXEMPTIONS FROM ATTACHMENT .....	225	244	LAW
1371	Jud & Rules	148	PRODUCER LICENSING .....	197	214	LAW

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1373	Jud & Rules	148	HOSPITAL LICENSES .....	-	148	H Health/Wel
1375 AA	State Affairs	202	FIREARMS, EXPLOSIVES AND OTHER DEADLY WEAPONS .....	240	261	LAW
			(Senate Amendments - See Senate Journal)			
1376 AAH	State Affairs	163	REAPPORTIONMENT COMMISSION .....	240	275	LAW
			(House Amendments - p. 211)			
1378 AA	State Affairs	176	POLICE - PUBLIC RECORDS EXEMPTION .....	233	251	LAW
			(Senate Amendments - See Senate Journal)			
1379	State Affairs	151	KITCHEN AND TABLE WINE ACT .....	197	214	LAW
1381	Jud & Rules	151	REVENUE AND TAXATION .....	-	151	H Rev/Tax
1382 AA	Jud & Rules	208	DE FACTO CUSTODIANS .....	268	297	LAW
			(Senate Amendments - See Senate Journal)			
1383 AA	Jud & Rules	208	JUDGMENT AND SENTENCE - SUSPENSION .....	268	297	LAW
			(Senate Amendments - See Senate Journal)			
1384	Jud & Rules	188	STATE PENITENTIARY .....	269	297	LAW
1385	Jud & Rules	202	RAPE .....	273	297	LAW
1388	Finance	170	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION .....	184	199	LAW
			.....			
1389 AA	Jud & Rules	237	MOTOR VEHICLES - RULES OF THE ROAD .....	-	237	H Transp
			(Senate Amendments - See Senate Journal)			
1390	Jud & Rules	202	AUTOMATED EXTERNAL DEFIBRILLATOR .....	289	298	LAW
1392	Finance	177	APPROPRIATIONS - DEPARTMENT OF INSURANCE ....	190	206	LAW
1393	Finance	177	APPROPRIATIONS - INDUSTRIAL COMMISSION .....	190	206	LAW
1394	Finance	177	APPROPRIATIONS - LAVA HOT SPRINGS FOUNDATION .....	190	206	LAW
			.....			
1395	Finance	177	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD .....	190	206	LAW
			.....			
1396	Finance	177	APPROPRIATIONS - ENERGY RESOURCES OFFICE ....	191	206	LAW
1397 AA	Jud & Rules	237	MOTOR VEHICLE DRIVER'S LICENSES .....	-	237	H Transp
			(Senate Amendments - See Senate Journal)			
1398	Jud & Rules	202	MOTOR VEHICLES - CRIMES - PUNISHMENT .....	271	297	LAW
1399	Jud & Rules	188	PHYSICIANS AND SURGEONS .....	270	297	LAW
1400	State Affairs	221	DISTRICT BOARDS OF HEALTH - APPOINTEES .....	270	297	LAW
1401 AA	State Affairs	247	CONSTRUCTION OF PUBLIC PROJECTS .....	290	298	LAW
			(Senate Amendments - See Senate Journal)			
1402	Finance	202	APPROPRIATIONS - LEGISLATIVE COUNCIL .....	224	244	LAW



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1403 AAH	Jud & Rules	237	FIRE PROTECTION BOARD ..... (House Amendments - p. 270)	272	298	LAW
1404	Finance	208	APPROPRIATIONS - ATTORNEY GENERAL .....	223	244	LAW
1405	Finance	208	APPROPRIATIONS - MILITARY DIVISION .....	224	244	LAW
1406	Finance	208	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER .....	224	244	LAW
1407 AAH	Finance	237	COMPREHENSIVE AQUIFER PLANNING AND MANAGEMENT EFFORT ..... (House Amendments - p. 270)	273	298	LAW
1408	State Affairs	237	ABSENTEE BALLOTS .....	289	298	LAW
1409	Finance	221	APPROPRIATIONS - OFFICE OF STATE BOARD OF EDUCATION .....	239	261	LAW
1410	Finance	228	APPROPRIATIONS - COMMISSION FOR PARDONS AND PAROLE .....	239	261	LAW
1411 AA	State Affairs	247	EXTRA LARGE POULTRY AND SWINE CONFINED ANIMAL FEEDING OPERATIONS - CONTROL AND SITING ..... (Senate Amendments - See Senate Journal)	-	247	H W/M
1412	Finance	237	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE .....	258	275	LAW
1413	Finance	237	APPROPRIATIONS - AG. RESEARCH AND EXTENSION SERVICE .....	259	275	LAW
1415	Finance	237	APPROPRIATIONS - STATE BOARD OF EDUCATION, COMMUNITY COLLEGES .....	259	275	LAW
1416	Finance	237	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION .....	259	275	LAW
1417	Finance	247	APPROPRIATIONS - EDUCATIONAL PUBLIC BROADCASTING .....	268	297	LAW
1418	Finance	237	APPROPRIATIONS - PUBLIC SCHOOLS .....	259	275	LAW
1419	Finance	252	APPROPRIATIONS - COLLEGE AND UNIVERSITIES ....	277	298	LAW
1420	Finance	252	APPROPRIATIONS - DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION .....	277	298	LAW
1422	State Affairs	262	EDUCATION .....	292	298	LAW
1423	Finance	252	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT .....	277	298	LAW
1424	Finance	252	APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR .....	277	298	LAW
1425	State Affairs	247	STATE OFFICES .....	289	298	LAW

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1426	Finance	252	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT .....	277	298	LAW
1427	Finance	252	HIGHWAY PROJECTS - GARVEE BONDING AUTHORITY .....	278	298	LAW
1428	Finance	262	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION .....	279	298	LAW
1429	Finance	262	APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES .....	280	298	LAW
1430	Finance	262	APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS .....	280	298	LAW
1431	Finance	262	APPROPRIATIONS - PUBLIC HEALTH TRUST FUND ....	281	298	LAW
1432	Finance	262	APPROPRIATIONS - COMMISSION ON AGING .....	281	298	LAW
1433	Finance	262	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDEPENDENT COUNCILS .....	287	298	LAW
1434	Finance	262	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - PSYCHIATRIC HOSPITALIZATION .....	287	298	LAW
1435	Finance	262	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - SUBSTANCE ABUSE TREATMENT AND PREVENTION .....	288	298	LAW
1436	Finance	273	APPROPRIATIONS - MILLENNIUM FUND .....	285	298	LAW
1437	Finance	273	APPROPRIATIONS - COMMISSION ON THE ARTS .....	285	298	LAW
1438	Finance	273	APPROPRIATIONS - HEALTH EDUCATION PROGRAMS - STATE BOARD OF EDUCATION .....	285	298	LAW
1439	Finance	273	APPROPRIATIONS - STATE LIQUOR DIVISION .....	284	298	LAW
1440	Finance	273	APPROPRIATIONS - DEPARTMENT OF LABOR .....	283	298	LAW
1441	Finance	273	APPROPRIATIONS - HUMAN RIGHTS COMMISSION ....	284	298	LAW
1442	Finance	273	APPROPRIATIONS - CATASTROPHIC HEALTH CARE COST FUND .....	286	298	LAW
1443	Finance	273	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL .....	286	298	LAW
1444	Finance	290	APPROPRIATIONS - BOARD OF EDUCATION - COLLEGE AND UNIVERSITIES .....	291	298	LAW
1445	Finance	290	APPROPRIATIONS - FISCAL YEAR 2010 YEAR-END TRANSFERS - FISCAL YEAR 2011 TRANSFERS .....	291	298	LAW

<u>Senate Concurrent Resolution</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
113	McGee	62	IDAHO CHILDREN AND NATURE NETWORK .....	241	261	ADOPTED
115	State Affairs	95	CAPITOL BUILDING .....	241	261	ADOPTED
118	Res & Env	119	WOLVES .....	290	298	ADOPTED
119	Jud & Rules	109	RULES - REJECTED .....	241	261	ADOPTED
120	State Affairs	119	RULES - REJECTED .....	241	261	ADOPTED
121	Jud & Rules	129	TRANSPORTATION DEPARTMENT .....	144	157	ADOPTED
122	Res & Env	129	RULES .....	144	157	ADOPTED
123	Jud & Rules	129	VETERINARY MEDICINE BOARD .....	-	148	H Agric Aff
124	Jud & Rules	129	RULES - REJECTED .....	-	290	H Agric Aff
125	State Affairs	262	FEE RULES .....	279	298	ADOPTED
126	State Affairs	262	ADMINISTRATIVE RULES - TEMPORARY .....	279	298	ADOPTED
127	Finance	290	BUNKER HILL SUPERFUND SITE - ENVIRONMENTAL PROTECTION AGENCY .....	291	298	ADOPTED
<b><u>Senate Joint Memorial</u></b>	<b><u>Introduced By:</u></b>	<b><u>Intro- duction Page</u></b>	<b><u>Bill Description</u></b>	<b><u>Final Vote Page</u></b>	<b><u>Final Action Page</u></b>	<b><u>Final Disposition</u></b>
103	Education	95	INDIVIDUALS WITH DISABILITIES EDUCATION ACT .....	144	157	ADOPTED
104	Ag Affairs	109	HORSES .....	290	298	ADOPTED
105	State Affairs	129	EQUAL ACCESS TO JUSTICE ACT .....	290	298	ADOPTED
106	State Affairs	278	HEALTH INSURANCE - MANDATE .....	288	298	ADOPTED
<b><u>Senate Joint Resolution</u></b>	<b><u>Introduced By:</u></b>	<b><u>Intro- duction Page</u></b>	<b><u>Bill Description</u></b>	<b><u>Final Vote Page</u></b>	<b><u>Final Action Page</u></b>	<b><u>Final Disposition</u></b>
102	State Affairs	247	DISPOSITION OF PUBLIC LANDS .....	-	247	H St Aff
103	State Affairs	247	UNIVERSITY LAND .....	-	247	H St Aff
<b><u>Senate Proclamation</u></b>	<b><u>Introduced By:</u></b>	<b><u>Intro- duction Page</u></b>	<b><u>Bill Description</u></b>	<b><u>Final Vote Page</u></b>	<b><u>Final Action Page</u></b>	<b><u>Final Disposition</u></b>
102	Ag Affairs	95	MISS IDAHO .....	109	109	ADOPTED

## HOUSE BILLS WHICH BECAME LAW

<u>House Bill No.</u>	<u>Introduced by</u>	<u>Signed by Governor</u>	<u>Effective Date(s)</u>	<u>Session Laws Chapter No.</u>
379	State Affairs	02/16/2010	01/01/10	3
380	Revenue and Taxation	02/23/2010	07/01/2010	10
381	Revenue and Taxation	02/23/2010	01/01/10	11
382 AAS	Revenue and Taxation	03/05/2010	01/01/11	37
384	Revenue and Taxation	02/24/2010	07/01/09 Sections 2 & 3; 07/01/10 Section 1	14
385	Revenue and Taxation	02/24/2010	07/01/2010	15
386 AA	Revenue and Taxation	03/15/2010	01/01/08 Section 1; 01/01/10 Sections 2 & 3	44
388	Revenue and Taxation	02/16/2010	01/01/10	5
390	State Affairs	02/26/2010	07/01/2010	19
391 AA	State Affairs	03/17/2010	07/01/2010	46
397	Transportation and Defense	02/24/2010	07/01/2010	16
398	Transportation and Defense	04/08/2010	07/01/2010	259
400 AAS	Education	03/29/2010	07/01/2010	128
406	Appropriations	02/11/2010	02/11/10	2
407 AA	Resources and Conservation	03/31/2010	07/01/2010	155
408	Resources and Conservation	03/18/2010	07/01/2010	61
409	Resources and Conservation	03/18/2010	07/01/2010	67
410	Resources and Conservation	03/18/2010	07/01/2010	66
411	Resources and Conservation	03/18/2010	07/01/2010	60
412	State Affairs	02/26/2010	07/01/2010	20
413	State Affairs	02/26/2010	07/01/2010	21
414	State Affairs	03/15/2010	07/01/2010	45
415	Resources and Conservation	03/25/2010	07/01/2010	92
416	Resources and Conservation	03/25/2010	07/01/2010	93
417	Resources and Conservation	03/25/2010	07/01/2010	94
418	Appropriations	02/16/2010	07/01/09	4
421	Judiciary, Rules, and Admin	03/04/2010	05/31/09 for all cases pending and filed as of 06/01/09	29
422	Judiciary, Rules, and Admin	03/04/2010	07/01/2010	30

<u>House Bill No.</u>	<u>Introduced by</u>	<u>Signed by Governor</u>	<u>Effective Date(s)</u>	<u>Session Laws Chapter No.</u>
424	Business	03/25/2010	07/01/2010	95
425	Business	04/08/2010	07/01/2010	256
426	Business	03/31/2010	07/01/2010	156
428	Business	03/31/2010	07/01/2010	157
429	Business	03/31/2010	07/01/2010	158
430	Business	03/04/2010	02/01/10	31
431	Business	03/25/2010	07/01/2010	96
432	Business	03/04/2010	02/01/10; 07/01/13 Sunset Clause	32
433 AA	State Affairs	03/31/2010	03/31/10	162
437	State Affairs	02/26/2010	02/26/10 Sections 2 & 3; 07/01/10 Section 1	22
438	Transportation and Defense	04/08/2010	07/01/2010	260
439	Appropriations	02/16/2010	02/16/10	7
440	Appropriations	02/16/2010	02/16/10	6
441	Appropriations	02/23/2010	02/23/10	12
443	Judiciary, Rules, and Admin	03/04/2010	07/01/2010	33
444 AA	Judiciary, Rules, and Admin	03/25/2010	07/01/2010	97
445	Judiciary, Rules, and Admin	03/25/2010	07/01/2010	98
446	State Affairs	03/18/2010	07/01/2010	58
449	Env, Energy, and Tech	03/25/2010	07/01/2010	99
450	Env, Energy, and Tech	03/18/2010	07/01/2010	59
451	Env, Energy, and Tech	02/26/2010	07/01/2010	23
452	Env, Energy, and Tech	02/26/2010	07/01/2010	24
453	Env, Energy, and Tech	02/26/2010	07/01/2010	25
456	Agricultural Affairs	03/25/2010	07/01/2010	100
457	Appropriations	03/29/2010	07/01/2010	129
458	Commerce and Human Res	03/25/2010	07/01/2010	101
459	Business	04/08/2010	07/01/2010	257
460	Business	03/31/2010	07/01/2010	163
461	Business	03/31/2010	07/01/2010	159
462	Business	03/31/2010	07/01/2010	164
463	Resources and Conservation	03/25/2010	07/01/2010	102

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464	Agricultural Affairs	03/25/2010	07/01/2010	103
465	Agricultural Affairs	03/25/2010	07/01/2010	104
466	Agricultural Affairs	03/25/2010	07/01/2010	105
467	Agricultural Affairs	03/29/2010	07/01/2010	130
468	Health and Welfare	03/18/2010	07/01/2010	65
469	Health and Welfare	03/25/2010	07/01/2010	106
470	Health and Welfare	03/25/2010	07/01/2010	107
471	Revenue and Taxation	03/25/2010	01/01/10	108
472	Revenue and Taxation	03/18/2010	01/01/10	68
474	Business	03/25/2010	07/01/2010	109
476	Business	03/25/2010	07/01/2010	110
477	Business	03/29/2010	07/01/2010	131
478	Business	03/25/2010	07/01/2010	111
480 AA	Health and Welfare	03/25/2010	07/01/2010	112
481	Health and Welfare	03/18/2010	07/01/2010	64
482	Health and Welfare	03/25/2010	07/01/2010	113
483	Health and Welfare	03/18/2010	07/01/2010	63
484	Health and Welfare	03/18/2010	07/01/2010	57
486	Transportation and Defense	03/29/2010	01/01/11	132
490	Revenue and Taxation	03/29/2010	01/01/10	133
492	State Affairs	law w/o sign.	07/01/2010	355
493 AAS	Education	04/08/2010	07/01/10; 07/01/16 Sunset Clause	275
494	Health and Welfare	03/18/2010	07/01/2010	56
495 AA	Health and Welfare	03/29/2010	07/01/10; 07/01/14 Sunset Clause	134
496	State Affairs	04/08/2010	07/01/2010	246
498	Judiciary, Rules, and Admin	03/29/2010	07/01/2010	135
502	Business	03/31/2010	07/01/2010	160
503	Business	03/31/2010	07/01/2010	165
504	Business	03/31/2010	07/01/2010	166
508	Commerce and Human Res	03/29/2010	07/01/2010	136

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509 AAS	Commerce and Human Res	04/08/2010	04/08/10	276
510	Commerce and Human Res	03/25/2010	03/25/10	114
513	Revenue and Taxation	03/25/2010	03/25/10	81
514	Local Government	03/18/2010	07/01/2010	62
516	Local Government	03/25/2010	07/01/2010	115
517	Health and Welfare	03/25/2010	07/01/2010	116
518	Health and Welfare	03/25/2010	07/01/2010	117
519	Health and Welfare	03/25/2010	07/01/2010	118
521	State Affairs	03/29/2010	07/01/2010	137
522	State Affairs	03/29/2010	03/29/10	138
525	Commerce and Human Res	03/25/2010	07/01/2010	119
526	Commerce and Human Res	03/30/2010	07/01/2010	154
527	Commerce and Human Res	03/29/2010	07/01/2010	139
529	Business	03/26/2010	07/01/2010	126
531 AA	Resources and Conservation	04/08/2010	04/08/10	245
533	Resources and Conservation	03/25/2010	03/25/10	120
534 AAS	Health and Welfare	04/08/2010	07/01/2010	277
537 AA	Health and Welfare	03/31/2010	07/01/2010	161
538	Health and Welfare	03/25/2010	07/01/2010	121
540	Transportation and Defense	03/29/2010	01/01/11	140
542	Transportation and Defense	04/08/2010	04/08/10	258
543	State Affairs	04/08/2010	07/01/2010	261
544	Education	03/22/2010	07/01/2010	69
545 AAS	Education	04/08/2010	07/01/2010	278
548 AA	Commerce and Human Res	03/31/2010	07/01/2010	169
550	Business	04/08/2010	07/01/2010	249
553	Business	03/25/2010	07/01/2010	122
554	Business	04/08/2010	07/01/2010	250
555	Resources and Conservation	04/08/2010	07/01/2010	255
556 AA	Resources and Conservation	03/29/2010	07/01/2010	141
557	Resources and Conservation	03/29/2010	07/01/2010	142

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558 AA	Resources and Conservation	03/29/2010	07/01/2010	143
559	Resources and Conservation	03/29/2010	07/01/2010	144
560	Resources and Conservation	03/25/2010	07/01/2010	123
561	Resources and Conservation	03/25/2010	07/01/2010	124
564	State Affairs	03/29/2010	03/29/10	145
566	State Affairs	03/31/2010	07/01/2010	170
574	Transportation and Defense	04/08/2010	07/01/2010	262
575	State Affairs	03/31/2010	07/01/2010	167
576 AAS	Revenue and Taxation	04/08/2010	07/01/2010	279
579	Education	03/25/2010	07/01/2010	125
581	Business	03/31/2010	07/01/2010	168
586 AA	Business	03/31/2010	07/01/2010	171
588	State Affairs	03/31/2010	03/31/10	172
589 AAS	State Affairs	04/08/2010	07/01/2010	244
593 AA	State Affairs	04/08/2010	07/01/2010	251
596 AA	Revenue and Taxation	04/08/2010	01/01/10	254
598 AAS	State Affairs	04/08/2010	07/01/2010	285
599	State Affairs	03/29/2010	07/01/2010	146
600	Transportation and Defense	04/11/2010	04/11/10	293
601	Education	03/31/2010	07/01/2010	174
602 AA	State Affairs	04/08/2010	07/01/2010	247
603	State Affairs	04/08/2010	07/01/2010	248
604 AA	State Affairs	03/31/2010	07/01/2010	173
605	State Affairs	03/31/2010	03/31/10	175
607	Ways and Means	03/31/2010	07/01/2010	176
608 AA	Ways and Means	04/08/2010	07/01/2010	253
609	Ways and Means	03/31/2010	07/01/2010	177
610	Ways and Means	03/29/2010	07/01/2010	147
611	State Affairs	03/31/2010	07/01/2010	178
613	State Affairs	04/08/2010	07/01/2010	252
614 AAS	State Affairs	04/08/2010	07/01/2010	280



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615	Revenue and Taxation	04/08/2010	01/01/10	281
617	State Affairs	03/31/2010	03/31/10	179
624	Education	03/31/2010	07/01/2010	180
625	Appropriations	03/29/2010	07/01/2010	148
626	Appropriations	03/29/2010	07/01/2010	149
630	Revenue and Taxation	04/08/2010	01/01/16 Sections 3 & 4; 01/01/11 All other sections	354
631 AA	State Affairs	04/08/2010	07/01/2010	267
636	Education	03/31/2010	07/01/2010	181
637	Education	04/11/2010	07/01/2010	309
640 AA	Education	04/08/2010	07/01/2010	282
641	Appropriations	03/29/2010	03/29/10 Section 1; 07/01/10 All other sections	150
642	Appropriations	03/29/2010	03/29/10 Sections 1 & 2; 07/01/10 All other sections	151
644	Revenue and Taxation	03/31/2010	07/01/2010	182
645 AA	Revenue and Taxation	04/08/2010	01/01/10 Sections 1 & 2; 01/01/11 Section 3	283
646 AA	Revenue and Taxation	03/31/2010	07/01/2010	183
647	Revenue and Taxation	03/31/2010	01/01/03	184
648	Appropriations	03/29/2010	07/01/2010	152
649	Appropriations	03/29/2010	07/01/2010	153
652	State Affairs	03/31/2010	01/01/10 Section 2; 01/01/11 All other sections	185
653	Ways and Means	04/08/2010	07/01/2010	284
656	Ways and Means	03/31/2010	07/01/10 Sections 1, 2, 3, 4, 5, 8 & 11; 07/01/12 Sections 6 & 7; 07/01/12 Sunset Clause - Section 8	186
657	Revenue and Taxation	03/31/2010	02/01/10; 07/01/13 Sunset Clause - Chapter 60, Title 41	187
659	Appropriations	03/31/2010	07/01/2010	188
660	Appropriations	03/31/2010	07/01/2010	189
661	Appropriations	03/31/2010	07/01/09 Sections 1, 2, & 3; 07/01/10 All other sections	190
662	Education	03/31/2010	07/01/2010	191

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664	State Affairs	03/31/2010	03/31/10	192
665 AA	Revenue and Taxation	04/08/2010	01/01/10	274
667 AA	Ways and Means	04/11/2010	04/11/10	310
668	Appropriations	03/31/2010	03/31/10 Section 1; 07/01/10 All other sections	193
669	Appropriations	03/31/2010	03/31/10 Section 1; 07/01/10 All other sections	194
670	Appropriations	03/31/2010	03/31/10 Sections 1 & 2; 07/01/10 All other sections	195
671	Appropriations	03/31/2010	03/31/10 Section 1; 07/01/10 All other sections	196
673	State Affairs	03/31/2010	01/01/11	197
674	Ways and Means	03/31/2010	07/01/2010	198
675	Ways and Means	04/11/2010	04/11/10	359
676 AA	State Affairs	04/11/2010	07/01/2010	294
677	Appropriations	03/31/2010	03/31/10 Sections 1 & 2; 07/01/10 All other sections	199
678	Appropriations	03/31/2010	03/31/10 Sections 1 & 2; 07/01/10 All other sections	200
679	Appropriations	03/31/2010	03/31/10 Sections 1, 2, 3 & 6; 07/01/10 All other sections	201
680	State Affairs	03/31/2010	07/01/2010	202
681 AAS	State Affairs	04/08/2010	07/01/2010	273
682	Education	04/11/2010	04/11/10	295
683	Appropriations	03/31/2010	03/31/10 Sections 1 & 2; 07/01/10 All other sections	203
684	State Affairs	04/11/2010	07/01/2010	311
685	Appropriations	03/31/2010	03/31/10 Sections 1, 2, 3 & 6; 07/01/10 All other sections	204
687	Ways and Means	03/31/2010	03/31/10	205
688	Ways and Means	law w/o sign.	07/01/10; 07/01/13 Sunset Clause	286
689	Appropriations	03/31/2010	03/31/10 Sections 1 & 2; 07/01/10 All other sections	206
690	Appropriations	03/31/2010	03/31/10 Section 1; 07/01/10 All other sections	207
691	Revenue and Taxation	03/31/2010	03/31/10	208
692 AA	State Affairs	04/08/2010	07/01/2010	264

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694	Appropriations	03/31/2010	03/31/10 Section 1; 07/01/10 All other sections	209
695	Appropriations	03/31/2010	03/31/10 Section 1; 07/01/10 All other sections	210
696	Appropriations	03/31/2010	03/31/10 Sections 1 & 2; 07/01/10 All other sections	211
697	Appropriations	04/08/2010	04/08/10 Sections 1 & 2; 07/01/10 All other sections	265
698	Appropriations	04/08/2010	04/08/10 Sections 1 & 2; 07/01/10 All other sections	266
699 AAS	Education	04/08/2010	07/01/11	263
701	Appropriations	04/08/2010	04/08/10 Sections 1 & 2; 07/01/10 All other sections	268
702	Appropriations	04/08/2010	04/08/10 Sections 1, 2 & 11; 07/01/10 All other sections	269
703	Appropriations	04/08/2010	07/01/2010	270
704	Appropriations	04/08/2010	04/08/10 Section 1; 07/01/10 All other sections	271
705	Appropriations	04/08/2010	07/01/2010	272
708	Ways and Means	04/11/2010	04/01/10 Section 5; 07/01/10 All other sections	296
710	Appropriations	04/11/2010	04/11/10 Section 1; 07/01/10 All other sections	297
711	Appropriations	04/11/2010	07/01/2010	298
712	Appropriations	04/11/2010	04/11/10 Section 1; 07/01/10 All other sections	299
713	Appropriations	04/11/2010	07/01/2010	300
714	Appropriations	04/11/2010	04/11/10 Sections 1 & 2; 07/01/10 All other sections	301
715	Appropriations	04/11/2010	04/11/10 Section 1; 07/01/10 All other sections	302
716	Appropriations	04/11/2010	04/11/10 Section 1; 07/01/10 All other sections	303
717	Appropriations	04/11/2010	04/11/10 Section 1; 07/01/10 All other sections	304
721	Appropriations	04/11/2010	04/11/10 Sections 1 & 2; 07/01/10 All other sections	313
722	Appropriations	04/11/2010	04/11/10 Sections 1 & 2; 07/01/10 All other sections	305

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723	Appropriations	04/11/2010	04/11/10 Section 1; 07/01/10 All other sections	306
724	Appropriations	04/11/2010	07/01/2010	307
725	Appropriations	04/11/2010	07/01/2010	312
726	Appropriations	04/11/2010	07/01/2010	308
727	Appropriations	law w/o sign.	04/12/10	357
728	Appropriations	law w/o sign.	04/12/10 Sections 1 & 2; 07/01/10 All other sections	358