# TABLE OF CONTENTS

## SIXTY-THIRD IDAHO LEGISLATURE

### SECOND REGULAR SESSION

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SECOND REGULAR SESSION - January 11 through March 25, 2016</td>
<td>1</td>
</tr>
<tr>
<td>Alphabetical Index of All Senate legislation and House legislation ...</td>
<td>301</td>
</tr>
<tr>
<td>Assignments</td>
<td>298</td>
</tr>
<tr>
<td>House Bills received by the Senate</td>
<td>406</td>
</tr>
<tr>
<td>House Concurrent Resolutions received by the Senate</td>
<td>430</td>
</tr>
<tr>
<td>House Joint Memorials received by the Senate</td>
<td>429</td>
</tr>
<tr>
<td>House Joint Resolutions received by the Senate</td>
<td>428</td>
</tr>
<tr>
<td>Journal Index</td>
<td>291</td>
</tr>
<tr>
<td>Members of the Senate and Assignments</td>
<td>294</td>
</tr>
<tr>
<td>Senate Attaches</td>
<td>299</td>
</tr>
<tr>
<td>Senate Bills</td>
<td>369</td>
</tr>
<tr>
<td>Senate Bills that became Law with effective date and Session Law ...</td>
<td>401</td>
</tr>
<tr>
<td>Senate Concurrent Resolutions</td>
<td>398</td>
</tr>
<tr>
<td>Senate Joint Memorials</td>
<td>396</td>
</tr>
<tr>
<td>Senate Joint Resolutions</td>
<td>395</td>
</tr>
<tr>
<td>Senate Officers and Administration</td>
<td>292</td>
</tr>
<tr>
<td>Senate Resolutions</td>
<td>397</td>
</tr>
<tr>
<td>Senate Sponsors of House Legislation</td>
<td>438</td>
</tr>
<tr>
<td>Senate Sponsors of Senate Legislation</td>
<td>434</td>
</tr>
<tr>
<td>Regular Session Daily Journals</td>
<td>1</td>
</tr>
</tbody>
</table>
FIRST LEGISLATIVE DAY
MONDAY, JANUARY 11, 2016

Senate Chamber

At the hour of 12 p.m. on Monday, January 11, 2016, the time established for the convening of the Second Regular Session of the Sixty-third Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the City of Boise, President Brad Little presiding.

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

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

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

DISTRICT NAME
1 24 ............................... ............................... Lee Heider (R)
2 25 ............................... ............................... Jim Patrick (R)
3 26 ............................... ............................... Michelle Stennett (D)
4 27 ............................... ............................... Kelly Anthon (R)
5 28 ............................... ............................... Jim Guthrie (R)
6 29 ............................... ............................... Roy Lacey (D)
7 30 ............................... ............................... Dean M. Mortimer (R)
8 31 ............................... ............................... Steve Bair (R)
9 32 ............................... ............................... Mark R. Harris (R)
10 33 ............................... ............................... Bart M. Davis (R)
11 34 ............................... ............................... Brent Hill (R)
12 35 ............................... ............................... Jeff C. Sidoroway (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capitol of Idaho, this Sixth day of January, in the year of our Lord, Two Thousand and Sixteen, and of the Independence of the United States of America, the Two Hundred and Fortieth.

/s/ LAWERENCE DENNEY
Secretary of State

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

Roll call showed all members present except Senator Ward-Engelking, absent and formally excused by the Chair. [District 27 vacant, District 32 vacant]

Prayer was offered by Father John Worster, Saint Mary's Catholic Church, Boise Idaho.

On request by Senator Davis, granted by unanimous consent, the Sergeant at Arms, Sarah Jane McDonal, escorted the Boise Police Department Honor Guard into the Senate Chamber to present and post the colors for the Second Regular Session of the Sixty-third Idaho Legislature.

The Pledge of Allegiance was led by Sarah Jane McDonald.

On request by Senator Davis, granted by unanimous consent, the Assistant Sergeant at Arms, Jerry Csutoras, escorted the Nampa High School Chamber Singers into the Senate Chamber for the purpose of singing The Star Spangled Banner and America Our Heritage. The choir was directed by Jesse Ledbetter.

President Pro Tempore Hill provided a brief history of the Idaho State flag flown over the domes of the House and Senate Chambers during each session of the Legislature. He explained that the flags represent the spirit of our citizens and serve as a symbol of Idaho's sovereignty. They further serve notice to the State that the Legislature, the elected representatives of all the citizens of Idaho, is in session. The flags are raised when the Legislature convenes and will be retired when the Legislature adjoins sine die.

President Little presented the Idaho State flag to the Honor Guard to be raised above the Senate Chamber to fly during the Second Regular Session of the Sixty-third Idaho Legislature and the Honor Guard exited the Chamber.
On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourth Order of Business.

Reading of Communications
June 10, 2015

Senator Brent Hill,
President Pro Tempore
Idaho State Senate

Dear Pro Tempore Hill,

I am writing to formally resign my position as the State Senator representing District 27 in the Idaho State Senate as of the end of the day on June 14th, 2015.

Serving in the State Senate has been an incredible experience. It has been truly an honor to represent the citizens of Minidoka and Cassia County. I will always be grateful for their trust, confidence and support. I am also humbled and privileged to have served with so many honorable, dedicated, and selfless men and women.

While I will miss serving in Senate, I am excited and honored to accept an appointment by Governor Otter as the Director of the Department of Insurance effective June 15th, 2015.

Thank you for your leadership, guidance and friendship. I will be forever grateful for your steady, calm, reasonable demeanor. I have every confidence in the talented Senators who will assume my responsibilities and committee assignments. I will do my best to assure a smooth transition in all aspects.

With admiration and respect,
/s/ Dean L. Cameron
District 27

The correspondence will be filed in the Office of the Secretary.

June 18, 2015

Brent Hill
President Pro Tempore
Idaho State Senate

Dear Pro Tem Hill:

I write to inform you that subsequent to my appointment by Governor Otter to the director's position at the Idaho Department of Environmental Quality, I hereby resign my position as State Senator, district 32, effective July 5, 2015.

It is with mixed emotions that I leave the Senate for this new opportunity. I have greatly enjoyed my service in the Senate. I have found the issues to be interesting and of great importance to the people of this state. I have appreciated the opportunity to serve my constituents, to get to know them much better, and to help them resolve issues of concern and interest to them. I have enjoyed my association with my colleagues in the Senate, and have come to appreciate the high quality of men and women who serve in that body. I have been impressed with the quality of leadership in the Idaho Senate, and appreciate your true public-servant attitude and your integrity.

I recognize the high level of trust I was given when my constituents chose me to serve, and I have taken that responsibility very seriously. I will be forever grateful for having had this opportunity.

I am now excited about the opportunity to serve in a new capacity, and I look forward to continued association with you and my Senate colleagues as I interface with you on issues related to the Department of Environmental Quality.

God bless you and the Idaho Senate.

Kindest regards,
/s/ John H. Tippets

The Correspondence will be filed in the Office of the Secretary.

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

Messages from the Governor
July 2, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Kelly Anthon of Declo, Idaho, to the office of State Senator for Legislative District 27, Cassia and Minidoka Counties, State of Idaho.

This appointment is effective Thursday, July 2, 2015, and will continue until the next general election when the term of office expires.

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

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-904A, Idaho Code, the District 27 Legislative Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Kelly Anthon, of Declo, Idaho, to the office of State Senator, District 27, for a term commencing July 2, 2015, and continuing until the next general election when the term of office expires.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 2nd day of July in the year of our Lord two thousand and fifteen and of the Independence of the United States of America the two hundred forty-third and of the Statehood of Idaho the one hundred twenty-sixth.

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

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

The President announced that the Oath of Office had been administered previously to Senator Anthon, and he was recorded present at this order of business.
July 22, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Mark R. Harris, Soda Springs, Idaho, to the office of State Senator for Legislative District 32, Bear Lake, Bonneville, Caribou, Franklin, Oneida, & Teton Counties, State of Idaho.

This appointment is effective Wednesday, July 22, 2015, and will continue until the next general election when the term of office expires.

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

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-904A, Idaho Code, the District 32 Legislative Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Mark R. Harris, of Soda Springs, Idaho, to the office of State Senator, District 32, for a term commencing July 22, 2015, and continuing until the next general election when the term of office expires.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 22nd day of July in the year of our Lord two thousand and fifteen and of the Independence of the United States of America the two hundred fortieth and of the Statehood of Idaho the one hundred twenty-sixth.

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

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

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

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

Motions and Resolutions

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

The Senate committee was discharged.

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

The committee was excused.

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

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

Messages from the House

January 11, 2016

Dear Mr. President:

I transmit herewith HCR 27, which has passed the House.

ALEXANDER, Chief Clerk

HCR 27 was filed for first reading.

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

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

HCR 27, by Moyle, Rusche, was introduced and read at length.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of HCR 27 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.
More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced HCR 27 was before the Senate for final consideration.

On motion by Senator Davis, seconded by Senator Stennett, HCR 27 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

Second Reading of Bills

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

JOINT SESSION

Pursuant to HCR 27, the hour of 1 p.m. having arrived, the members of the Senate entered into the House Chamber and met in Joint Session with Speaker Bedke presiding.

Roll call of the House showed all members present.

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

Prayer was offered by House Chaplain Tom Dougherty.

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

The Speaker appointed Senators Lodge and Burgoyne and Representatives Wills and Gannon as the committee to wait upon and escort the Supreme Court Justices and Appellate Court Judges to the House Chamber.

The Speaker excused the committee.

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

The Speaker excused the committee.

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

The Speaker excused the committee.

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

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

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

I’m pleased to report today that the State of Idaho is healthy and strong. The people are optimistic. Our communities are vibrant. Our public institutions are running more efficiently and are better prepared than ever to tackle our challenges head on. Idaho citizens are bringing all the energy, enthusiasm and independence that characterize our history to the work of building an even better state for our children and our grandchildren.

And speaking of grandchildren, I’m also pleased to report that the Otter family is expanding. Our son John and his wife Molly are expecting a new grandchild for us to enjoy. I’m excited about the arrival! Of course, all my children and grandchildren are dear to me – a family sentiment and an Idaho value that I’m sure we all share. Our families inspire us to keep working hard to provide them with a legacy of lifelong learning, an appreciation for honest effort, and abiding compassion for those less fortunate.

One of the most inspiring and energizing parts of my job is visiting towns all over Idaho to hold Capital for a Day. It’s a chance for local folks who might not often come to Boise to get answers to their questions about State government directly from me and my agency directors. I want to thank all the legislators across Idaho who join us for these monthly public gatherings.

My favorite part of Capital for a Day is meeting students in towns like Kamiah and Albion. They represent their schools, families and communities with great civic pride. And that’s no accident. It’s a product of engaged parents, committed educators, and public officials from local school trustees to State leaders who embrace the goal of preparing Idaho’s schoolchildren for an increasingly complex and competitive world.

Capital for a Day has strengthened my belief that Idaho’s character reflects the aspirations of our children and families from generation to generation.

And just as families are the foundation of our communities and our culture, so too can education provide a foundation for stronger families and a brighter future for all of us.

We are entrusted with the singular constitutional responsibility of providing for a “general, uniform and thorough system of public, free common schools” throughout Idaho. Frankly, I’m convinced that we would see this as our highest priority even if it wasn’t in our Constitution. So promoting and constantly improving education for the people of Idaho must be the foundation of our work together.

We made promises during the Great Recession that we are duty-bound to fulfill. We have priorities for Idaho’s future that require world-class K-12 schools and an advanced, responsive post-secondary education system. And now, we have the financial means.

My legislative agenda for 2016 and my budget recommendations for fiscal 2017 reflect the priority that I place on living within the people’s means while making responsible, sustainable and data-driven investments in our K-through-Career education system.

My focus is on supporting student achievement by continuing to responsibly implement the 20 recommendations of our School Improvement Task Force.
Along with insisting on transparency and robust local accountability, the foundation we’re building will advance our goal of ensuring that 60 percent of Idaho citizens between the ages of 25 and 34 have a college degree or professional-technical certification by 2020.

Let me impress upon you once again the urgent need to address the cornerstone of successful lifelong learning – reading proficiency. Last year in this chamber I called on Idaho’s business community to help us address the clear need for improving the attainment of that basic skill among our youngest students. Pro-active parents start that process at home before kindergarten, and students refine their reading skills in those early school years.

Through the third grade, they learn to read. But from the fourth grade on, they read to learn. So if we’re serious about wanting long-term improvement in school outcomes, we must intensify our efforts to provide the kind of proven support that works for students who struggle to develop reading skills.

I want to thank Idaho Business for Education and other stakeholders and practitioners who developed recommendations for addressing our early reading challenges.

My budget includes $10.7 million to pay for intervention support for students in kindergarten through third grade who are not yet proficient on the state reading indicator. That will improve the chances for more Idaho students to succeed through high school and beyond.

Overall, I’m calling for a 7.9-percent increase in public school funding, including more than $38 million to continue putting the teacher career ladder in place.

And I’m asking for almost $1.8 million to move such non-instructional school staff as counselors, nurses and speech pathologists onto the career ladder. I believe implementing the career ladder – based on specific student success measures – is essential to attracting and retaining the best teachers for Idaho schools.

Success in teacher retention also means continuing investment in their professional development. I know from Miss Lori just how demanding those early years in the classroom can be. So I’m asking for an investment of $5 million for professional development aimed specifically at mentoring new teachers.

I also support Superintendent Ybarra’s request to fully restore pre-recession levels of operating funds to school districts. Our Task Force recommended a five-year plan for that process. But the timeline can be cut to three years by approving my recommendation for nearly $30 million.

Properly applied, technology also is an increasingly necessary factor in 21st century classroom success. That’s why I’m recommending that we continue investing not only in devices but also in teacher training and software to make the most of the opportunities that technology affords.

But with or without the latest technology, the most important learning resource our students have is the classroom teacher.

With that in mind, the Task Force recommended moving Idaho to a voluntary “mastery-based” education system. That’s one in which teachers are encouraged to provide individualized learning focused on mastery of subject-matter content and concepts rather than classroom “seat time.”

I appreciate the Legislature’s investment to start implementing mastery-based education, as well as Superintendent Ybarra’s focus on achieving that goal. My fiscal 2017 budget includes $1.1 million to support up to 20 school districts in developing model programs for others to follow throughout Idaho.

I had the chance last month to experience a little of what innovative, mastery-focused learning looks like in our classrooms. I participated in an “Hour of Code” exercise with fifth-graders at Boise’s Garfield Elementary. Immersing myself in that environment and watching students do the same, I saw firsthand the difference that individualized learning can make in comprehension, application and ultimately mastery.

From reading proficiency to mastering concepts and from our community colleges to our universities, our emphasis must be on going the extra mile to prepare students to succeed in a complex and competitive global economy. That preparation in turn will support and advance the economic growth and increased prosperity that we are all striving to achieve.

So let’s talk for a moment about the connections we’re building between “K-12” and “Career.”

First, there’s the STEM Action Center that’s been up and running since July. An executive director, a program manager and a board of directors have been named.

Now it’s ready for the next step, and our industry partners throughout Idaho are eager to join us in supporting its work.

My budget recommendation includes $2 million in ongoing operating funds for the center, as well $10 million in one-time funds for starting up STEM programs. Those include a K-through-Career program in computer science to help meet the high demand for those workplace skills.

Ensuring that students are college and career ready is as critical to employers as it is to Idaho’s young people. I hear it every day from businesses large and small and in every industry sector.

That’s why higher standards, more individualized learning, more dual-credit offerings, and more professional-technical options are high priorities in my budget recommendation.

Of course, taking the fullest advantage of the investments we’re making will require students and parents to have more and better information about post-secondary and career opportunities. So I’m recommending that $5 million go toward implementing more college and career counseling in our high schools. Local districts must have the flexibility to use that money to create systems that best fit students’ needs for course counseling, career exploration and preparing for life after high school.
Indeed, Idaho offers many choices for those who “Go On.” They include enrolling at one of our technical schools to study in such subject areas as health occupations, Web design, machine tooling, welding, or aircraft maintenance. But many of those programs have long waiting lists. And with our statewide jobless rate now at a level that used to be considered “full employment,” too many of our citizens remain underemployed.

Meanwhile, Idaho businesses are struggling to find qualified workers. That’s especially true of companies in the high-tech and industrial manufacturing fields. So my budget recommendation includes $3.8 million to address those training backlogs in industry areas where graduates will find more high-wage jobs. I’m also advancing three initiatives that hold great promise for creating a financial foundation that students can use to reach their own and our state’s post-secondary education goals.

First, I’m proposing a “tuition lock” for our colleges and universities. It will ensure the rate that Idaho undergraduates pay when they first enroll in a post-secondary program will remain constant for at least four academic years. That brings greater financial predictability for Idaho students and their families while also providing an incentive for timely completion of a degree or professional certification program.

Second, I’m recommending a $5 million increase in funding for our Opportunity Scholarship so more Idaho students can afford to go beyond high school.

And third, I’m proposing that another $5 million be allocated for the new “Completion Scholarship.” It’s designed to encourage Idaho citizens who have some post-secondary education to return to the classroom and finish up. It will provide a real benefit for financially strapped adults who are trying to upgrade their job skills.

The Completion Scholarship is aimed at improving access and affordability to career-oriented education programs while helping to address our pressing workforce development needs.

Ladies and gentlemen, I just can’t emphasize enough how important improving our K-through-Career education system is to providing the tens of thousands of skilled workers we need to meet the increasingly technical demands of Idaho employers. This truly is an investment in the future of all our citizens.

Talent pipelines to address the challenges ahead are being developed by the Department of Labor, the Division of Professional-Technical Education, our post-secondary schools and a number of private-sector partners. Dynamic new online resources such as the college and career Web site NextSteps.Idaho.gov and the construction trades portal WeBuildIdaho.org show the power of collaboration in achieving our shared goals.

There also is an important place for communities in this effort. Nine years ago, the Legislature approved my request to provide $5 million in startup funds to help any counties that want to join together in establishing a community college district. With that promise of support in hand, the people of Ada and Canyon counties voted to create the College of Western Idaho. Since then, CWI has grown faster than any community college in American history.

That speaks to a huge pent-up demand for the kind of lower-cost, relevant and responsive education and training programs that have been created at CWI. Now the people of southwestern, south-central and northern Idaho have exciting, first-rate local opportunities to advance their career readiness aspirations.

So today I’d like to invite the people of eastern Idaho to advance their ongoing discussions about making Eastern Idaho Technical College a full-featured community college. I encourage serious public consideration of the benefits and opportunities that a local community college can provide to that region of Idaho. My budget recommendation includes $5 million to support such a plan for making less-costly and more-flexible education beyond high school accessible to more citizens on that side of our state.

Overall, I’m seeking a 9.6-percent increase in funding for our community colleges and an 8.8-percent increase for our four-year institutions.

Besides additional funding for our college completion and high-demand academic and professional-technical programs, I recommend expanding Boise State University’s materials science program, the University of Idaho’s “Go On” initiative to increase enrollment, and Idaho State University’s health science programs.

That brings me to healthcare. First, from an education standpoint: I’m recommending that in the coming year we follow through on our plan for providing more physician training to meet Idaho’s needs. Adding five more seats to our medical school partnership with the University of Washington will reach the Board of Education’s 2009 goal of having 40 seats available for Idaho students.

That’s a great investment in our students and an important step toward addressing our community healthcare needs. But it also is a pipeline from which it takes years to realize benefits. There are quicker ways to address our shortage of primary care physicians. So I encourage you to keep funding our physician residency slots. And we must keep attracting healthcare professionals by providing medical loan reimbursement incentives for primary care doctors who agree to serve our rural communities.

In the meantime, I’m asking the Board of Education to work with our medical community and higher education institutions to develop a new plan for addressing future demand for healthcare providers.

Right now I want to recognize and applaud a member of my Cabinet who has worked tirelessly for years to develop meaningful Idaho-based alternatives to Medicaid expansion under the Affordable Care Act. Health and Welfare Director Dick Armstrong and his team – as well as such legislative leaders as Representative Fred Wood and Senator Lee Heider – have gone above and beyond in developing the plan we unveiled last week. I look forward to our discussions on that option.

Folks, making healthcare in our communities more accessible and affordable has been a pillar of my policy agenda since I took office in 2007. That’s why I’m so proud of the progress we’re making in addressing local crisis intervention needs for those with acute substance abuse or mental health issues.
With your support we now have behavioral health crisis centers in Idaho Falls and Coeur d’Alene. The response in those communities has been more than encouraging. During the first nine months that the Idaho Falls center was open, it had more than 1,100 admissions and diverted 47 people from more expensive in-patient psychiatric care – all while saving an estimated 860 hours of law enforcement officers’ time.

I expect to see similar results from the northern Idaho crisis center. So my budget recommendation for fiscal 2017 includes funding for a third crisis center, this time in southern Idaho. I appreciate the Legislature’s continued backing of our efforts to improve local access to care while reducing costs to the community. It remains our goal to engage local leaders, businesses and non-profits in supporting long-term sustainability.

I’m sure you will agree that sustainability is a significant goal and a key metric of success for much of our public policy, including our management of Idaho’s precious water resources.

Mr. Speaker, Senator Bair and Chairman Chase of the Idaho Water Resource Board, I want to personally thank you for your efforts in bringing two water-user groups together to finally settle delivery calls from the Eastern Snake Plain Aquifer.

This historic settlement between the Surface Water Coalition and groundwater users will help ensure that the aquifer is a healthy and reliable resource now and well into the future. In fact, I would encourage others who are at odds over apportioning scarce resources to use this agreement as a template for addressing their own conflicts.

Sustainability is a central value throughout Idaho, from the Treasure Valley to the Rathdrum Prairie and from Bear Lake to Hells Canyon. That’s why I’m proud to announce that the Water Resource Board has drafted a statewide sustainability policy. The Board will conduct public meetings throughout Idaho in the coming year to gather suggestions on incorporating its findings into our Comprehensive State Water Plan.

Preserving and protecting Idaho’s water is crucial to our continued economic growth and increased prosperity. Our renewable and “green” hydroelectric resources alone make Idaho the envy of other states in the West and a magnet for businesses that put a premium on environmental sustainability.

Promoting Idaho as a place where employers can get things done because government moves at the speed of business has been a centerpiece of Commerce Director Jeff Sayer’s work for the past four years.

As you know, Jeff has returned to the private sector. But the team he’s built and the programs he’s launched will continue to have a great impact on Idaho’s bottom line. From IGEM to the Tax Reimbursement Incentive and from international trade to local economic development, Jeff has been a champion for the people of Idaho. Please join me in thanking him for helping Idaho rank first in the nation for job growth, sixth among states for economic outlook, and among the top states for starting a small business.

There is one additional responsibility that Jeff took on. He chaired my Leadership in Nuclear Energy or LINE Commission. Its continuing task is to identify how Idaho can leverage our partnership with the U.S. Department of Energy at the Idaho National Laboratory to the economic advantage of Idaho citizens. Our LINE Commission efforts are not limited to eastern Idaho. Instead, they are aimed at making the state-of-the-art facilities and research at the INL into a truly global resource.

The State of Idaho remains committed to helping the INL live up to its potential as the nation’s premier research facility while building a stronger partnership with the Department of Energy based on communication, accountability and shared goals.

That’s why I was encouraged in November to hear that a team at the INL will lead the new Gateway for Accelerated Innovation in Nuclear. The GAIN program will provide a one-stop-shop for private developers to find federal experts and facilities to help them create safer, cleaner and more efficient reactors to reduce the emission of greenhouse gasses.

Ladies and gentlemen, having shared goals does not eliminate the need for us to remain vigilant in protecting the health and safety of Idaho citizens. But we have spent years overcoming past challenges in our relationship with the Department of Energy, and I’m proud of our progress.

The scientists, engineers and technology experts at the Lab also run one of the world’s pre-eminent cybersecurity programs. Idaho is fortunate that the INL and its higher education and industry partners are providing technical assistance to the cybersecurity task force I created last year.

Led by Lieutenant Governor Little, it is developing responses to the growing threat of hackers exploiting our State computer systems. I am committed to implementing the best strategies possible to protect the privacy of our citizens.

Our task force is working to identify what more the State can do to detect vulnerabilities, prevent cyberattacks, mitigate damages and educate the people of Idaho on how to fight this global tool of crime and terror. To help with that effort, my budget includes a request for $1 million to establish a cybersecurity program at Boise State University in partnership with the Idaho National Laboratory.

The State also will benefit from our own Idaho military being engaged in this fight. I’m pleased to announce today that the Idaho Air National Guard recently was among 13 Guard commands nationwide to be designated as “cyber units.” That means personnel trained to military standards in the latest and most advanced technology will be helping detect and stop online attacks before they damage our cyberspace capabilities.

The Idaho Cyber Operations Squadron will include 71 Air Guard personnel, including 15 who will be working full-time on this important new mission. The Squadron also will be a great resource for our efforts to protect a vital piece of our State infrastructure.

It’s encouraging that we are tackling this modern threat with such unity of purpose. But there is another area of our public policy for which a united and deliberate effort must now be made for Idaho to meet its responsibilities to the rule of law.
As many of you know, the State has been sued over the constitutionality of our public defense system. The lawsuit alleges that Idaho’s public defenders are overworked and understaffed. It claims that the system provides a disincentive for attorneys in less-populated counties to spend enough time with indigent clients.

Let me say that Idaho historically has been a leader in recognizing and ensuring the right to legal counsel. It was part of our territorial law and was put in the Idaho Constitution at statehood.

A legislative interim committee has been reviewing our system and considering options for three years. As a result, many of us now have a better understanding of its shortcomings and what needs to be changed. It’s not a cheap or easy fix. But I stand with the Idaho Criminal Justice Commission and the State Public Defense Commission in calling on the Legislature to address the issue this year.

Please join me in a commitment to ensuring that all Idaho citizens in every one of our 44 counties can avail themselves of this fundamental constitutional right. My budget recommends $5 million to implement the changes that you approve.

The past year saw a number of changes on the ground across Idaho as wildfire continued to wreak havoc on our forests and rangelands. A total of 742,000 acres burned, and firefighting costs reached almost $61 million in 2015. State, federal and local authorities have identified several training, resource and coordination needs that we must address before the start of a 2016 fire season that figures to be just as bad or worse. That’s why I’m advancing the Land Board’s request for almost $920,000 in additional funding to beef up the Idaho Department of Lands’ wildfire program with a focus on improving initial response.

I also want to thank the Legislature for approving my past funding requests for creation of Rangeland Fire Protection Associations, which enable ranchers to help fight fires on both private and public range. We have six of them now protecting 951,000 acres of private rangeland and providing secondary protection on 4.8 million acres of federal and State land. Their knowledge of the landscape has proven to be an invaluable asset to the Department of Lands, the Bureau of Land Management and the Forest Service in quickly suppressing wildfires. Now more groups around the state are seeing the results and are ready to get involved. So I’m requesting $140,000 to create additional RFPAs in anticipation of another rough fire season.

People all over the world – and maybe even a few in Washington, D.C. – know that wildfire is a far greater threat to Idaho’s sage-grouse population than livestock grazing. But that reality has largely eluded the U.S. Department of Interior, the BLM and the Forest Service. Instead of taking the reasonable step of supporting local conservation and Idaho stewardship measures, Interior imposed harsh new restrictions on land use within the bird’s habitat – in some cases where they don’t even exist!

That left me with no choice but to file a lawsuit against the federal agencies last September. It’s simply aimed at ensuring that sage-grouse conservation and management responsibilities remain with Idaho. I’m grateful to the Legislature for joining me in that effort. In the meantime, we will continue working more broadly to protect the Idaho habitat on which sage-grouse depend. My budget request calls for allocating $500,000 for fire prevention, suppression, and habitat monitoring and restoration efforts on non-federal lands. I appreciate your continued support of our collaborative efforts to put in place a reasonable, responsible and effective species protection plan – with the customs, culture and economic vitality of our citizens in mind.

Let me also express my deep and sincere appreciation to our incredible State employees throughout Idaho. I enjoy visiting our agency offices from time to time, and I’m consistently impressed with the commitment and civic virtue with which our employees do their jobs. They take great pride in being public servants and in being responsive to the needs of Idaho citizens. That’s why I’m so pleased to be able to announce today that my budget request includes funding for agency directors and administrators to retain and reward their personnel. It’s a step in the right direction toward attracting and keeping great public servants.

We have a lot to appreciate here in Idaho, and we are building the foundation for even better things to come. I hope you will join me in choosing gratitude for what we have and hope for our path forward over frustration and cynicism at what we have yet to achieve.

In fact, I believe Idaho now is closer than anywhere in our nation to what America was meant to be.

Finally, it is my sincere wish that we undertake our work together in this legislative session without keeping one eye on the upcoming election. Instead, let us proceed with a focused commitment to applying government’s proper role to our current challenges and to improving the lives of generations to come.

Thank you for your time and attention. Godspeed in your deliberations, and may He continue to bless the great State of Idaho and the United States of America.

The Speaker thanked Governor Otter for his message.

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

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

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

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

The members of the Senate returned to the Senate Chamber.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.
Motions and Resolutions

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

**AGRICULTURAL AFFAIRS (9)**
- Rice, Chairman
- Bayer, Vice Chairman
  - Patrick
  - Souza
  - Lee
  - Den Hartog
  - Harris
  - Ward-Engelking
  - Burgoyne

**COMMERCIALS AND HUMAN RESOURCES (9)**
- Patrick, Chairman
- Martin, Vice Chairman
  - Lakey
  - Guthrie
  - Heider
  - Rice
  - Thayn
  - Schmidt
  - Ward-Engelking

**COMMERCE AND HUMAN RESOURCES (9)**
- Patrick, Chairman
- Martin, Vice Chairman
  - Lakey
  - Guthrie
  - Heider
  - Rice
  - Thayn
  - Schmidt
  - Ward-Engelking

**EDUCATION (9)**
- Mortimer, Chairman
- Thayn, Vice Chairman
  - Nonini
  - Patrick
  - Souza
  - Den Hartog
  - Anthon
  - Buckner-Webb
  - Ward-Engelking

**FINANCE (10)**
- Keough, Chairman
- Johnson, Vice Chairman
  - Bair
  - Mortimer
  - Brackett
  - Nuxoll
  - Thayn
  - Guthrie
  - Schmidt
  - Lacey

**HEALTH AND WELFARE (9)**
- Heider, Chairman
- Nuxoll, Vice Chairman
  - Lodge
  - Hagedorn
  - Martin
  - Lee
  - Harris
  - Schmidt
  - Jordan

**JUDICIARY AND RULES (9)**
- Lodge, Chairman
- Nonini, Vice Chairman
  - Davis
  - Johnson
  - Souza
  - Lee
  - Anthon
  - Burgoyne
  - Jordan

**LOCAL GOVERNMENT AND TAXATION (9)**
- Siddoway, Chairman
- Guthrie, Vice Chairman
  - McKenzie
  - Johnson
  - Rice
  - Vick
  - Bayer

**RESOURCES AND ENVIRONMENT (9)**
- Bair, Chairman
- Vick, Vice Chairman
  - Stennett
  - Lacey

**STATE AFFAIRS (9)**
- McKenzie, Chairman
- Lodge, Vice Chairman
  - Davis
  - Hill
  - Winder
  - Siddoway
  - Lakey

**TRANSPORTATION (9)**
- Brackett, Chairman
- Hagedorn, Vice Chairman
  - Keough
  - Winder
  - Nonini
  - Vick
  - Den Hartog
  - Buckner-Webb
  - Lacey

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

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 2:20 p.m. until the hour of 11 a.m., Tuesday, January 12, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
Senate Chamber

President Little called the Senate to order at 11 a.m.
Roll call showed all members present.
Prayer was offered by Father John Worster.
The Pledge of Allegiance was led by Mallory DeFord, Page.
On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 11, 2016

Jennifer Novak
Secretary of the Senate
Idaho State Legislature

Dear Madam Secretary:

As required by Section 57-1601, Idaho Code, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2015 and 2016.

**Balance as of July 1, 2014**  
$83,744.48

No activity in fiscal year 2015

**Balance as of June 30, 2015**  
$83,744.48

No activity year-to-date in fiscal year 2016

**Balance as of December 31, 2015**  
$83,744.48

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

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

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

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Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 11:30 a.m., Wednesday, January 13, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
The Idaho Judicial Council appointment was referred to the Judiciary and Rules Committee.

January 13, 2016

The Honorable Brad Little
President of the Senate
Idaho Senate

Dear Mr. President:

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

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

Sincerely,

/s/ Lawerence Denney
Secretary of State

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

Messages from the Governor

On request by Senator Davis, granted by unanimous consent, the Gubernatorial appointments of Bob Geddes, Dean L. Cameron, and John H. Tippets retained their place on the calendar for one legislative day.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Allan R. Schneider of Garden City, Idaho, was reappointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2015, and expiring July 1, 2018.

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

As Always - Idaho, Esto Perpetua

/s/ C.L. "Butch" Otter
Governor

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sue A. Payne of Boise, Idaho, was reappointed as a member of the Commission for the
Blind and Visually Impaired to serve a term commencing July 1, 2015, and expiring July 1, 2018.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Cindy P. Wilson of Meridian, Idaho, was appointed as a member of the State Board of Correction to serve a term commencing April 13, 2015, and expiring January 1, 2021.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that M. Dean Buffington of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 13, 2015, and expiring April 11, 2019.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Charles L. Winder of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 13, 2015, and expiring April 11, 2019.

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

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

The correspondence was ordered filed in the office of the Secretary of the Senate.
This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that L.N. Nick Purdy of Picabo, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 1, 2019.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Randolph MacMillan of Buhl, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 1, 2019.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kevin C. Boling of Coeur d'Alene, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 1, 2019.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Butch" Otter Otter of Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 1, 2019.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Randolph MacMillan of Buhl, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 1, 2019.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Butch" Otter Otter of Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 1, 2019.

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

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

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

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

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11:30 a.m., Thursday, January 14, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
The President called the Senate to order at 11:30 a.m. Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair. Prayer was offered by Father John Worster. The Pledge of Allegiance was led by Nina Harelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 13, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Motions and Resolutions

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

Assistant to the Majority Leader .........................Marian Smith
Assistant to the Asst. Maj. Leader ..........................Lizzie Kakla
Assistant to the Maj. Caucus Chairman ............Sharon Pennington
Secretary to the Secretary of the Senate ...........Laura McInnes
Journal Clerk .............................................Jamie Kaiser
Assistant Clerk ............................................Jessica Solberg
Sergeant at Arms .............................Sarah Jane McDonald
Assistant Sergeant at Arms ..........................Jerry Csutoras
Doorkeeper..................................................Al Henderson

Committee Secretaries:
Agricultural Affairs .....................................Carol Deis
Commerce and Human Resources ................Linda Kambeitz
Education ....................................................LeAnn Mohr
Finance .....................................................Peggy Moyer
Health and Welfare ....................................Karen Westbrook
Judiciary and Rules ....................................Carol Cornwall
Local Government and Taxation ....................Jennifer Carr
Resources and Environment .........................Juanita Budell
State Affairs ..............................................Twyla Melton
Transportation ..........................................Gaye Bennett

Majority Staff Assistants:
Majority Staff Assistant ............................Michael Jeppson
Majority Staff Assistant ............................Kara Machado
Majority Staff Assistant ...........................Christy Riche
Majority Staff Assistant ............................Anna Roser
Majority Staff Assistant ..............................Sean Schupack

Minority Staff:
Minority Chief of Staff ..............................Diane Kelly
Minority Staff Assistant ............................Celeste Conrad
Minority Staff Assistant ............................Jerome Filip
Minority Staff Assistant ............................Maureen Lavelle

Pages:
Mallory DeFord, Nampa
Aleena Follett, Boise
Nina Harelson, Pocatello
Jared Kelly, Blackfoot
Caleb Richardson, Rigby
Hayden Rogers, Boise
Liberty Stokes, Blackfoot
Hannah Sturtevant, Meridian
Marshall Toryanski, Boise

The question being, Shall the motion prevail?

Roll call resulted as follows:

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared the attachés duly elected to their respective positions.

On request by Senator Davis, granted by unanimous consent, the Sergeant at Arms escorted the attachés to the well of the Senate at which time the Oath of Office was administered to the attachés and they were escorted from the Chamber.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Eighth Order of Business.
Messages from the Governor

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Daniel A. Blanco of Moscow, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing September 10, 2015, and expiring June 30, 2019.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Derick Eldon Attebury of Idaho Falls, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing September 10, 2015, and expiring June 30, 2019.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jay F. Kunze of Pocatello, Idaho, was reappointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing April 13, 2015, and expiring March 6, 2018.

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

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

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

The Gubernatorial appointment was referred to the Resources and Environment Committee.
January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Chris Charles Beck of Hayden, Idaho, was reappointed as a member of the Oil and Gas Commission to serve a term commencing July 10, 2015, and expiring July 1, 2019.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Peter J. Black of Pocatello, Idaho, was appointed as a member of the Parks and Recreation Board to serve a term commencing July 28, 2015, and expiring June 30, 2021.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that J. Philip Reber of Boise, Idaho, was reappointed as a member of the Idaho Judicial Council to serve a term commencing July 1, 2015, and expiring July 1, 2021.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Moira A. Lynch of Boise, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing June 2, 2015, and expiring January 1, 2018.

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

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Louise D. Stark of Challis, Idaho, was reappointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing April 20, 2015, and expiring April 20, 2018.

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

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

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

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Glen R. Gier of Twin Falls, Idaho, was appointed as a member of the State Soil and Water Conservation Commission to serve a term commencing August 4, 2015, and expiring July 1, 2020.
This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

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

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

The Gubernatorial appointment was referred to the Agricultural Affairs Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Leland G. Heinrich of Cascade, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing June 30, 2015, and expiring June 30, 2018.

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

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

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

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

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

**Messages from the House**

January 13, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 27](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 27](#) and ordered it returned to the House.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 10:45 a.m., Friday, January 15, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
The Honorable Brad Little  
President of the Senate  
Idaho Legislature  

Dear Mr. President:

I have the honor to inform you that Todd Lakey of Nampa, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 13, 2015, and expiring December 1, 2016.

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

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

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

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

The Honorable Brad Little  
President of the Senate  
Idaho Legislature  

Dear Mr. President:

I have the honor to inform you that Eric R. Anderson of Priest Lake, Idaho, was appointed as a member of the Public Utilities Commission to serve a term commencing December 28, 2015, and expiring January 9, 2019.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Honorable Brad Little  
President of the Senate  
Idaho Legislature  

Dear Mr. President:

I have the honor to inform you that Janice E. Fulkerson of Meridian, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing August 27, 2015, and expiring April 10, 2017.

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

As Always - Idaho, Estó Perpetua  
/s/ C.L. "Butch" Otter  
Governor
The correspondence was ordered filed in the office of the Secretary of the Senate.

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

January 13, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that David E. Kinghorn of Lewisville, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing April 13, 2015, and expiring June 30, 2016.

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

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

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

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

January 13, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Linda Pike of Moscow, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing April 13, 2015, and expiring June 30, 2017.

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

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

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

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

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Linda Clark of Boise, Idaho, was appointed as a member of the State Board of Education to serve a term commencing June 30, 2015, and expiring June 30, 2020.

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

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

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

The Gubernatorial appointment was referred to the Education Committee.

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeff Cilek of Boise, Idaho, was appointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2015, and expiring July 1, 2020.

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

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

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

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.
January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Matthew Allen Thomas of Weiser, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2016, and expiring January 1, 2019.

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

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

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

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

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Bob Geddes of Meridian, Idaho, was appointed Director of the Department of Administration to serve a term effective June 1, 2015. Under Idaho law Director Geddes serves at the pleasure of the Governor; however, pursuant to Idaho Code 59-904, under no circumstances shall his appointment extend beyond the Governor's term.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dean L. Cameron of Rupert, Idaho, was appointed to Director of the Department of Insurance to serve a term effective June 15, 2015. Under Idaho Code 41-202, Director Cameron serves a term of four (4) years subject to early removal by the Governor.

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

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

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

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

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John H. Tippets of Meridian, Idaho, was appointed Director of the Department of Environmental Quality to serve a term effective July 6, 2015. Under Idaho law Director Tippets serves at the pleasure of the Governor; however, pursuant to Idaho Code 59-904, under no circumstances shall his appointment extend beyond the Governor's term.

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

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

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

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

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

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

S 1194
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE MANUFACTURED HOME RESIDENCY ACT; AMENDING SECTION 55-2003, IDAHO CODE, TO REVISE A DEFINITION AND TO REMOVE A DEFINITION; AND AMENDING SECTION 55-2004, IDAHO CODE, TO REMOVE A REFERENCE TO PARK MODEL.

S 1194 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11 a.m. until the hour of 11:30 a.m., Monday, January 18, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENEAE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 18, 2016

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Caleb Richardson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 15, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 132
BY MARTIN

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING IDAHO PEACE OFFICERS FOR THEIR SERVICE TO THE STATE.

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

WHEREAS, the peace officers of Idaho have worked diligently and selflessly on behalf of the people of Idaho regardless of the peril or hazard to themselves; and

WHEREAS, these officers have safeguarded the lives and property of their fellow Idahoans; and

WHEREAS, by enforcing our laws, these same officers have given our great state and its citizens freedom from fear of the violence and civil disorder presently affecting our nation; and

WHEREAS, these men and women by their patriotic service and their dedication have earned the gratitude of this state; and

WHEREAS, our peace officers embody the ideals of citizenship and the idea that with our rights come responsibilities, both to ourselves and to others.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we salute the men and women who do the difficult, dangerous and often thankless work of safeguarding our communities.

BE IT FURTHER RESOLVED that we celebrate those who protect and serve us every minute of every day, and we honor the courageous officers who devote themselves to the full measure that they are willing to lay their lives on the line to protect us.

BE IT FURTHER RESOLVED that just as our peace officers never let down their guard, we must never let slide our gratitude to them and their families.

SCR 132 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 18, 2016

The JUDICIARY AND RULES Committee reports that S 1194 has been correctly printed.

LODGE, Chairman

S 1194 was referred to the Commerce and Human Resources Committee.

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

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

S 1195
BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO ELECTIONS; AMENDING SECTION 34-737, IDAHO CODE, TO PROVIDE THAT WRITE-IN BALLOTS SHALL NOT BE ALLOWED AND SHALL NOT BE COUNTED IN THE PRESIDENTIAL PRIMARY; AMENDING SECTION 34-904, IDAHO CODE, TO PROVIDE CONDITIONS WHEN A PRESIDENTIAL PRIMARY BALLOT NEED NOT BE PRINTED; AMENDING SECTION 34-411A, IDAHO CODE, TO REVISE PROVISIONS REGARDING PRIMARY AND PRESIDENTIAL PRIMARY ELECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1195 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:30 a.m., Tuesday, January 19, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 19, 2016

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hayden Rogers, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 18, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 19, 2016

The JUDICIARY AND RULES Committee reports that SCR 132 and S 1195 have been correctly printed.

LODGE, Chairman

On request by Senator Martin, granted by unanimous consent, SCR 132 was referred to the Judiciary and Rules Committee.

S 1195 was referred to the State Affairs Committee.

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

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

S 1196
BY BUCKNER-WEBB AND BURGOYNE
AN ACT
RELATING TO CIVIL RIGHTS; AMENDING SECTION 67-5901, IDAHO CODE, TO PROVIDE THAT FREEDOM FROM DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY IS A CIVIL RIGHT; AMENDING SECTION 67-5902, IDAHO CODE, TO PROVIDE ADDITIONAL DEFINITIONS; AND AMENDING SECTION 67-5909, IDAHO CODE, TO PROHIBIT DISCRIMINATION AGAINST A PERSON BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO MAKE TECHNICAL CORRECTIONS.

S 1197
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO MINES AND MINING; AMENDING SECTION 47-1509, IDAHO CODE, TO REVISE CERTAIN REQUIRED RECLAMATION ACTIVITIES; AND AMENDING SECTION 47-1512, IDAHO CODE, TO REVISE BOND AMOUNT PROVISIONS, TO PROVIDE FOR WRITTEN NOTICE BY THE STATE BOARD OF LAND COMMISSIONERS TO AN OPERATOR OF REJECTION OF A REQUEST FOR BOND RELEASE UPON THE BOARD’S DETERMINATION THAT THE REQUIREMENTS OF A RECLAMATION PLAN OR PERMANENT CLOSURE PLAN HAVE NOT BEEN MET, AND TO PROVIDE FOR CONTENT OF THE NOTICES.

S 1198
BY BURGOYNE
AN ACT
RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-301, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS AND TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING PRIVILEGE CARD; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 6, CHAPTER 54, LAWS OF 2015, TO PROVIDE FOR DRIVING PRIVILEGE CARDS AND TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING PRIVILEGE CARD; AMENDING CHAPTER 3, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-307B, IDAHO CODE, TO DEFINE TERMS, TO AUTHORIZE THE DEPARTMENT TO ISSUE DRIVING PRIVILEGE CARDS TO CERTAIN INDIVIDUALS, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO PROVIDE CRITERIA FOR DRIVING PRIVILEGE CARDS, TO PROVIDE LIMITATIONS AND TO PROVIDE RULEMAKING AUTHORITY; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS; AND PROVIDING AN EFFECTIVE DATE.

S 1196, S 1197, and S 1198 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Wednesday, January 20, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
President Little called the Senate to order at 11 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Liberty Stokes, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 19, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Rice, Chairman, and Senators Nonini and Burgoyne to escort Chief Justice Jim Jones into the Senate Chamber where he delivered the following State of the Judiciary Address:

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

It is a privilege and pleasure to appear before you today to report on the state of the Idaho judiciary. I must admit to having a warm spot in my heart for this august body, because I served as legal counsel for the Idaho Legislature for 8 years in the 1980s. You were never, well let’s say rarely, a difficult client. But, be that as it may, I can tell you that the Idaho judiciary is doing well and looking forward to continuing improvement in the future.

One of the exciting developments since my good friend Roger Burdick addressed you last year, is the implementation of the Odyssey case management system. As you will recall, in 2014 the Court presented you with a comprehensive five-year business plan to replace the existing and outdated ISTARS case management system with a state of the art system from Tyler Technologies. With legislative approval and funding, the Court has been working with Tyler on a pilot project to implement the system in Twin Falls County.

The system went live in Twin Falls on June 22. It was a massive undertaking because it not only required transition of the entire computerized management system, but also entailed a tremendous amount of extra work in scanning existing and incoming records. According to Tyler, the Twin Falls County pilot implementation was one of the smoothest in the company’s history. Twin Falls County now has a modern 24/7 web-based case management system for use by judges, court clerks, and numerous governmental agencies, such as the adult misdemeanor probation office, the State Police, and juvenile corrections.

In addition, a portal was deployed with the system to replace the Supreme Court’s data repository, which will allow users to make case, party and hearing searches, as well as electronic payments.

Starting on November 9, voluntary electronic filing was made available to all attorneys in Twin Falls County. That allows parties to submit electronic documents to the court at any time, from any place, resulting in significant efficiencies for attorneys, clerks and judges. Electronic filing was made mandatory for Twin Falls County on January 11 and it appears to be working very well.

Along with the transition to electronic filing, the courts will implement a service that simplifies the filing process for self-represented litigants. Idaho’s Court Assistance Office has been recognized nationally for its interactive forms and hands-on assistance to pro se litigants. The new service is being developed for pilot, and in conjunction with Odyssey, will guide the increasing number of self-represented individuals through the process of filing divorce, civil protection, small claims, child support and custody, and other common types of pro se cases.

The success of the Twin Falls pilot project was accomplished by a dedicated IT staff at the Supreme Court, led by Kevin Iwersen, as well as truly remarkable work by the Twin Falls County Clerk’s office. This was all made possible by the action of this body in funding $4.85 million in FY15 and $2.18 million in FY16. This year, the Court is asking for an additional $2 million, which will be the third of five one-time appropriations for Odyssey.

The other source of revenue you provided for the Odyssey transition was an increase of the court filing fees going into the technology fund. We are carefully monitoring the implementation and operational aspects of the project to make sure that the ongoing funding is adequate to meet the needs of the new system. That is because the FY15 revenue received by the technology fund from filing fees was 1.8% below projections and it appears projections will not be met in FY16.

The Court is preparing for the delivery of Odyssey to Ada County in the early summer of this year. Because of the lessons learned in Twin Falls County and the substantially greater scale and complexities involved with Ada County, deployment was extended by several months. Subsequent deployments throughout the rest of the State will greatly benefit from lessons learned in Twin Falls and Ada Counties.

Thanks to the support of the Legislature, Idaho’s problem-solving courts are functioning well and have the capacity to expand. These courts are operated by magistrate and district judges, who dedicate after-hours service to assist defendants in addressing drug, alcohol, mental health, and domestic abuse issues. By treating the causes of these problems,
research shows that we can reduce crime rates, and the attendant costs of recidivism on families and society.

I would like to share a typical problem-solving court intervention with you.

One graduate noted that she had entered Mental Health Court from jail several years ago. She said: “I was a very bitter and angry person and set out to make everyone around me the same way. I was my own worst enemy. I was a hard case. . . . I hated everyone on the ACT team. They were all out to get me, all they wanted was to see me fail.” She related that she eventually came around to an understanding that the various members of the team were actually concerned about her well-being and working to help her be successful. She said: “The most frightening thing was standing in front of the judge every week. . . . I never thought I would stand in front of a judge and know he actually cares about me and my well-being, know he is looking out for what is best for me as a person.” She related how she completed the program, got back with her husband, kids and family, gained self-respect and got a good job that she enjoys. She said, “None of this would have been possible without each of the team member’s dedication to my recovery.”

An area of expanding coverage for problem-solving courts is providing help to veterans. There are now Veterans Treatment Courts in six of Idaho’s seven judicial districts. With our all-volunteer military, many people do not realize the serious problems faced by some returning veterans. When I was attending a public meeting during my tenure as Attorney General, I was approached by a young man who looked like he had been through really tough times. He said he had seen me on television, saying something to the effect that I was proud to be a Vietnam veteran. He had served in Vietnam but it never occurred to him that it was anything to be proud of. He said that he never told people about having served in Vietnam because he was ashamed of it. He told me he finally understood that he should take pride in having served his country. It brought home the alienation and despair experienced by some of my fellow vets.

Returning veterans of each war have their own sets of experiences and problems. However, they generally involve drug or alcohol abuse, abuse of family members, suicidal thoughts or actions, and the like. Veterans Treatment Courts are addressing these issues and there has been an increasing need for those courts. They don’t condone criminal conduct by veterans, but give them the guidance and support they need to get their lives back on track.

Problem-solving courts have made an impact. From 1998 through the end of FY15, problem-solving courts have graduated sixty-six hundred individuals. During that timeframe, 344 drug-free babies were born to female participants.

There is one thing that the Court would like to have addressed in the current session regarding drug court funding. The drug court fund is a dedicated fund that was established in 2003 as an ongoing source of funding for the problem-solving courts. During the height of the financial crisis several years ago, the judiciary participated in funding reductions, which included shifting some other court services to this fund to reduce the burden on the State budget. One such expense was the shift of $865,000 for senior judge costs to the drug court fund.

Now that State finances have stabilized, it is prudent to transfer the funding responsibility for senior judges back out of the drug court fund, and we are asking that you do so. That will stop the drain on the fund for functions not related to drug and mental health courts and assure a stable source of revenue to operate the senior judge program.

During FY15, senior judges worked a total of 3,040 days, which is the equivalent of approximately 14 additional judgeships. Utilization of senior judges allows the court system to call on experienced and talented judges to fill in in areas where they are needed. This gives the Court flexibility and it saves the taxpayers a great deal of money. Senior judges are compensated only for the days that they actually serve and they receive 85% of the daily salary of an active judge. Continuation of the program with a sound funding base is essential to the administration of justice through the court system.

In 2014, the Legislature increased judicial salaries, particularly for district judges. This was in response to a relatively small salary differential between magistrate judges and district judges and difficulty in recruiting candidates for district judge positions. Within the next five years, more than half of our district judges will be eligible to retire. That will require a significant number of new judicial appointments, so we will need to continue aggressive recruitment efforts.

When a vacancy occurs in a district judgeship, the Idaho Judicial Council considers applications from those seeking the position and submits a list of 2 to 4 names of qualified candidates to the Governor for appointment. From 2000 to 2013, the Judicial Council acted on 43 vacancies, sending a list of 4 names to the Governor for 13 of the vacancies, 3 names for 19 vacancies, and 2 names for 11 vacancies. Those numbers indicated a rather lukewarm interest in district judgeships. Survey information disclosed that experienced lawyers were reluctant to apply for district judgeships because of the low salary and grueling workload. District judges are often required to work nights and weekends to keep up with their caseload and to perform additional functions such as operating problem-solving courts.

From July 1, 2014, the effective date of the salary increase, to January 7, 2016, the Judicial Council has acted on 6 district judgeships. That produced 4 names for 3 vacancies and 3 names for the other 3. As Chief Justice, I participated in the last 2 interview sessions and I can tell you that we had a number of good candidates for both. In fact, there were more qualified candidates than we could submit to the Governor for a vacancy in Canyon County. I can’t say that this increased interest in district judge positions can be attributed entirely to the salary increase, but I do believe it played a large part.

In appreciation of the 2014 salary adjustment, the Court did not request a change in compensation last year. This year, we have included a 1% salary increase placeholder in our budget for calculation purposes, and are requesting an increase commensurate with the percentage level of CEC other state employees receive, both for judges and court personnel.

In 2013 the Legislature began consideration of means to fulfill the State’s responsibility to provide an adequate defense for indigent persons accused of crime. As Justice Burdick noted in his address to this Chamber last year, the Idaho Supreme Court ruled in 1923 that indigent defendants in Idaho are entitled to adequate counsel to defend them from criminal charges at public expense.

You have established a Public Defense Reform Interim Committee to consider means to fulfill this responsibility, as well as providing for a Public Defense Commission. Both the Interim Committee and the Commission have devoted efforts to arriving at an appropriate answer to this serious problem.
The design of the system and the means for funding it are within the discretion of the Legislature. I was pleased last week to hear Governor Otter propose that the State commit significant financial resources to providing an appropriate answer. The Court stands ready to assist in any reasonable manner. We do not want to appear to be advocating how public defenders should be selected and managed, since they are persons who necessarily appear before the courts on a frequent basis. Therefore, the Court’s role must be advisory in nature.

And, I can provide some advice based on my experience as Attorney General in the 1980s. Then, as now, the Attorney General’s office handled virtually all criminal appeals for the State. Unlike now, when virtually all appeals by indigent criminal defendants are handled by the State Appellate Public Defender, in the 1980s such appeals were handled by contracted county public defenders or in some areas by private attorneys appointed by the judiciary. I can tell you it was less than ideal. Some defendants received an adequate defense at trial, and on appeal, while others clearly did not. The Appellate Public Defender has remedied the problem at the appellate level, but the problems still exist in places at the trial court level. Consequently, a number of cases come before the appellate courts where errors have occurred in the trial court, issues were missed, the defense was inadequate, and deficiencies must be remedied by sending cases back for further proceedings. This is an unnecessary drain on the criminal justice system. In order to ensure uniformity and a consistent level of competence at the trial court level, it appears to me that a regional or statewide approach is prudent. The appellate defender system works well in that regard and it should be considered as a model at the trial court level. However, this is a matter within the purview of the Legislature and I wish you well in providing an appropriate response.

The Idaho Courts continue to make strides in enhancing protections for some of Idaho’s most vulnerable—those under court-ordered guardianship or conservatorship. These are cases in which the court grants an individual or entity the authority and obligation to make personal or financial decisions for a minor child or incapacitated adult. In FY15, more than 2,600 financial reports, reflecting over $367 million in assets under the care of a conservator, were reviewed for signs of fraud or mismanagement. In addition, this past year the judiciary launched a pilot guardianship monitoring program to develop effective practices for court monitoring of guardianship cases. These efforts have already resulted in a 20% increase in the number of annual guardianship reports filed with the courts in participating districts, greatly improving the courts’ ability to monitor and protect minor children and incapacitated adults.

The Idaho Constitution and other laws require that courts be open and accessible to every person. As part of this obligation, Idaho courts have to provide language access services for non-English speakers. Additionally, the state, and local governments, must communicate effectively with people who have communication disabilities.

In order to comply with the law, the Court is seeking funding for a state-wide language access manager to provide language access services to all Idaho courts. The Court is also asking for funding to supplement certified court interpreter services in the Third and Fourth Districts, as well as funding for video remote interpreting services to provide interpretation by laptop computer, thereby avoiding the cost of having to have interpreters appear in person in court proceedings.

The court system in Idaho has provided remarkable service to Idaho citizens in the past and is looking forward to continually improving those services into the future. That has been made possible by the help we have received from the Legislature and I would particularly like to thank Senator Patti Anne Lodge and Representative Rich Wills, and their committees, for their dedicated help. I also extend great thanks to interim Administrative Director of the Courts, senior Justice Linda Copple Trout, and her deputy director, senior judge Barry Wood, for their tireless efforts. I should tell you that the Court is in the process of commencing a nation-wide search for a replacement for Justice Trout, as we have no intention of confining her to involuntary servitude long into the future, although we appreciate the fine work she has been doing for the courts. Thanks to all of you for maintaining a good and mutually beneficial relationship with your court system.

The President thanked Chief Justice Jones for his remarks and Senator Rice, Chairman, and Senators Nonini and Bagonyme escorted Chief Justice Jones from the Chamber, and the Committee was discharged.

Senator Keough was recorded present at this order of business.

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

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

Reports of Standing Committees
January 20, 2016

The JUDICIARY AND RULES Committee reports that S 1196, S 1197, and S 1198 have been correctly printed.

   LODGE, Chairman

   S 1196 was referred to the State Affairs Committee.

   S 1197 was referred to the Resources and Environment Committee.

   S 1198 was referred to the Transportation Committee.

January 19, 2016

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

Allan R. Schneider to the Commission for the Blind and Visually Impaired, term to expire July 1, 2018.

Britt Raubenheimer to the Commission for the Blind and Visually Impaired, term to expire July 1, 2018.

Sue A. Payne to the Commission for the Blind and Visually Impaired, term to expire July 1, 2018.

   HEIDER, Chairman

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

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

January 13, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William Dale Crawford of Middleton, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing July 1, 2015, and expiring January 1, 2018.

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

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

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

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

January 18, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Megan Ronk of Meridian, Idaho, was appointed as the Director of the Department of Commerce effective January 8, 2016. Under Idaho law, Director Ronk serves at the pleasure of the Governor; however, pursuant to Idaho Code 59-904, under no circumstances shall her appointment extend beyond the Governor's term.

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

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

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

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

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

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

S 1199

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE MEDICAL BOARDS FOR FISCAL YEAR 2016; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2016; AND Declaring an emergency.

S 1200

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND Declaring an emergency.

S 1201

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING AND TRANSFERRING MONEYS FROM THE CATASTROPHIC HEALTH CARE COST FUND TO THE GENERAL FUND FOR FISCAL YEAR 2016; AND Declaring an emergency.

S 1202

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING SECTION 67-5303, IDAHO CODE, TO PROVIDE THAT ALL EMPLOYEES OF THE STEM ACTION CENTER, THE OFFICE OF SPECIES CONSERVATION, THE OFFICE OF DRUG POLICY AND THE OFFICE OF ENERGY RESOURCES SHALL BE NONCLASSIFIED EMPLOYEES.

S 1199, S 1200, S 1201, and S 1202 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 11:30 a.m., Thursday, January 21, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
Motions and Resolutions

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

On motion by Senator Schmidt, seconded by Senator Martin, the Gubernatorial appointment of Allan R. Schneider as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Britt Raubenheimer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Burgoyne, the Gubernatorial appointment of Britt Raubenheimer as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

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

On motion by Senator Hagedorn, seconded by Senator Jordan, the Gubernatorial appointment of Sue A. Payne as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 10:45 a.m., Friday, January 22, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
WHEREAS, the month of February is also significant in the history of African Americans for being the month when the National Association for the Advancement of Colored People (NAACP) was founded; when the 15th Amendment to the United States Constitution was passed, granting African American men the right to vote; when the first Black U.S. Senator Hiram R. Revels took his oath of office; and when Bernard A. Harris, Jr. became the first Black astronaut to walk in space; and
WHEREAS, while the number of Black people in Idaho has never exceeded one percent of the total population, they have nevertheless made significant contributions to Idaho; and
WHEREAS, the first recorded Black American in Idaho was York, the manservant of Captain William Clark, arriving in 1805 during the Lewis and Clark Expedition to the Pacific; and
WHEREAS, in 1867, Elvina Moulton, a former slave, followed the Oregon Trail to Boise. She stayed in Boise and undertook sewing and laundry work, saving her money and eventually buying her own home on Idaho Street next door to Boise Mayor James H. Hawley. She was also the only Black member among the prominent women who were charter members of Boise's First Presbyterian Church; and
WHEREAS, the 25th Infantry Regiment (known as the Buffalo Soldiers) risked their lives to save hundreds of men, women and children in the towns of Avery and Wallace, Idaho, during the Bitterroot Range wildfires in 1910. They built trails for fire crews, escorted families out of town to safety, helped keep the peace, evacuated towns and helped to light backfires when the great firestorm surrounded the community of Avery, and helped to retrieve the bodies of the townspeople and firefighters who didn't survive the conflagration; and
WHEREAS, in the latter part of the 19th century and the first half of the 20th century, African Americans arrived in Idaho to work in the mines, on the railroads, and eventually on the military bases located in Boise and Pocatello during World War II; and
WHEREAS, during this era, Black Idahoans faced restrictions as to where they were permitted to live, what work they were permitted to engage in, and whether they could join unions, eat in restaurants or attend theaters and churches; and
WHEREAS, the federal Civil Rights Act of 1964 was passed after being co-sponsored by U.S. Senator Frank Church from Idaho; and
WHEREAS, seven hundred Black and White Idahoans rallied on the Capitol steps in April 1968 to call for a stronger state civil rights law and better enforcement through creation of a state human rights commission; and
WHEREAS, under the leadership of then-Senator Phil Batt, the Idaho Human Rights Act was passed in 1969, prohibiting discrimination in employment, education, real estate transactions and public accommodations on the basis of race, sex, color, national origin and religion; and
WHEREAS, during the civil rights movement, Negro History Week was redesignated as Black History Week; and
WHEREAS, in 1976, as part of the nation's bicentennial, Black History Week was expanded and established as Black History Month with the hope that through this special observance, all Americans would be reminded of their ethnic roots and develop a mutual respect for the contributions of all racial groups in America; and
WHEREAS, Les Purce was the first Black elected official in Idaho, voted onto the Pocatello City Council and then becoming the city's mayor three years later in 1976; and
WHEREAS, Cherie Buckner-Webb was the first Black person to be elected in the Idaho State House of Representatives in 2010 and to the Idaho State Senate in 2012; and
WHEREAS, history teaches us that Black citizens in Idaho have struggled against slavery, prejudice and discrimination in
employment, housing, public accommodations and education over the course of our nation's history; and

WHEREAS, history also reveals that Black Idahoans have met these struggles bravely and contributed their many talents, achievements and contributions to their communities in Idaho; and

WHEREAS, Black History Month is an opportunity for all Idahoans to commemorate the struggles and victories of Black Americans in our history and to recognize their valuable contributions to society and to the state and nation's defense in war and peace.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we do hereby commemorate and recognize the month of February 2016 as Black History Month in Idaho and encourage Idahoans to reflect on the complex history of minorities in Idaho and the United States, and to look to the future and strive to continue to improve society so that we live up to the ideals of freedom, equality and justice for all.

SCR 134
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND SUPPORTING THE STATE BOARD OF EDUCATION’S GOAL THAT 60 PERCENT OF IDAHO CITIZENS AGES 25-34 EARN A POSTSECONDARY DEGREE OR CERTIFICATE BY 2020 TO MEET THE STATE’S WORKFORCE NEEDS.

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

WHEREAS, Idaho must grow talent within the state to fuel innovation and competitiveness to support a robust economy; and

WHEREAS, increased education attainment improves the quality of life for Idahoans by providing access to jobs with higher wages that support families and create opportunities for personal financial security; and

WHEREAS, the jobs of the future are increasingly automated and technology driven; and

WHEREAS, the state must support an education system in which students graduate with the knowledge and skills that maximize their potential for success in the workforce while providing businesses with the necessary talent to thrive; and

WHEREAS, there will continue to be a shortage of Idahoans with postsecondary degrees, certificates and education credentials to meet future workforce needs; and

WHEREAS, bolstering postsecondary academic and career technical education opportunities in high demand fields, such as health care, information technology, advanced manufacturing and transportation are increasingly important in meeting workforce needs; and

WHEREAS, the State Board of Education has set a goal that 60 percent of citizens ages 25-34 attain a postsecondary degree or certificate by 2020; and

WHEREAS, currently only 40 percent of citizens have a postsecondary degree or certificate; and

WHEREAS, Idaho must increase the number of citizens ages 25-34 with a postsecondary degree or a certificate by at least five percentage points a year in order to reach the 60 percent goal; and

WHEREAS, 52 percent of Idaho’s high school graduates are pursuing higher education within one year of high school graduation; and

WHEREAS, the Legislature enacted local college and career advising programs and dual credit, career technical and advanced placement programs to help students jump-start their higher education by setting college and career goals and earning college credit while in high school; and

WHEREAS, the State Board of Education has implemented the Direct Admissions initiative to provide Idaho high school graduates the opportunity to enroll in an Idaho public higher education institution; and

WHEREAS, 28 percent of Idaho adults over the age of 25 have attended college but have not completed a degree; and

WHEREAS, Idaho’s colleges and universities have undertaken initiatives to address college access, affordability, retention and graduation; and

WHEREAS, it is imperative that Idaho commit to efficiently and effectively increasing postsecondary degrees and certificates; and

WHEREAS, the State Board of Education has joined the Complete College American Alliance of States to become a recognized leader in talent creation and workforce development; and

WHEREAS, Idaho must encourage families to prepare our children for educational attainment by helping them prepare for school, encouraging them to read and value education.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Idaho’s education system kindergarten through career should focus on ensuring that Idaho students are prepared for success at the postsecondary level and in the workforce.

BE IT FURTHER RESOLVED that parents, the State Board of Education, the State Department of Education, the Division of Professional-Technical Education, the public higher education institutions, the Department of Labor and the Department of Commerce work with educators, representatives from business and industry, the Governor and the Legislature to promote policies and programs that ensure Idaho is making progress toward the “60 by 20” goal and that the State Board of Education will report annually to the Legislature on such progress.

SCR 133 and SCR 134 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 21, 2016

The FINANCE Committee reports out S 1199, S 1200, and S 1201 with the recommendation that they do pass.

KEOUGH, Chairman

S 1199, S 1200, and S 1201 were filed for second reading.

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

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

S 1203
BY JORDAN AND BUCKNER-WEBB
AN ACT
RELATING TO PRIMARY ELECTIONS; REPEALING SECTION 34-411A, IDAHO CODE, RELATING TO CHANGING OR SELECTING PARTY AFFILIATION FOR A PRIMARY ELECTION; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-411A, IDAHO CODE, TO PROVIDE FOR CHANGING
S 1204
BY SCHMIDT
AN ACT
RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-267, IDAHO CODE, TO PROVIDE THAT THE STATE SHALL AMEND ITS STATE PLAN TO EXPAND MEDICAID ELIGIBILITY TO CERTAIN PERSONS AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS REQUIRED AND AUTHORIZED TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION; AMENDING SECTION 56-262, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

S 1205
BY SCHMIDT
AN ACT
RELATING TO MEDICAL ASSISTANCE; AMENDING SECTION 56-254, IDAHO CODE, TO CLARIFY ELIGIBILITY FOR THE BENCHMARK PLAN FOR PERSONS WITH DISABILITIES OR SPECIAL HEALTH NEEDS, TO PROVIDE ELIGIBILITY STANDARDS FOR THE BENCHMARK PLAN FOR CERTAIN LOW-INCOME INDIVIDUALS, TO PROVIDE ELIGIBILITY STANDARDS AND ASSISTANCE FOR OTHER LOW-INCOME INDIVIDUALS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 56-255, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CORRECT CODE REFERENCES; AND AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-255A, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE WILL IMPLEMENT PERSONAL ACCOUNTABILITY REQUIREMENTS FOR CERTAIN INDIVIDUALS, REIMBURSE THE CATASTROPHIC HEALTH CARE COST FUND FOR CERTAIN CLAIMS AND PURSUE FEDERAL WAIVERS TO IMPLEMENT COVERAGE FOR CERTAIN INDIVIDUALS; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ACT SHALL BE NULL, VOID AND OF NO FORCE AND EFFECT UNDER CERTAIN CIRCUMSTANCES.

S 1206
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DOMESTIC VIOLENCE COUNCIL AND INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2016; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1207
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR STATE HOSPITAL SOUTH FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1208
BY EDUCATION COMMITTEE
AN ACT
RELATING TO SCHOLARSHIPS; AMENDING SECTION 33-4302, IDAHO CODE, TO SPECIFY THE TYPE OF HOUSING PROVIDED TO ELIGIBLE INDIVIDUALS, TO SPECIFY WHEN A PUBLIC SAFETY OFFICER IS CONSIDERED TOTALLY AND PERMANENTLY DISABLED FOR PURPOSES OF AN ARMED FORCES AND PUBLIC SAFETY OFFICER SCHOLARSHIP AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4303, IDAHO CODE, TO ADD PROVISIONS REGARDING THE INVESTMENT OF SURPLUS MONEYS IN THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT; AND AMENDING SECTION 63-3067D, IDAHO CODE, TO PROVIDE CORRECT CODE CITATIONS.

S 1209
BY EDUCATION COMMITTEE
AN ACT
RELATING TO GENERAL POWERS OF THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2107, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO CLARIFY CERTAIN POWERS OF THE BOARD OF TRUSTEES OF EACH COMMUNITY COLLEGE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS.

S 1210
BY EDUCATION COMMITTEE
AN ACT
RELATING TO CAREER TECHNICAL EDUCATION; AMENDING SECTION 5-343, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 15-12-213, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 18-3309, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-107B, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-107D, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-123, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-1002G, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1629, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2110, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE
TECHNICAL CORRECTIONS; AMENDING SECTION 33-2202, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2203, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2204, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2205, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2206, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2207, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-2208, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2209, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2210, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2211, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2212, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2303, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2306, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-3726, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-3727, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4303, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4603, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4803, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4901, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4902, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4903, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4904, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4905, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4906, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-5202A, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-5215, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 39-5002, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 39-5009, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 49-304, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 49-304, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 49-304, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1007, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5003, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5003, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5303, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 72-501A, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 72-1347B, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS.

S 1211

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO THE CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-3517, IDAHO CODE, TO AUTHORIZE REIMBURSEMENT FOR COUNTY COMMISSIONER MEMBERS OF THE CATASTROPHIC
HEALTH CARE COST PROGRAM BOARD AND TO MAKE A CODIFIER'S CORRECTION.

S 1212
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE EMERGENCY COMMUNICATIONS ACT; AMENDING SECTION 31-4801, IDAHO CODE, TO ESTABLISH THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION AND TO PROVIDE FOR CERTAIN DUTIES AND SERVICES; AMENDING SECTION 31-4802, IDAHO CODE, TO PROVIDE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4804, IDAHO CODE, TO EXPAND THE USE OF THE EMERGENCY COMMUNICATIONS FEE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4804A, IDAHO CODE, TO AUTHORIZE THE ESTABLISHMENT OF NEXT GENERATION CONSOLIDATED EMERGENCY SYSTEMS; AMENDING SECTION 31-4815, IDAHO CODE, TO PROVIDE FOR THE MEMBERSHIP OF THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION; AMENDING SECTION 31-4816, IDAHO CODE, TO PROVIDE FOR THE RESPONSIBILITIES OF THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION; AMENDING SECTION 31-4817, IDAHO CODE, TO PROVIDE FOR MEDIATION REGARDING INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS AND DATA SYSTEMS; AMENDING SECTION 31-4819, IDAHO CODE, TO PROVIDE FOR THE BUDGETING AND USE OF THE ENHANCED EMERGENCY COMMUNICATIONS GRANT FUNDS; AMENDING CHAPTER 48, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-4820, IDAHO CODE, TO ESTABLISH THE IDAHO PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS AND DATA SYSTEMS FUND; AMENDING CHAPTER 48, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-4821, IDAHO CODE, TO AUTHORIZE ADMINISTRATIVE SUPPORT FOR THE COMMISSION; AND REPEALING CHAPTER 12, TITLE 46, IDAHO CODE, RELATING TO STATEWIDE COMMUNICATIONS INTEROPERABILITY.

S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1210, S 1211, and S 1212 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11 a.m. until the hour of 11:30 a.m., Monday, January 25, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 25, 2016

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Mallory DeFord, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 22, 2016, was read and approved as corrected.

Lodge, Chairman

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

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

Reports of Standing Committees

January 25, 2016

The JUDICIARY AND RULES Committee reports that SCR 133, SCR 134, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1210, S 1211, and S 1212 have been correctly printed.

Lodge, Chairman

On request by Senator Buckner-Webb, granted by unanimous consent, SCR 133 was referred to the State Affairs Committee.

On request by Senator Mortimer, granted by unanimous consent, SCR 134 was referred to the Education Committee.

S 1203 was referred to the State Affairs Committee.

S 1204 and S 1205 were referred to the Health and Welfare Committee.

S 1206 and S 1207 were referred to the Finance Committee.

S 1208, S 1209, and S 1210 were referred to the Education Committee.

S 1211 was referred to the Local Government and Taxation Committee.

S 1212 was referred to the State Affairs Committee.

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

Second Reading of Bills

S 1199, S 1200, and S 1201, by Finance Committee, were read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Tuesday, January 26, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 26, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Aleena Follett, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 25, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 25, 2016

The RESOURCES AND ENVIRONMENT Committee reports out S 1197 with the recommendation that it do pass.

BAIR, Chairman

S 1197 was filed for second reading.

January 26, 2016

The FINANCE Committee reports out S 1206 and S 1207 with the recommendation that they do pass.

KEOUGH, Chairman

S 1206 and S 1207 were filed for second reading.

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

Messages from the Governor

January 22, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Rayelle Anderson of Rathdrum, Idaho, was reappointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2016, and expiring January 7, 2019.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

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

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

S 1213
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-1101, IDAHO CODE, TO PROHIBIT THE USE OF UNMANNED AIRCRAFT SYSTEMS FOR HUNTING, MOLESTING OR LOCATING GAME ANIMALS, GAME BIRDS AND FURBEARING ANIMALS.

S 1214
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO LIVESTOCK; AMENDING CHAPTER 2, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-239, IDAHO CODE, TO DEFINE TERMS; AND AMENDING CHAPTER 2, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-240, IDAHO CODE, TO PROVIDE LIVESTOCK REMOVAL REQUIREMENTS.

S 1215
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO THE COMMISSION ON PESTICIDE MANAGEMENT; REPEALING CHAPTER 18, TITLE 22, IDAHO CODE, RELATING TO THE COMMISSION ON PESTICIDE MANAGEMENT; AMENDING SECTION 67-450D, IDAHO CODE, TO REMOVE REFERENCE TO THE COMMISSION ON PESTICIDE MANAGEMENT; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR THE TRANSFER OF CERTAIN MONEYS.

S 1213, S 1214, and S 1215 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

S 1199 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Winder. Total - 1.

Total - 35.

Whereupon the President declared S 1199 passed, title was approved, and the bill ordered transmitted to the House.

S 1200 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Winder. Total - 1.

Total - 35.

Whereupon the President declared S 1200 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11:30 a.m., Wednesday, January 27, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 27, 2016

Senate Chamber

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

Roll call showed all members present except Senators
McKenzie and Winder, absent and formally excused by the
Chair.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nina Hareelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the
Senate Journal of the proceedings of January 26, 2016, was read
and approved as corrected.

Lodge, Chairman

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

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

Reports of Standing Committees

January 27, 2016

The JUDICIARY AND RULES Committee reports that
S 1213, S 1214, and S 1215 have been correctly printed.

Lodge, Chairman

S 1213 was referred to the Resources and Environment
Committee.

S 1214 and S 1215 were referred to the Agricultural Affairs
Committee.

January 26, 2016

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

Dean L. Cameron as the Director of the Department of
Insurance, term to continue at the pleasure of the Governor.

Patrick, Chairman

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

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

Messages from the Governor

January 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Joe B. McNeal of
Mountain Home, Idaho, was reappointed as a member of the
Idaho Commission on Human Rights to serve a term commencing
July 1, 2015, and expiring July 1, 2018.

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

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

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

The Gubernatorial appointment was referred to the State
Affairs Committee.

January 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kevin Coyne Settles
of Boise, Idaho, was reappointed as a member of the Idaho
Commission on Human Rights to serve a term commencing July
1, 2015, and expiring July 1, 2018.

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

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

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

The Gubernatorial appointment was referred to the State
Affairs Committee.

January 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mike H. Matthews of
Declo, Idaho, was reappointed as a member of the Commission

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

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

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

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

January 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Michael David Johnston of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2016, and expiring January 1, 2019.

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 26, 2016

Dear Mr. President:

I transmit herewith H 342 and H 349, which have passed the House.

ALEXANDER, Chief Clerk

H 342 and H 349 were filed for first reading.

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

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

S 1216
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1217
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE PURCHASING PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS FROM THE IDAHO EDUCATION NETWORK FUND TO THE PUBLIC INSTRUCTION FUND FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE INFORMATION TECHNOLOGY PROGRAM FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1218
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 19-853, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 19-860, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 26-106, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 26-3203, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 26-3205, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTIONS 30-2003 THROUGH 30-2009, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 30-21-804, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-709, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1021, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 310, LAWS OF 2011, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1630, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 289, LAWS OF 2015, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1630, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 68, LAWS OF 2015, TO REDESIGNATE THE SECTION; AMENDING SECTION 34-439A, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 34-616, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 36-1402, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-319, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-102, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 49-402, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 49-420N, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 8, LAWS OF 2015, TO REDESIGNATE THE SECTION; AMENDING THE HEADING FOR CHAPTER 56, TITLE 54, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 121, LAWS OF 2015, TO REDESIGNATE THE CHAPTER; AMENDING SECTIONS 54-5601 THROUGH 54-5606, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 121, LAWS OF 2015, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 54-5607, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 121, LAWS OF 2015, TO REDESIGNATE THE SECTIONS AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTIONS 54-5608 THROUGH 54-5613, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 121, LAWS OF 2015, TO REDESIGNATE
THE SECTIONS; AMENDING SECTION 59-1604, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 61-1702, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-2345A, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 271, LAWS OF 2015, TO REDESIGNATE THE SECTION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-4740, IDAHO CODE, TO MAKE A CODIFIER’S CORRECTION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-7441, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1219
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO PUBLIC WORKS CONTRACTS; AMENDING SECTION 54-4511, IDAHO CODE, TO PROVIDE FOR COMPENSATION OF CONSTRUCTION MANAGERS AND GENERAL CONTRACTORS, TO PROVIDE THAT CERTAIN COSTS MAY BE INCORPORATED INTO A CONTRACT, TO PROVIDE THAT CERTAIN BIDS SHALL BE HANDLED IN A PARTICULAR MANNER, TO CLARIFY HOW CONSTRUCTION MANAGERS AND GENERAL CONTRACTORS MAY BID, TO PROVIDE THAT CERTAIN TERMS SHALL BE INCLUDED IN CERTAIN CONTRACTS AND TO REMOVE A PROVISION RELATING TO COMPENSATION.

S 1220
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE RACING COMMISSION; AMENDING CHAPTER 25, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2507A, IDAHO CODE, TO DIRECT THE COMMISSION TO MAKE CERTAIN PAYMENT TO THE IDAHO HORSE COUNCIL UNDER SPECIFIED CONDITIONS; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

S 1221
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO INSURANCE PRODUCER LICENSING; AMENDING SECTION 41-1016, IDAHO CODE, TO REVISE PROVISIONS REGARDING SUSPENSION OR REVOCATION OF NONRESIDENT LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-1026, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSURE AFTER REVOCATION OF OR REFUSAL TO CONTINUE A LICENSE AND TO PROVIDE THAT A LICENSE SHALL NOT BE ISSUED WITHIN A CERTAIN PERIOD OF TIME TO A PERSON WHOSE APPLICATION FOR A LICENSE WAS PREVIOUSLY DENIED; AND AMENDING SECTION 41-1108, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

S 1216, S 1217, S 1218, S 1219, S 1220, and S 1221 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 342 and H 349, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1197 by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1206 and S 1207 by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1201 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–McKenzie, Winder. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared S 1201 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:30 a.m., Thursday, January 28, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE
EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 28, 2016

President Little called the Senate to order at 11:30 a.m.
Roll call showed all members present except Senator Siddoway, absent and formally excused by the Chair.
Prayer was offered by Father John Worster.
The Pledge of Allegiance was led by Jared Kelly, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 27, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 28, 2016

The JUDICIARY AND RULES Committee reports that S 1216, S 1217, S 1218, S 1219, S 1220, and S 1221 have been correctly printed.

LODGE, Chairman

S 1216 and S 1217 were referred to the Finance Committee.
S 1218 was referred to the State Affairs Committee.
S 1219 was referred to the Commerce and Human Resources Committee.
S 1220 was referred to the State Affairs Committee.
S 1221 was referred to the Commerce and Human Resources Committee.

January 27, 2016

The FINANCE Committee reports out H 342 and H 349 with the recommendation that they do pass.

KEOUGH, Chairman

H 342 and H 349 were filed for second reading.

January 27, 2016

The EDUCATION Committee reports out S 1209 and S 1210 with the recommendation that they do pass.

MORTIMER, Chairman

S 1209 and S 1210 were filed for second reading.

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

Messages from the House

January 27, 2016

Dear Mr. President:

I transmit herewith H 363, H 364, and H 365, which have passed the House.

ALEXANDER, Chief Clerk

H 363, H 364, and H 365 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Dean L. Cameron was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Burgoyne, the Gubernatorial appointment of Dean L. Cameron as the Director of the Department of Insurance was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1222

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5245, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CONTENT OF PETITIONS FOR ANNEXATION INTO A DISTRICT; AND AMENDING SECTION 42-5248, IDAHO CODE, TO REVISE PROVISIONS REGARDING ASSESSMENTS AGAINST ANNEXED LANDS.

January 27, 2016

S 1223

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5259, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PARTICIPATION OF NONMEMBERS IN GROUND WATER DISTRICTS FOR MITIGATION PURPOSES, TO REMOVE A PROVISION REGARDING INTERPRETATION OF SPECIFIED LAW, TO REMOVE PROVISIONS REGARDING NONMEMBERS DEEMED PARTICIPANTS IN DISTRICTS IF SO PROVIDED BY
S 1224
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5232, IDAHO CODE, TO PROVIDE AN ALTERNATIVE MEANS OF DETERMINING A MEMBER'S PROPORTIONATE SHARE OF THE TOTAL OF ALL AMOUNTS TO BE ASSESSED; AMENDING SECTION 42-5233, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TOTAL DOLLAR AMOUNT OF CERTAIN WARRANTS; AND AMENDING SECTION 42-5234, IDAHO CODE, TO PROVIDE AN ALTERNATIVE MEANS OF DETERMINING CERTAIN AGGREGATE GROUND WATER RIGHTS.

S 1225
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5233, IDAHO CODE, TO PROVIDE THAT CERTAIN ASSESSMENTS TO REPAY DEBT MUST BE APPROVED AT AN ELECTION; AMENDING SECTION 42-5234, IDAHO CODE, TO PROVIDE THAT CERTAIN OBLIGATIONS OR CONTRACT INDEBTEDNESS MUST BE SUBMITTED TO A VOTE OF QUALIFIED ELECTORS IN THE DISTRICT; AND AMENDING SECTION 42-5235, IDAHO CODE, TO REVISE PROVISIONS REGARDING JUDICIAL EXAMINATION PRIOR TO INCURRING INDEBTEDNESS.

S 1226
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-1404, IDAHO CODE, TO INCREASE CERTAIN PENALTIES FOR THE ILLEGAL KILLING, POSSESSION OR WASTE OF CERTAIN GAME ANIMALS.

S 1222, S 1223, S 1224, S 1225, and S 1226 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 363, H 364, and H 365, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Third Reading of Bills
S 1197 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President declared S 1197 passed, title was approved, and the bill ordered transmitted to the House.

S 1206 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President declared S 1206 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned in recognition of Dean L. Cameron's commendable service at 12:05 p.m. until the hour of 10:45 a.m., Friday, January 29, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 29, 2016

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Caleb Richardson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 28, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 29, 2016

The JUDICIARY AND RULES Committee reports that S 1222, S 1223, S 1224, S 1225, and S 1226 have been correctly printed.

LODGE, Chairman

S 1222, S 1223, S 1224, S 1225, and S 1226 were referred to the Resources and Environment Committee.

January 28, 2016

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

Jeff Cilek to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2020.

PATRICK, Chairman

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

January 28, 2016

The FINANCE Committee reports out H 363, H 364, H 365, S 1216, and S 1217 with the recommendation that they do pass.

KEOUGH, Chairman

H 363, H 364, H 365, S 1216, and S 1217 were filed for second reading.

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

Messages from the House

January 28, 2016

Dear Mr. President:

I transmit herewith H 344, which has passed the House.

ALEXANDER, Chief Clerk

H 344 was filed for first reading.

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

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

S 1227

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO ANNUAL REPORTS OF BENEFIT CORPORATIONS; AMENDING SECTION 30-2013, IDAHO CODE, TO REMOVE THE REQUIREMENT OF FILING A BENEFIT CORPORATION’S BENEFIT REPORT WITH THE SECRETARY OF STATE.

S 1228

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-428, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISPLAY OF LICENSE PLATES.

S 1229

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 10, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1004B, IDAHO CODE, TO PROVIDE THAT FOR SPECIFIED PURPOSES, THE INTERSTATE SYSTEM, WHICH SHALL BE CONSIDERED TO CONSIST OF SPECIFIED ROUTES, IN IDAHO IS DEEMED A NONINTERSTATE HIGHWAY AND TO PROVIDE THAT FOR SPECIFIED PURPOSES, THE INTERSTATE SYSTEM, WHICH SHALL BE CONSIDERED TO CONSIST OF SPECIFIED ROUTES, IN IDAHO IS DEEMED A DESIGNATED STATE ROUTE.

S 1230

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE APPORTIONMENT PROVISIONS REGARDING THE HIGHWAY DISTRIBUTION ACCOUNT, TO REMOVE PROVISIONS REGARDING APPORTIONMENT TO THE
LAW ENFORCEMENT ACCOUNT AND TO MAKE A TECHNICAL CORRECTION.

S 1231
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO CHIROPRACTIC PRACTICE; AMENDING SECTION 54-704, IDAHO CODE, TO REVISE RESTRICTIONS RELATING TO PRESCRIBING, DISPENSING, INDEPENDENTLY ADMINISTERING, DISTRIBUTING, DIRECTING OR SUGGESTING TO PATIENTS CERTAIN DRUGS, SUBSTANCES OR PRODUCTS AND TO MAKE TECHNICAL CORRECTIONS.

S 1232
BY EDUCATION COMMITTEE
AN ACT
RELATING TO VOCATIONAL REHABILITATION; AMENDING SECTION 33-2301, IDAHO CODE, TO REVISE A REFERENCE TO A FEDERAL ACT.

S 1227, S 1228, S 1229, S 1230, S 1231, and S 1232 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Lodge was recorded present at this order of business.

H 344, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 342 and H 349, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1209 and S 1210, by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1207 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1207 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 11:30 a.m., Monday, February 1, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
Reconsider

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Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 1, 2016

The JUDICIARY AND RULES Committee reports that S 1227, S 1228, S 1229, S 1230, S 1231, and S 1232 have been correctly printed.

Lodge, Chairman

S 1227 was referred to the Commerce and Human Resources Committee.

S 1228, S 1229, and S 1230 were referred to the Transportation Committee.

S 1231 was referred to the Health and Welfare Committee.

S 1232 was referred to the Education Committee.

February 1, 2016

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

Bob Geddes as the Director of the Department of Administration, term to continue at the pleasure of the Governor.

Eric R. Anderson to the Public Utilities Commission, term to expire January 9, 2019.

Mckenzie, Chairman

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

February 1, 2016

The STATE AFFAIRS Committee reports out SCR 133 with the recommendation that it do pass.

Mckenzie, Chairman

SCR 133 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.
On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 27, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Erwin L. Sonnenberg of Boise, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing June 2, 2015, and expiring January 1, 2017.

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

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

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

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

January 29, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Terry Gestrin of Donnelly, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 13, 2015, and expiring December 1, 2016.

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 29, 2016

Dear Mr. President:

I transmit herewith H 425, which has passed the House.

ALEXANDER, Chief Clerk

H 425 was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jeff Cilek was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Burgoyne, the Gubernatorial appointment of Jeff Cilek as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1233
BY FINANCE COMMITTEE
AN ACT

S 1234
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5205; IDAHO CODE, TO REMOVE REFERENCE TO CERTAIN ELECTRONIC COPIES.

S 1233 and S 1234 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 425, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 363, H 364, and H 365, by Appropriations Committee, were read the second time at length and filed for third reading.
S 1216 and S 1217, by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 342 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President Pro Tempore declared H 342 passed, title was approved, and the bill ordered returned to the House.

H 349 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President Pro Tempore declared H 349 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, S 1209 retained its place on the Third Reading Calendar for one legislative day.

S 1210 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Hill. Total - 1.


Total - 35.

Whereupon the President Pro Tempore declared S 1210 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:15 a.m., Tuesday, February 2, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
THE JUDICIAL AND RULES Committee reports that the Senate Journal of the proceedings of February 1, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 135
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE SUPPORTING THE SETTLEMENT AGREEMENT ENTERED INTO ON JUNE 30, 2015, BETWEEN PARTICIPATING MEMBERS OF THE SURFACE WATER COALITION AND PARTICIPATING MEMBERS OF THE IDAHO GROUND WATER APPROPRIATORS, INC. TO RESOLVE LITIGATION, AVOID CURTAILMENT, MAINTAIN SUSTAINABLE GROUND AND SURFACE WATER SUPPLIES ON THE ESPA AND MINIMIZE HARM TO IDAHO'S ECONOMY, SUPPORTING STATE MANAGEMENT TO ENSURE ESPA WATER SUPPLY ISSUES ARE TIMELY ADDRESSED, AND SUPPORTING THE GOAL OF STABILIZING AND REVERSING THE TREND OF DECLINING ESPA WATER LEVELS IN THE EASTERN SNAKE PLAIN AQUIFER.

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

WHEREAS, the Eastern Snake Plain Aquifer (ESPA) supplies ground water to approximately one million irrigated acres and to numerous cities, businesses, dairies, factories and homes; and

WHEREAS, the ESPA is hydraulically connected to the Snake River and discharges to the Snake River via tributary springs, which supply surface water for multiple beneficial uses, including aquaculture, hydropower, and the irrigation of approximately one million acres; and

WHEREAS, since 1952 the total volume of water stored in the ESPA has decreased due to increasing direct diversions of ground water, increasingly efficient surface water irrigation practices, and other factors; and

WHEREAS, discharge from the ESPA to the Snake River is the most significant contribution of water to the Snake River between Milner Dam and the Murphy Gage; and

WHEREAS, Policy 4A of the 2012 Idaho State Water Plan requires that the Murphy minimum stream flow water right be administered in priority; and

WHEREAS, the declines in ESPA storage content have decreased surface water supplies available for irrigation, aquaculture, municipal, industrial and other uses on land overlying the Eastern Snake Plain, resulting in multiple water delivery calls, protracted litigation, and curtailment notices issued by the Idaho Department of Water Resources; and

WHEREAS, current ESPA water levels and total storage content, after more than six decades of decline, are inadequate to provide a reasonably safe supply of water for sustainable surface and ground water irrigation, hydropower, aquaculture, municipal and industrial uses, the curtailment of which would cause severe economic harm to the State of Idaho; and

WHEREAS, if the Thousand Springs discharges continue to decline, junior water rights will be required to curtail to sustain the Murphy minimum stream flow; and

WHEREAS, on June 30, 2015, a historic settlement agreement was entered into between the following surface water right holders: A & B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company, collectively known as the Surface Water Coalition (SWC); and the following ground water right holders: Aberdeen American Falls Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Carey Valley Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District, Magic Valley Ground Water District, Fremont-Madison Irrigation District, Anheuser-Busch, United Water, Glanbia Foods, City of Blackfoot, City of American Falls, City of Jerome, City of Rupert, City of Heyburn, City of Paul, City of Chubbuck and City of Hazelton, collectively known as the Idaho Ground Water Appropriators, Inc. (IGWA); for the purpose of resolving pending water delivery calls and to provide for ongoing management of the ESPA; and

WHEREAS, the IGWA-SWC settlement agreement seeks to stabilize and ultimately reverse the trend of declining ESPA water levels in the ESPA; and

WHEREAS, the participating ground water users committed to reduce ground water diversions from the ESPA necessary to meet the ground water level goal and benchmarks identified in the settlement agreement; and

WHEREAS, implementation of the settlement agreement is expected to lead to a sustainable water supply and minimize harm to Idaho’s economy arising from water supply shortages.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State of Idaho supports the settlement agreement entered into on June 30, 2015, between participating members of the
Surface Water Coalition and participating members of the Idaho Ground Water Appropriators, Inc. to resolve litigation, avoid curtailment, maintain sustainable ground and surface water supplies on the ESPA and minimize harm to Idaho's economy, and further supports state management to ensure ESPA water supply issues are timely addressed.

BE IT FURTHER RESOLVED that the State of Idaho supports the goal of stabilizing and reversing the trend of declining ESPA water levels in the Eastern Snake Plain Aquifer.

SCR 136
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE RECOGNIZING THE NEED FOR MANAGED RECHARGE OF THE EASTERN SNAKE PLAIN AQUIFER, AND RESOLVING THAT THE STATE OF IDAHO ESTABLISH A MANAGED RECHARGE GOAL OF 250,000 ACRE-FEET ON AN AVERAGE ANNUAL BASIS ACROSS THE ESPA, DEVELOP THE CAPACITY TO ACHIEVE 250,000 ACRE-FEET OF AVERAGE ANNUAL MANAGED RECHARGE ON OR BEFORE DECEMBER 31, 2024, AND INCREASE THE 100,000 ACRE-FEET AVERAGE ANNUAL ESPA CAMP PHASE 1 TARGET FOR STATE FUNDED MANAGED RECHARGE TO 250,000 ACRE-FEET OF AVERAGE ANNUAL RECHARGE ACROSS THE ESPA.

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

WHEREAS, Policy 11 of the 2012 Idaho State Water Plan provides that "aquifer recharge should be promoted and encouraged, consistent with state law"; and

WHEREAS, the Eastern Snake Plain Aquifer (ESPA) supplies ground water to nearly one million irrigated acres and to numerous cities, businesses, dairies, factories and homes; and

WHEREAS, the ESPA is hydraulically connected to the Snake River and discharges to the Snake River via tributary springs, which supply surface water for multiple beneficial uses, including aquaculture, hydropower, and the irrigation of nearly one million acres; and

WHEREAS, since 1952 the total volume of water stored in the ESPA has decreased by an average of 216,000 acre-feet annually due to increasing diversions of ground water, increasingly efficient surface water irrigation practices, and other factors; and

WHEREAS, as a result of declines to ESPA water levels and total storage content, there is currently an insufficient water supply for some water users leading to water delivery calls, protracted litigation, and curtailment notices issued by the Idaho Department of Water Resources; and

WHEREAS, sustaining the spring flows in the Thousand Spring reach of the Snake River is essential to maintaining the Murphy minimum stream flows; and

WHEREAS, failure to maintain the Murphy minimum stream flows will require curtailment of water rights junior to October 25, 1984; and

WHEREAS, current ESPA water levels and total storage content are inadequate to provide a reasonably safe supply of water for sustainable surface and ground water irrigation, aquaculture, hydropower, municipal and industrial uses, the curtailment of which would cause severe economic harm to the State of Idaho; and

WHEREAS, Policy 4D of the 2012 Idaho State Water Plan provides that "[t]he Eastern Snake Plain Aquifer and the Snake River below Milner Dam should be conjunctively managed to provide a sustainable water supply for all existing and future beneficial uses within and downstream of the ESPA"; and

WHEREAS, Policy 4E provides that "[d]evelopment of new ... aquifer storage is in the public interest"; and

WHEREAS, a 2009 Eastern Snake Plain Aquifer Comprehensive Aquifer Management Plan ("ESPA CAMP") goal is to "sustain the economic viability and social and environmental health of the Eastern Snake Plan by adaptively managing a balance between water use and supplies"; and

WHEREAS, the ESPA CAMP established a long-term goal of 600,000 acre-feet average annual change to the ESPA aquifer budget by 2030; and

WHEREAS, the ESPA CAMP established a long-term hydrologic target for managed aquifer recharge of 150,000 to 250,000 acre-feet on an average annual basis; and

WHEREAS, Phase I of the ESPA CAMP established a 100,000 acre-feet average annual managed hydrologic target; and

WHEREAS, a 2009 Memorandum of Agreement between the Idaho Water Resource Board and Idaho Power Company provides that "[i]f the Board proposes to increase the 100,000 acre-feet average annual ESPA CAMP Phase I target for managed aquifer recharge by more than 75,000 acre-feet prior to January 1, 2019, the Board must obtain legislative approval for such increase"; and

WHEREAS, stabilizing and enhancing the ESPA water level is in the public interest because it will lead to a sustainable water supply for consumptive and nonconsumptive uses and minimize harm to Idaho's economy arising from water supply shortages; and

WHEREAS, the state funding of the implementation of 250,000 acre-feet average annual managed recharge is consistent with the 2012 Idaho State Water Plan and the ESPA CAMP, and will help to alleviate the current water supply conflicts and ESPA sustainability issues.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State of Idaho recognizes the need for managed recharge of the Eastern Snake Plain Aquifer and resolves that the State of Idaho establish a managed recharge goal of 250,000 acre-feet on an average annual basis across the ESPA.

BE IT FURTHER RESOLVED that the state develop the capacity to achieve 250,000 acre-feet of average annual managed recharge on or before December 31, 2024.

BE IT FURTHER RESOLVED that the State of Idaho increase the 100,000 acre-feet average annual ESPA CAMP Phase I target for state funded managed recharge to 250,000 acre-feet of average annual recharge across the ESPA.

SCR 137
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT THE IDAHO WATER RESOURCE BOARD ADDRESS STATEWIDE AQUIFER STABILIZATION AND SUSTAINABILITY PROJECTS INCLUDING MANAGED RECHARGE, CONDUCT AQUIFER RECHARGE STUDIES AND DEVELOP A GROUND WATER MODEL, WITH ALL NECESSARY MEASUREMENT NETWORKS, FOR THE TREASURE VALLEY AQUIFER, PARTNER IN STUDIES WITH LOCAL ENTITIES TO FIND ALTERNATE WATER SUPPLIES FOR MOUNTAIN HOME, PARTICIPATE IN DISCUSSIONS WITH THE SURFACE WATER USERS, THE GROUND WATER USERS, AND OTHER PARTIES IN THE BIG AND LITTLE WOOD RIVER
BE IT RESOLVED by the Legislature of the State of Idaho:

WHEREAS, Policy 11 of the 2012 Idaho State Water Plan provides that "aquifer recharge should be promoted and encouraged, consistent with state law"; and
WHEREAS, ground water supplies across Idaho have been declining; and
WHEREAS, in select areas of the Treasure Valley, aquifer water levels are declining; and
WHEREAS, various studies predict significant population increases in the Treasure Valley over the next 50 years, placing additional demand on the aquifer; and
WHEREAS, the Mountain Home Aquifer is currently being over-drafted by approximately 30,000 acre-feet per year. While the Idaho Water Resource Board has acquired surface water rights and is cooperating with Mountain Home Air Force Base to supply alternative surface water to the base, additional aquifer management projects must be constructed and implemented to restore aquifer equilibrium; and
WHEREAS, conjunctive water administration delivery calls have been filed in the Big and Little Wood River Basins alleging that senior, surface water irrigation water rights have been injured by upstream junior-priority ground water pumping resulting from water supply issues; and
WHEREAS, the deep aquifer in the Palouse Basin, which supplies water to the City of Moscow and the University of Idaho in addition to communities in Washington, has been declining for many decades despite conservation measures implemented by the Palouse Basin communities; and
WHEREAS, the Department of Water Resources recently created the Lewiston Plateau Ground Water Management Area (GWMA) in response to declining water levels in the shallow perched aquifers of the area. While the management plan for the GWMA requires that most future development in the GWMA must divert water from the deep regional aquifer, the geographic extent and sustainable yield of the deep aquifer is unknown and the studies and models necessary to accurately characterize the aquifer do not exist; and
WHEREAS, ground water declines are also occurring in the Big Lost, Raft River, Malad and other aquifers across the state; and
WHEREAS, ground water levels and aquifer storage in some aquifers are inadequate to sustain a supply of water for surface and ground water irrigation, hydropower, municipal, industrial uses, and other uses, the curtailment of which would cause severe economic harm to the State of Idaho; and
WHEREAS, stabilizing and enhancing aquifer water levels is in the public interest and will sustain the water supply for consumptive and nonconsumptive uses and minimize harm to Idaho's economy arising from water supply shortages.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature requests that the Idaho Water Resource Board address statewide aquifer stabilization and sustainability projects including managed recharge.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board conduct aquifer recharge studies and develop a ground water model, with all necessary measurement networks, for the Treasure Valley Aquifer.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board partner in studies with local entities to find alternate water supplies for Mountain Home.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board participate in discussions with the surface water users, the ground water users, and other parties in the Big and Little Wood River Basins and attempt to find resolution to the water delivery calls.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board partner in studies with local entities to find alternate water supplies for the Palouse Basin.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board undertake studies of the deep regional aquifer in the Lewiston area in order to define its geographic extent and sustainable yield.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board evaluate other aquifers across the state and take management actions as necessary.

SCR 135, SCR 136, and SCR 137 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 2, 2016

The JUDICIARY AND RULES Committee reports that SJR 101, S 1233, and S 1234 have been correctly printed.

LODGE, Chairman

SJR 101 was referred to the State Affairs Committee.

S 1233 was referred to the Finance Committee.

S 1234 was referred to the State Affairs Committee.

February 1, 2016

The RESOURCES AND ENVIRONMENT Committee reports out S 1213 with the recommendation that it do pass.

BAIR, Chairman

S 1213 was filed for second reading.

February 1, 2016

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

Daniel A. Blanco to the Idaho Fish and Game Commission, term to expire June 30, 2019.

Derick Eldon Attebury to the Idaho Fish and Game Commission, term to expire June 30, 2019.

Louise D. Stark to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2018.

BAIR, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.
February 1, 2016

The EDUCATION Committee reports out SCR 134 with the recommendation that it do pass.

MORTIMER, Chairman

SCR 134 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 2, 2016

The AGRICULTURAL AFFAIRS Committee reports out S 1215 with the recommendation that it do pass.

RICE, Chairman

S 1215 was filed for second reading.

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

Messages from the House

February 1, 2016

Dear Mr. President:


ALEXANDER, Chief Clerk


February 1, 2016

Dear Mr. President:

I return herewith S 1199 and S 1200, which have passed the House.

ALEXANDER, Chief Clerk

S 1199 and S 1200 were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Bob Geddes retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Eric R. Anderson retained its place on the calendar for one legislative day.

The President Pro Tempore announced that SCR 133 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lodge, SCR 133 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1235

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-511, IDAHO CODE, TO REMOVE REFERENCE TO AN ADMISSION OR DENIAL HEARING, TO REMOVE REFERENCE TO AN APPLICATION BY A JUVENILE OFFENDER AND TO REVISE TERMINOLOGY.

S 1236

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND ENVIRONMENT; AMENDING SECTION 36-408, IDAHO CODE, TO REQUIRE THE ANNUAL ISSUANCE OF CERTAIN GOVERNOR'S WILDLIFE PARTNERSHIP TAGS.

S 1237

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO ENVIRONMENTAL QUALITY; AMENDING SECTION 39-3609, IDAHO CODE, TO REVISE PRIORITY CLASSIFICATIONS FOR CERTAIN WATER BODIES IN REGARD TO THE DEVELOPMENT OF TOTAL MAXIMUM DAILY LOAD OR EQUIVALENT PROCESSES.

S 1238

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 74-114, IDAHO CODE, TO AUTHORIZE INSPECTION AND COPYING OF CERTAIN RECORDS RELATING TO WATER QUALITY AND TO MAKE TECHNICAL CORRECTIONS.

S 1239

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO ENVIRONMENTAL QUALITY; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-175D, IDAHO CODE, TO REQUIRE PUBLIC NOTICE AND OPPORTUNITY TO COMMENT ON TENTATIVE DECISIONS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING IDAHO POLLUTANT DISCHARGE ELIMINATION SYSTEM (IPDES) PERMITS, TO PROVIDE FOR AN ADMINISTRATIVE RECORD, TO PROVIDE THAT CERTAIN PROVISIONS OF LAW SHALL NOT APPLY TO FINAL DECISIONS, TO PROVIDE FOR APPEALS OF CERTAIN FINAL DECISIONS, TO PROHIBIT CERTAIN CONFLICTS OF INTEREST, TO PROVIDE FOR JUDICIAL REVIEW AND TO PROVIDE FOR THE ADOPTION OF RULES; AND AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-175E, IDAHO CODE, TO PROVIDE THAT SPECIFIED PROVISIONS OF LAW SHALL APPLY TO THE IPDES PROGRAM AND TO PROVIDE FOR THE ENFORCEMENT OF PRETREATMENT STANDARDS.

S 1240

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION; AMENDING SECTION 42-2201, IDAHO CODE, TO INCREASE THE MAXIMUM
AMOUNT OF CERTAIN ADMINISTRATIVE CHARGES THAT MAY BE LEVIED.

S 1241

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO IRRIGATION; AMENDING SECTION 43-707, IDAHO CODE, TO REVISE PROVISIONS REGARDING DELINQUENCY OF ASSESSMENTS.

S 1242

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO IRRIGATION; AMENDING SECTION 43-715, IDAHO CODE, TO CLARIFY WHEN PERSONS SHALL BE ENTITLED TO BECOME PURCHASERS OF THE RIGHTS OF THE DISTRICT IN UNREDEEMED DELINQUENCY ENTRIES AND TO MAKE TECHNICAL CORRECTIONS.

S 1243

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO IRRIGATION DISTRICTS; AMENDING CHAPTER 3, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-344, IDAHO CODE, TO PROVIDE THAT CERTAIN IRRIGATION DISTRICTS SHALL HAVE THE POWER TO ENTER INTO CONTRACTS TO CONSTRUCT OR DEEPEN WELLS, TO PROVIDE CONDITIONS AND TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAW.

S 1244

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO UNDERGROUND STORAGE TANKS; AMENDING SECTION 39-8802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FUNDING OF THE STATE UNDERGROUND STORAGE TANK PROGRAM AND TO PROVIDE FOR REPORTING; AMENDING SECTION 39-8807, IDAHO CODE, TO REMOVE A PROVISION THAT CERTAIN TRAINING BY THE DEPARTMENT SHALL BE OFFERED AT NO COST; AND AMENDING SECTION 39-8808, IDAHO CODE, TO REVISE A PROVISION REGARDING FEES FOR DEPARTMENT INSPECTIONS.

S 1235, S 1236, S 1237, S 1238, S 1239, S 1240, S 1241, S 1242, S 1243, and S 1244 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 345, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 350 and H 351, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 347, H 352, H 353, and H 358, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 332, H 333, H 334, and H 341, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 366, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 348 and H 361, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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

Third Reading of Bills

On request by Senator Souza, granted by unanimous consent, S 1209 was recommitted back to the Education Committee.

H 363 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President Pro Tempore declared H 363 passed, title was approved, and the bill ordered returned to the House.

H 364 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President Pro Tempore declared H 364 passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 11 a.m., Wednesday, February 3, 2016.

BRENT HILL, President Pro Tempore
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 3, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hannah Sturtevant, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 2, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

February 3, 2016

The JUDICIARY AND RULES Committee reports that SCR 135, SCR 136, SCR 137, S 1235, S 1236, S 1237, S 1238, S 1239, S 1240, S 1241, S 1242, S 1243, and S 1244 have been correctly printed.

LODGE, Chairman

On request by Senator Bair, granted by unanimous consent, SCR 135, SCR 136, and SCR 137 were referred to the Resources and Environment Committee.

S 1235 was referred to the Judiciary and Rules Committee.

S 1236, S 1237, S 1238, S 1239, S 1240, S 1241, S 1242, S 1243, and S 1244 were referred to the Resources and Environment Committee.

February 2, 2016

The JUDICIARY AND RULES Committee reports that S 1199 and S 1200 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1199 and S 1200 and ordered them transmitted to the House for the signature of the Speaker.

February 2, 2016

The TRANSPORTATION Committee reports out S 1229 with the recommendation that it do pass.

BRACKETT, Chairman

S 1229 was filed for second reading.

February 2, 2016

The FINANCE Committee reports out S 1233 with the recommendation that it do pass.

KEOUGH, Chairman

S 1233 was filed for second reading.

February 2, 2016

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

Megan Ronk as the Director of the Department of Commerce, term to continue at the pleasure of the Governor.

PATRICK, Chairman

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

February 2, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1202 with the recommendation that it do pass.

PATRICK, Chairman

S 1202 was filed for second reading.

February 2, 2016

The EDUCATION Committee reports out S 1208 with the recommendation that it do pass.

MORTIMER, Chairman

S 1208 was filed for second reading.

February 2, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out S 1211 with the recommendation that it do pass.

SIDDOWAY, Chairman

S 1211 was filed for second reading.

February 2, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:
David E. Kinghorn to the Board of Tax Appeals, term to expire June 30, 2016.

Leland G. Heinrich to the Board of Tax Appeals, term to expire June 30, 2018.

SIDDOWAY, Chairman

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

February 3, 2016

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

Linda Pike to the Board of Tax Appeals, term to expire June 30, 2017.

SIDDOWAY, Chairman

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

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

Messages from the House

February 2, 2016

Dear Mr. President:

I transmit herewith H 384, H 362, H 379, H 359, and H 360, which have passed the House.

ALEXANDER, Chief Clerk

H 384, H 362, H 379, H 359, and H 360 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Mortimer, granted by unanimous consent, SCR 134 retained its place on the calendar for one legislative day.

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

On motion by President Pro Tempore Hill, seconded by Senator Burgenyn, the Gubernatorial appointment of Bob Geddes as the Director of the Department of Administration was confirmed by voice vote.

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

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Eric R. Anderson retained its place on the calendar for Monday, February 8, 2016.

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

On motion by Senator Nuxoll, seconded by Senator Lacey, the Gubernatorial appointment of Daniel A. Blanco as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

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

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

On motion by Senator Lacey, seconded by Senator Mortimer, the Gubernatorial appointment of Derick E. Attebury as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

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

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

On motion by Senator Stennett, seconded by Senator Lakey, the Gubernatorial appointment of Louise D. Stark as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1245

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-712, IDAHO CODE, TO PROVIDE THAT THE VALUE OF THE PROPERTY TO BE TAKEN IN AN EMINENT DOMAIN PROCEEDING SHALL NOT INCLUDE CERTAIN INCREASES OR DECREASES IN VALUE AND TO PROVIDE A CORRECT CODE REFERENCE.

S 1246

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 40-503, IDAHO CODE, TO DELETE PROVISIONS REGARDING BASES
FOR THE REMOVAL OF THE DIRECTOR OF THE IDAHO TRANSPORTATION DEPARTMENT BY THE IDAHO TRANSPORTATION BOARD.

**S 1247**
**BY EDUCATION COMMITTEE**
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1602, IDAHO CODE, TO PROVIDE AN EXCEPTION TO A TESTING REQUIREMENT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**S 1248**
**BY EDUCATION COMMITTEE**
AN ACT
RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5206, IDAHO CODE, TO REVISE REQUIREMENTS REGARDING CERTAIN WRITTEN CONTRACTS.

**S 1249**
**BY EDUCATION COMMITTEE**
AN ACT
RELATING TO THE STEM ACTION CENTER BOARD; AMENDING CHAPTER 8, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-825, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE STEM ACTION CENTER BOARD'S MEETINGS, HONORARIUM AND EXPENSES, AND ORGANIZATION.

**S 1250**
**BY HEALTH AND WELFARE COMMITTEE**
AN ACT
RELATING TO NURSES; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1419, IDAHO CODE, TO ENACT THE ADVANCED PRACTICE REGISTERED NURSE COMPACT.

**S 1251**
**BY HEALTH AND WELFARE COMMITTEE**
AN ACT
RELATING TO THE NURSE LICENSURE COMPACT; REPEALING SECTION 54-1418, IDAHO CODE, RELATING TO THE NURSE LICENSURE COMPACT; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1418, IDAHO CODE, TO ENACT THE NURSE LICENSURE COMPACT; AND PROVIDING AN EFFECTIVE DATE.

**S 1252**
**BY HEALTH AND WELFARE COMMITTEE**
AN ACT
RELATING TO NURSES; AMENDING SECTION 54-1402, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

**S 1245, S 1246, S 1247, S 1248, S 1249, S 1250, S 1251, and S 1252** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 384**, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

**H 362**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 379**, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

**H 359 and H 360**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**S 1213**, by Resources and Environment Committee, was read the second time at length and filed for third reading.

**S 1215**, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

**H 365** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared **H 365** passed, title was approved, and the bill ordered returned to the House.

**S 1216** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared **S 1216** passed, title was approved, and the bill ordered transmitted to the House.

**S 1217** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1217 passed, title was approved, and the bill ordered transmitted to the House.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 10:45 a.m., Thursday, February 4, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2016, was read and approved as corrected.

LODGE, Chairman

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

Senator Brackett was recorded present at this order of business.

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

Reports of Standing Committees

February 4, 2016

The JUDICIARY AND RULES Committee reports that S 1245, S 1246, S 1247, S 1248, S 1249, S 1250, S 1251, and S 1252 have been correctly printed.

LODGE, Chairman

S 1245 was referred to the Local Government and Taxation Committee.

S 1246 was referred to the Transportation Committee.

S 1247, S 1248, and S 1249 were referred to the Education Committee.

S 1250, S 1251, and S 1252 were referred to the Health and Welfare Committee.

The FINANCE Committee reports out H 384 with the recommendation that it do pass.

KEOUGH, Chairman

H 384 was filed for second reading.

February 3, 2016

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

Cindy P. Wilson to the State Board of Correction, term to expire January 1, 2021.

LODGE, Chairman

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

February 3, 2016

The JUDICIARY AND RULES Committee reports out SCR 132 with the recommendation that it do pass.

LODGE, Chairman

SCR 132 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 3, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 344, H 345, H 347, and H 425 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 344, H 345, H 347, and H 425 were filed for second reading.

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

Messages from the House

February 3, 2016

Dear Mr. President:

I transmit herewith H 372, H 376, H 403, H 335, H 336, H 337, H 338, H 339, and H 380, which have passed the House.

ALEXANDER, Chief Clerk

H 372, H 376, H 403, H 335, H 336, H 337, H 338, H 339, and H 380 were filed for first reading.

February 3, 2016

Dear Mr. President:

I transmit herewith Enrolled H 342 and H 349 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 342 and H 349 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.
Motions and Resolutions

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

On motion by Senator Lodge, seconded by Senator Burgoyn, the Gubernatorial appointment of Megan Ronk as the Director of the Department of Commerce was confirmed by voice vote.

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

Senator Rice was recorded present at this order of business.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial appointment of David E. Kinghorn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Stennett, the Gubernatorial appointment of David E. Kinghorn as a member of the Board of Tax Appeals was confirmed by voice vote.

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

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial appointment of Leland G. Heinrich was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Leland G. Heinrich as a member of the Board of Tax Appeals was confirmed by voice vote.

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

The President announced that SCR 134 was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Ward-Engelking, that SCR 134 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS--None.

Absent and excused--Davis, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared SCR 134 adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1253
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CHILD PROTECTION; AMENDING SECTION 16-1602, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1644, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE THAT CAREGIVERS SHALL EXERCISE CERTAIN STANDARDS OF CARE IN DECIDING WHETHER TO ALLOW A FOSTER CHILD TO PARTICIPATE IN ACTIVITIES, TO LIMIT LIABILITY AND TO PROVIDE THAT THIS SECTION DOES NOT AFFECT LIABILITY PROTECTIONS OTHERWISE PROVIDED BY LAW; AND AMENDING SECTION 16-2002, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1254
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-2426, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN GOVERNMENT VEHICLES THAT ARE EXEMPT FROM CERTAIN MARKINGS; AND AMENDING SECTION 49-2427, IDAHO CODE, TO REVISE A PROVISION REGARDING LIGHTING ON STATE POLICE VEHICLES, TO PROVIDE AN EXEMPTION FOR CERTAIN VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

S 1255
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE ATTORNEY GENERAL; AMENDING SECTION 31-2002, IDAHO CODE, TO REVISE THE DUTIES OF THE ATTORNEY GENERAL REGARDING
INVESTIGATIONS AND ACTIONS AGAINST COUNTY ELECTED OFFICERS IN CERTAIN CRIMINAL LAW MATTERS AND TO PROVIDE A CORRECT CODE REFERENCE.

S 1256
BY JUDICIARY AND RULES COMMITTEE
AN ACT RELATING TO MOTOR VEHICLE FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-236, IDAHO CODE, TO INCREASE A FINE AMOUNT; AMENDING SECTION 49-1229, IDAHO CODE, TO INCREASE A FINE AMOUNT; AND AMENDING SECTION 49-1428, IDAHO CODE, TO INCREASE A FINE AMOUNT.

S 1257
BY EDUCATION COMMITTEE
AN ACT RELATING TO SCHOOL DISTRICT BOARD OF TRUSTEES; AMENDING SECTION 33-502B, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTIONS FOR SCHOOL DISTRICT BOARD TRUSTEES.

S 1258
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT RELATING TO FISH AND GAME; AMENDING SECTION 36-107, IDAHO CODE, TO REMOVE REFERENCE TO THE UNIVERSITY OF IDAHO CAINE VETERINARY TEACHING AND RESEARCH CENTER AND TO PROVIDE FOR THE ANNUAL TRANSFER OF CERTAIN MONEYS TO THE UNIVERSITY OF IDAHO COLLEGE OF AGRICULTURAL AND LIFE SCIENCES, DEPARTMENT OF ANIMAL AND VETERINARY SCIENCE.

S 1259
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT RELATING TO THE IDAHO DAIRY PRODUCTS COMMISSION; AMENDING SECTION 25-3102, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EX-OFFICIO MEMBERS OF THE COMMISSION; AND AMENDING SECTION 25-3107, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOMINATING COMMITTEES, TO REVISE A PROVISION REGARDING PETITIONS FOR NOMINATION OF PRODUCER MEMBERS, TO PROVIDE THAT BALLOTS FOR ELECTING MEMBERS WILL BE MAILED BY THE COMMISSION AND TO MAKE TECHNICAL CORRECTIONS.

S 1260
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT RELATING TO ANIMALS AND THE ENVIRONMENT; AMENDING SECTION 22-4902, IDAHO CODE, TO REVISE A DECLARATION OF POLICY AND STATEMENT OF LEGISLATIVE INTENT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4903, IDAHO CODE, TO REVISE THE AUTHORITIES AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE REGARDING BEEF CATTLE ANIMAL FEEDING OPERATIONS, TO PROVIDE THAT CERTAIN SPECIFIED LAW SHALL NOT AFFECT THE AUTHORITY OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER AND ENFORCE AN IDAHO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM, TO PROVIDE FOR THE ESTABLISHMENT OF AN AGREEMENT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING THE ADMINISTRATION OF AN IDAHO NPDES PROGRAM AND TO PROVIDE FOR THE DELEGATION OF CERTAIN AUTHORITY; AMENDING SECTION 22-4904, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4907, IDAHO CODE, TO REVISE INSPECTION PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-4909A, IDAHO CODE, TO REVISE PROVISIONS REGARDING AUTHORIZATION TO ADMINISTER LAWS RELATING TO WATER QUALITY WITHIN CERTAIN OPERATIONS; REPEALING SECTION 37-602, IDAHO CODE, RELATING TO LEGISLATIVE INTENT; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-602, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSES; AMENDING SECTION 37-603, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR AGENCY COORDINATION, TO PROVIDE THAT CERTAIN SPECIFIED LAW SHALL NOT AFFECT THE AUTHORITY OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER AND ENFORCE AN IDAHO NPDES PROGRAM AND TO PROVIDE FOR THE ESTABLISHMENT OF AN AGREEMENT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING THE ADMINISTRATION OF AN IDAHO NPDES PROGRAM; AMENDING SECTION 37-604, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 37-605, IDAHO CODE, RELATING TO DESIGN AND CONSTRUCTION; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-605, IDAHO CODE, TO PROVIDE FOR DAIRY STORAGE AND CONTAINMENT FACILITIES; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, TO REVISE PROVISIONS REGARDING DAIRY NUTRIENT MANAGEMENT PLANS; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-606A, IDAHO CODE, TO PROVIDE FOR DAIRY ENVIRONMENTAL MANAGEMENT PLANS; AMENDING SECTION 37-607, IDAHO CODE, TO REVISE INSPECTION PROVISIONS AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 37-608, IDAHO CODE, RELATING TO UNAUTHORIZED DISCHARGES; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-608, IDAHO CODE, TO PROVIDE FOR UNAUTHORIZED DISCHARGES AND UNAUTHORIZED RELEASES; REPEALING SECTION
37-609, IDAHO CODE, RELATING TO SAFE HARBOR; AND AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-609, IDAHO CODE, TO PROVIDE THAT CERTAIN DAIRY FARMS SHALL NOT BE SUBJECT TO ENFORCEMENT, TO CLARIFY THE RESPECTIVE AUTHORITIES OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY, TO PROVIDE THE MANNER IN WHICH THE DEPARTMENT OF AGRICULTURE SHALL ADDRESS NONCOMPLIANCE, TO PROVIDE FOR CIVIL PENALTIES, TO PROVIDE CONDITIONS UNDER WHICH CERTAIN PENDING ADMINISTRATIVE OR CIVIL ENFORCEMENT ACTIONS SHALL BE DEEMED VOID AND TO PROVIDE THAT CERTAIN ORDERS SHALL REMAIN IN FULL FORCE AND EFFECT.

S 1253, S 1254, S 1255, S 1256, S 1257, S 1258, S 1259, and S 1260 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 372, by Business Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 376, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 403, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 335, H 336, H 337, H 338, and H 339, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 380, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1229, by Transportation Committee, was read the second time at length and filed for third reading.

S 1233, by Finance Committee, was read the second time at length and filed for third reading.

S 1202, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1208, by Education Committee, was read the second time at length and filed for third reading.

S 1211, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1213 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1213 passed, title was approved, and the bill ordered transmitted to the House.

S 1215 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1215 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 10:45 a.m., Friday, February 5, 2016.

BRAD LITTLE, President
Attest: JENNIFER NOVAK, Secretary
The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1219** with the recommendation that it do pass.

PATRICK, Chairman

**S 1219** was filed for second reading.

February 4, 2016

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

Janice E. Fulkerson to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Todd Lakey to the State Insurance Fund Board, term to expire December 1, 2016.

PATRICK, Chairman

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

February 4, 2016

The FINANCE Committee reports out **H 403** with the recommendation that it do pass.

KEOUGH, Chairman

**H 403** was filed for second reading.

February 4, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 348, H 353, H 358, and H 361** with the recommendation that they do pass.

SIDDOWAY, Chairman

**H 348, H 353, H 358, and H 361** were filed for second reading.

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

**Messages from the Governor**

February 4, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Anna Jane "Janie" Dressen of Coeur d'Alene, Idaho, was reappointed as a member of the Commission on Pardons and Parole to serve a term commencing January 1, 2016, and expiring January 1, 2019.

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

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor
The correspondence was ordered filed in the office of the Secretary of the Senate.

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

February 4, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Cortney C. Dennis of Emmett, Idaho, was appointed as a member of the Commission on Pardons and Parole to serve a term commencing February 4, 2016, and expiring January 1, 2018.

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 4, 2016

Dear Mr. President:

I transmit herewith H 340 and H 387, which have passed the House.

ALEXANDER, Chief Clerk

H 340 and H 387 were filed for first reading.

February 4, 2016

Dear Mr. President:

I transmit herewith Enrolled H 363 and H 364 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 363 and H 364 and ordered them returned to the House.

February 4, 2016

Dear Mr. President:

I return herewith Enrolled S 1199 and S 1200, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1199 and S 1200 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Cindy P. Wilson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Stennett, the Gubernatorial appointment of Cindy P. Wilson as a member of the State Board of Correction was confirmed by voice vote.

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

The President announced that SCR 132 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Martin, seconded by Senator Lee, SCR 132 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1261
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO VEHICLES; AMENDING SECTION 49-1010, IDAHO CODE, TO REVISE PROVISIONS REGARDING ALLOWABLE LENGTHS OF CERTAIN VEHICLES AND TO REVISE PROVISIONS REGARDING OVERHANGS AND EXTENSIONS OF LOADS.

S 1262
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLE SERVICE CONTRACTS; AMENDING SECTION 49-2802, IDAHO CODE, TO PROVIDE THAT CERTAIN AGREEMENTS SHALL NOT BE CONSIDERED MOTOR VEHICLE SERVICE CONTRACTS OR CONTRACTS OF INSURANCE.

S 1263
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO HIGHWAY TRANSPORTATION PROJECTS; APPROVING BONDING AUTHORITY TO FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A DESCRIPTION OF PROJECTS TO BE FINANCED WITH BOND PROCEEDS; LIMITING THE SCOPE OF THE PROJECTS; PROVIDING A REQUIREMENT REGARDING A GARVEE PROGRAM MANAGEMENT SERVICES AGREEMENT; PROVIDING FOR ISSUANCE OF GARVEE BONDS; AND PROVIDING THAT BONDS BE ISSUED WHEN NECESSARY.

S 1264
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE IDAHO PHARMACY ACT; AMENDING SECTION 54-1705, IDAHO CODE, TO ADD A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING
SECTION 54-1719, IDAHO CODE, TO CLARIFY THE PHARMACY BOARD’S AUTHORITY OVER DURABLE MEDICAL SUPPLIES; AMENDING SECTION 54-1729, IDAHO CODE, TO ESTABLISH ADDITIONAL REGISTRATION REQUIREMENTS FOR DURABLE MEDICAL EQUIPMENT SUPPLIERS; AMENDING SECTION 37-3201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1761, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 54-4702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1265
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO INSURANCE PREMIUM TAX FUNDING FOR THE IDAHO INDIVIDUAL HIGH RISK REINSURANCE POOL; AMENDING SECTION 41-406, IDAHO CODE, TO APPROPRIATE ONE-QUARTER OF THE INSURANCE PREMIUM TAX EXCEEDING FORTY-FIVE MILLION DOLLARS TO THE IDAHO INDIVIDUAL HIGH RISK REINSURANCE POOL; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1266
BY EDUCATION COMMITTEE
AN ACT
RELATING TO LEADERSHIP PREMIUMS; AMENDING SECTION 33-1064J, IDAHO CODE, TO INCREASE THE AMOUNT OF MONEYS DISTRIBUTED TO SCHOOL DISTRICTS FOR LEADERSHIP ACTIVITIES AND TO MAKE A TECHNICAL CORRECTION.

S 1267
BY EDUCATION COMMITTEE
AN ACT
RELATING TO MASTERY-BASED EDUCATION; AMENDING SECTION 33-1630, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 68, LAWS OF 2015, TO REDESIGNATE THE SECTION, TO CLARIFY THE NUMBER OF LOCAL EDUCATION AgENCIES IDENTIFIED FOR A CERTAIN INITIAL COHORT AND TO ALLOW THE STATE DEPARTMENT OF EDUCATION TO EXPEND OR DISTRIBUTE CERTAIN MONEYS.

S 1268
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO THE COUNCIL ON DEVELOPMENTAL DISABILITIES; AMENDING SECTION 67-6704, IDAHO CODE, TO REVISE PROVISIONS REGARDING COUNCIL MEMBERSHIP AND TO MAKE TECHNICAL CORRECTIONS.

S 1269
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-107C, IDAHO CODE, TO PROVIDE THAT CERTAIN MONEYS SHALL BE HELD IN THE ENVIRONMENTAL PROTECTION TRUST, TO PROVIDE FOR THE PAYMENT OF COSTS AND EXPENSES, TO REVISE PROVISIONS RELATING TO THE INVESTMENT OF SURPLUS MONEYS AND TO REVISE PROVISIONS RELATING TO THE PAYMENT OF INTEREST RECEIVED.

S 1261, S 1262, S 1263, S 1264, S 1265, S 1266, S 1267, S 1268, and S 1269 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 340, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 387, by State Affairs Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills
H 384, by Appropriations Committee, was read the second time at length and filed for third reading.

H 344, H 345, H 347, and H 425, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills
S 1229 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, “Shall the bill pass?”

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

Roll call resulted as follows:

NAYS–Burgoyne, Jordan, Keough. Total - 3.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1229 passed, title was approved, and the bill ordered transmitted to the House.

S 1233 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, “Shall the bill pass?”

Roll call resulted as follows:

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.
Whereupon the President declared S 1233 passed, title was approved, and the bill ordered transmitted to the House.

S 1202 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1202 passed, title was approved, and the bill ordered transmitted to the House.

S 1208 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1208 passed, title was approved, and the bill ordered transmitted to the House.

S 1211 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Rice. Total - 1.


Total - 35.

Whereupon the President declared S 1211 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, H 425 was placed at the head of the Third Reading Calendar, followed by remaining bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11 a.m., Monday, February 8, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 8, 2016

Senate Chamber
President Little called the Senate to order at 11 a.m.
Roll call showed all members present except Senators
Johnson and Keough, absent and excused.
 Prayer was offered by Father John Worster.
The Pledge of Allegiance was led by Aleena Follett, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal
The JUDICIARY AND RULES Committee reports that the
Senate Journal of the proceedings of February 5, 2016, was read
and approved as corrected.

LODGE, Chairman
There being no objection, the report was adopted and ordered
filed in the office of the Secretary of the Senate.
Senators Johnson and Keough were recorded present at this
order of business.
On request by Senator Davis, granted by unanimous consent,
the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees
February 8, 2016
The JUDICIARY AND RULES Committee reports that
S 1261, S 1262, S 1263, S 1264, S 1265, S 1266, S 1267, S 1268,
and S 1269 have been correctly printed.

LODGE, Chairman
S 1261, S 1262, and S 1263 were referred to the
Transportation Committee.
S 1264 and S 1265 were referred to the Commerce and
Human Resources Committee.
S 1266 and S 1267 were referred to the Education
Committee.
S 1268 was referred to the Health and Welfare Committee.
S 1269 was referred to the State Affairs Committee.

February 5, 2016
The JUDICIARY AND RULES Committee reports that
Enrolled S 1199 and S 1200 were delivered to the Office of the
Governor at 2:13 p.m., February 5, 2016.

LODGE, Chairman
The report was ordered filed in the office of the Secretary of
the Senate.
On request by Senator Davis, granted by unanimous consent,
the Senate advanced to the Ninth Order of Business.

Messages from the House
February 5, 2016
Dear Mr. President:
I transmit herewith H 371, H 378, H 377, H 392, H 386,
H 391, H 346, and H 373, which have passed the House.

ALEXANDER, Chief Clerk
H 371, H 378, H 377, H 392, H 386, H 391, H 346, and
H 373 were filed for first reading.

February 5, 2016
Dear Mr. President:
I transmit herewith Enrolled H 365 for the signature of the
President.

ALEXANDER, Chief Clerk
The President signed Enrolled H 365 and ordered it returned
to the House.
On request by Senator Davis, granted by unanimous consent,
the Senate advanced to the Eleventh Order of Business.

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

S 1270
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE
DEPARTMENT OF HEALTH AND WELFARE FOR THE
BENEFIT PAYMENTS PROGRAM FOR FISCAL YEAR 2016;
APPROPRIATING ADDITIONAL MONEYS TO THE
DEPARTMENT OF HEALTH AND WELFARE FOR THE
HEALTHCARE POLICY INITIATIVES PROGRAM FOR
FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1271
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE
DEPARTMENT OF HEALTH AND WELFARE FOR THE
DIVISION OF MEDICAID FOR FISCAL YEAR 2016;
REDUCING THE APPROPRIATION TO THE DEPARTMENT
OF HEALTH AND WELFARE FOR THE DIVISION OF
MEDICAID FOR FISCAL YEAR 2016; AND DECLARING
AN EMERGENCY.
S 1272
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE SCHOOL DISTRICT BOND CREDIT ENHANCEMENT PROGRAM; AMENDING SECTION 57-728, IDAHO CODE, TO RAISE THE AGGREGATE GUARANTEE LIMIT OF THE CREDIT ENHANCEMENT PROGRAM FOR SCHOOL DISTRICT BONDS, TO RAISE THE PER DISTRICT GUARANTEE LIMIT UNDER THE CREDIT ENHANCEMENT PROGRAM FOR SCHOOL DISTRICT BONDS, TO PROVIDE APPLICATION AND TO PROVIDE CORRECT TERMINOLOGY; AND DECLARING AN EMERGENCY.

H 346, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 373, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1230, by Transportation Committee, was read the second time at length and filed for third reading.

S 1219, by State Affairs Committee, was read the second time at length and filed for third reading.

H 403, by Appropriations Committee, was read the second time at length and filed for third reading.

H 348, H 353, H 358, and H 361, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 425 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 425 passed, title was approved, and the bill ordered returned to the House.

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

Motions and Resolutions

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

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

On motion by Senator Keough, seconded by Senator Stennett, the Gubernatorial appointment of Eric R. Anderson as a member of the Public Utilities Commission was confirmed by voice vote.
The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Janice E. Fulkerson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lakey, the Gubernatorial appointment of Janice E. Fulkerson as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

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

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

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

On motion by Senator Martin, seconded by Senator Jordan, the Gubernatorial appointment of Todd Lakey as a member of the State Insurance Fund Board was confirmed by voice vote.

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

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

Messages from the House
February 8, 2016

Dear Mr. President:

I transmit herewith Enrolled H 425 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 425 and ordered it returned to the House.

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

Third Reading of Bills

H 384 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 384 passed, title was approved, and the bill ordered returned to the House.

H 344 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 344 passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Tuesday, February 9, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE
THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 9, 2016

President Little called the Senate to order at 11 a.m.
Roll call showed all members present except Senator Keough, absent and excused.
Prayer was offered by Father John Worster.
The Pledge of Allegiance was led by Jared Kelly, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 8, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

February 9, 2016

The JUDICIARY AND RULES Committee reports that S 1270, S 1271, S 1272, S 1273, S 1274, and S 1275 have been correctly printed.

LODGE, Chairman

S 1270 and S 1271 were referred to the Finance Committee.
S 1272, S 1273, S 1274, and S 1275 were referred to the State Affairs Committee.

February 8, 2016

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

Charles L. Winder to the Idaho Endowment Fund Investment Board, term to expire April 11, 2019.

M. Dean Buffington to the Idaho Endowment Fund Investment Board, term to expire April 11, 2019.

Neil Anderson to the Idaho Endowment Fund Investment Board, term to expire April 11, 2019.

MCKENZIE, Chairman

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

February 8, 2016

The RESOURCES AND ENVIRONMENT Committee reports out SCR 135 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAIR, Chairman

See Senate Rule 12 and Joint Rule 6.

On request by Senator Bair, granted by unanimous consent, SCR 135 was recommitted to the Resources and Environment Committee.

February 8, 2016

The RESOURCES AND ENVIRONMENT Committee reports out SCR 136 and SCR 137 with the recommendation that they do pass.

BAIR, Chairman

SCR 136 and SCR 137 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

February 9, 2016

The AGRICULTURAL AFFAIRS Committee reports out S 1259 with the recommendation that it do pass.

RICE, Chairman

S 1259 was filed for second reading.

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

Messages from the House

February 8, 2016

Dear Mr. President:

I transmit herewith H 436, HCR 31, H 367, H 368, H 369, H 385, H 396, H 397, and H 357, which have passed the House.

ALEXANDER, Chief Clerk

H 436, HCR 31, H 367, H 368, H 369, H 385, H 396, H 397, and H 357 were filed for first reading.

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

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

S 1276

BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE CIVIL RIGHTS OF PERSONS CONVICTED OF CRIME; AMENDING SECTION 18-310,
IDaho Code, to provide that the right to ship, transport, possess or receive a firearm shall not be restored following felony convictions for certain crimes.

S 1277  
by judiciary and rules committee  
an act  
relating to sex crimes; amending chapter 9, title 18, idaho code, by the addition of a new section 18-924, idaho code, to define terms, to prohibit sexual battery of an adult and to provide a punishment; amending section 18-6101, idaho code, to revise terminology, to provide a circumstance where rape can occur and to provide that both males and females are capable of committing rape; amending section 18-6107, idaho code, to revise a code reference; repealing section 18-6108, idaho code, relating to male rape; repealing section 18-6109, idaho code, relating to punishment for male rape; amending section 18-8304, idaho code, to provide that the sexual offender registration notification and community right-to-know act shall apply to certain persons who commit sexual battery of an adult, to remove obsolete code references and to make technical corrections; amending section 16-1602, idaho code, to remove an obsolete code reference; amending section 16-2005, idaho code, to remove an obsolete code reference; amending section 18-310, idaho code, to remove an obsolete code reference, to provide correct code references and to make technical corrections; amending section 18-8303, idaho code, to remove obsolete code references and to make technical corrections; amending section 18-8502, idaho code, to remove an obsolete code reference; amending section 19-401, idaho code, to provide a correct code reference; idaho code, to remove an obsolete code reference; amending section 19-5307, idaho code, to remove an obsolete code reference; amending section 20-509, idaho code, to remove an obsolete code reference; amending section 20-525a, idaho code, to remove an obsolete code reference and to make a technical correction; amending section 33-1208, idaho code, to remove an obsolete code reference; amending section 39-1113, idaho code, to remove an obsolete code reference; and amending section 72-1025, idaho code, to remove an obsolete code reference and to make technical corrections.

S 1278  
by resources and environment committee  
an act  
relating to water; amending section 42-201, idaho code, to provide that a person or entity operating a canal or conduit for irrigation or other beneficial uses authorized by a water right that permits water to be diverted from a natural watercourse for such purposes shall not be required to obtain an additional water right for the incidental use of that same water where the water is diverted for irrigation or other beneficial use and thereafter used to generate hydroelectricity in the canal or conduit, to provide conditions, to provide that the incidental hydropower use shall be junior to and fully subordinated to all existing and future uses and shall be nonconsumptive and to provide for certain written notice.

S 1279  
by education committee  
an act  
relating to the stem education fund; amending chapter 8, title 67, idaho code, by the addition of a new section 67-824, idaho code, to provide for the stem education fund and related provisions.

S 1280  
by education committee  
an act  
relating to idaho public institutions of higher education and residency requirements; amending section 33-3717b, idaho code, to revise a definition, to revise provisions relating to residency requirements for students of an idaho public institution of higher education and to make technical corrections.

S 1281  
by health and welfare committee  
an act  
relating to emergency medical services; amending chapter 10, title 56, idaho code, by the addition of new sections 56-1013b through 56-1013q, idaho code, to enact the EMS personnel licensure interstate compact, to state the purpose of the compact, to define terms, to establish provisions regarding home state licensure, to establish practice privileges under the compact, to provide conditions for practice in a remote state, to provide that the emergency management assistance compact shall take precedence over this compact under certain circumstances, to establish licensure provisions for veterans, service members and their spouses, to establish that adverse action may be taken against an individual’s license under certain circumstances and to establish the consequences of adverse action, to provide additional powers to a member states EMS authority under the compact, to establish an interstate commission, to provide for a coordinated database, to provide rulemaking authority, to provide for oversight of the compact and to establish provisions regarding default, dispute resolution and enforcement of the compact, to provide for implementation of the compact, to provide that the compact
Whereupon the President declared **H 347** passed, title was approved, and the bill ordered returned to the House.

**S 1219** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **S 1219** passed, title was approved, and the bill ordered transmitted to the House.

**H 403** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 403** passed, title was approved, and the bill ordered returned to the House.

**H 348** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 348** passed, title was approved, and the bill ordered returned to the House.

**H 353** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 353** passed, title was approved, and the bill ordered returned to the House.
H 358 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 358 passed, title was approved, and the bill ordered returned to the House.

H 361 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 361 passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjournd at 12 noon until the hour of 11 a.m., Wednesday, February 10, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
February 9, 2016

The FINANCE Committee reports out S 1270 and S 1271 with the recommendation that they do pass.

KEOUGH, Chairman

S 1270 and S 1271 were filed for second reading.

February 9, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 352, H 359, H 360, and H 376 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 352, H 359, H 360, and H 376 were filed for second reading.

February 9, 2016

The EDUCATION Committee reports out S 1232, S 1249, and S 1248 with the recommendation that they do pass.

MORTIMER, Chairman

S 1232, S 1249, and S 1248 were filed for second reading.

February 10, 2016

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

Linda Clark to the State Board of Education, term to expire June 30, 2020.

MORTIMER, Chairman

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

February 10, 2016

The STATE AFFAIRS Committee reports out H 362 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, H 362 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

February 9, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeffrey A. Betts of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2016, and expiring January 1, 2019.
This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, Exto Perpetua
/s/ C.L. "Butch" Otter
Governor
The correspondence was ordered filed in the office of the Secretary of the Senate.

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

February 10, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1199 and S 1200
As Always - Idaho, Exto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 9, 2016

Dear Mr. President:

I transmit herewith H 431, H 374, H 375, and H 405, which have passed the House.

ALEXANDER, Chief Clerk

H 431, H 374, H 375, and H 405 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Charles L. Winder retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, SCR 136 and SCR 137 retained their place on the calendar for Tuesday, February 16, 2016.

The President pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of M. Dean Buffington was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Lakey, the Gubernatorial reappointment of M. Dean Buffington as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

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

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

On motion by Senator Bair, seconded by Senator Stennett, the Gubernatorial reappointment of Neil Anderson as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1282
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-428, IDAHO CODE, TO PROVIDE THAT A MOTOR VEHICLE THAT WAS ORIGINALLY MANUFACTURED WITHOUT A BRACKET, DEVICE OR OTHER MEANS TO DISPLAY AND SECURE A FRONT LICENSE PLATE SHALL BE ALLOWED TO DISPLAY ONE PLATE ATTACHED TO THE REAR OF THE VEHICLE.

S 1283
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLE INSURANCE; AMENDING SECTION 49-1234, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ONLINE INSURANCE VERIFICATION SYSTEM, TO PROVIDE THAT THE IDAHO TRANSPORTATION DEPARTMENT SHALL PROMULGATE RULES TO PROVIDE INSURERS AN ALTERNATIVE METHOD FOR VERIFYING MOTOR VEHICLE INSURANCE POLICY DATA AND TO REVISE PROVISIONS REGARDING THE METHODS OF VERIFICATION; AND AMENDING CHAPTER 13, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1338, IDAHO CODE, TO PROVIDE THAT FAILURE TO COMPLY WITH SPECIFIED LAW REGARDING UNINSURED VEHICLE TRACKING SHALL CONSTITUTE A WRONGFUL PRACTICE AND SUBJECT AN INSURER TO CERTAIN PENALTIES.

S 1284
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO PLATS AND SURVEYS; AMENDING SECTION 50-1304, IDAHO CODE, TO PROVIDE THAT THE BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS SHALL PROMULGATE CERTAIN RULES; AND AMENDING SECTION 55-1906, IDAHO CODE, TO PROVIDE THAT THE BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS SHALL
PROMULGATE CERTAIN RULES AND TO PROVIDE THAT RECORDS OF SURVEY SHALL HAVE CERTAIN MINIMUM REQUIREMENTS.

S 1285
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1214, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXAMINATIONS THAT ARE OFFERED, TO REVISE PROVISIONS REGARDING A CANDIDATE WHO FAILS AN EXAMINATION AND TO PROVIDE THAT THE BOARD MAY ISSUE A CONTINGENT LICENSE TO ENGINEERING FACULTY UNDER CERTAIN CONDITIONS.

S 1286
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1202, IDAHO CODE, TO DEFINE A TERM.

S 1287
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1222, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO PROVIDE THAT CERTAIN ACTIONS SHALL BE A VIOLATION AND TO PROVIDE A CIVIL PENALTY.

S 1288
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1347B, IDAHO CODE, TO REMOVE LANGUAGE FOR TRANSFERRING TRAINING FUNDS TO THE EMPLOYMENT SECURITY RESERVE FUND, TO REVISE LANGUAGE DESCRIBING APPROPRIATE USES FOR THE TRAINING FUND, TO EXTEND THE SUNSET PROVISION, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION.

S 1289
BY EDUCATION COMMITTEE
AN ACT
RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EDUCATIONAL SUPPORT PROGRAM CALCULATION, TO MAKE CODIFIER’S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 229, LAWS OF 2015, TO REVISE PROVISIONS REGARDING THE EDUCATIONAL SUPPORT PROGRAM CALCULATION, TO MAKE CODIFIER’S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

S 1290
BY EDUCATION COMMITTEE
AN ACT
RELATING TO TEACHERS; AMENDING SECTION 33-1212A, IDAHO CODE, TO REVISE A CATCHLINE, TO REVISE PROVISIONS REGARDING COLLEGE AND CAREER ADVISORS AND TO REVISE REPORTING REQUIREMENTS.

S 1291
BY EDUCATION COMMITTEE
AN ACT
RELATING TO SCHOLARSHIPS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4305, IDAHO CODE, TO PROVIDE FOR THE ADULT DEGREE COMPLETION SCHOLARSHIP AND RELATED PROVISIONS AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES.

S 1292
BY EDUCATION COMMITTEE
AN ACT
RELATING TO THE TUITION LOCK PLAN; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3717D, IDAHO CODE, TO PROVIDE THE TUITION LOCK PLAN FOR UNDERGRADUATE STUDENTS AND RELATED PROVISIONS AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES; AMENDING SECTION 33-3726, IDAHO CODE, TO ESTABLISH THE TUITION LOCK STABILIZATION ACCOUNT IN THE HIGHER EDUCATION STABILIZATION FUND; AND PROVIDING A SUNSET DATE.

S 1293
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PARENTAL RIGHTS IN EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 33, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO PARENTAL RIGHTS IN EDUCATION AND TO PROVIDE FOR AN ANNUAL NOTICE OF PARENTAL RIGHTS.

S 1294
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO THE PRACTICE OF PHARMACY; AMENDING SECTION 54-1704, IDAHO CODE, TO PROVIDE THAT PHARMACISTS MAY PRESCRIBE IMMUNIZATIONS FOR PERSONS WHO ARE SIX YEARS OF AGE OR OLDER.

S 1295
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-209, IDAHO CODE, TO REVISE PROVISIONS REGARDING CIVIL MONETARY PENALTIES FOR PROVIDERS AND TO MAKE TECHNICAL CORRECTIONS.
S 1296
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO BACKGROUND CHECKS; AMENDING SECTION 56-1004A, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE REGARDING A FEDERAL PILOT PROJECT.

S 1297
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTIONS; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-409, IDAHO CODE, TO PROVIDE FOR ELECTRONIC REGISTRATION; AMENDING SECTION 49-321, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE IDAHO TRANSPORTATION DEPARTMENT UPON REQUEST OF THE OFFICE OF THE SECRETARY OF STATE; AND DECLARING AN EMERGENCY.

S 1298
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE RACING COMMISSION; AMENDING CHAPTER 25, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2507A, IDAHO CODE, TO DIRECT THE COMMISSION TO MAKE CERTAIN PAYMENT TO THE IDAHO HORSE COUNCIL UNDER SPECIFIED CONDITIONS; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

S 1299
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6631, IDAHO CODE, TO REQUIRE REPORTING IN ALL STATE AND LOCAL ELECTIONS AND BALLOT MEASURES IN THIS STATE AND TO PROVIDE THAT REPORTS SHALL BE MADE TO CERTAIN PERSONS; AMENDING SECTION 33-503, IDAHO CODE, TO REMOVE A CERTAIN EXCEPTION REGARDING ELECTIONS OF SCHOOL DISTRICT TRUSTEES; AND DECLARING AN EMERGENCY.

S 1282, S 1283, S 1284, S 1285, S 1286, S 1287, S 1288, S 1289, S 1290, S 1291, S 1292, S 1293, S 1294, S 1295, S 1296, S 1297, S 1298, and S 1299 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 431, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 374 and H 375, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 405, by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.
WHEREAS, the Eastern Snake Plain Aquifer (ESPA) supplies ground water to approximately one million irrigated acres and to numerous cities, businesses, dairies, factories and homes; and
WHEREAS, the ESPA is hydraulically connected to the Snake River and discharges to the Snake River via tributary springs, which supply surface water for multiple beneficial uses, including aquaculture, hydropower, and the irrigation of approximately one million acres; and
WHEREAS, since 1952 the total volume of water stored in the ESPA has decreased due to increasing direct diversions of ground water, increasingly efficient surface water irrigation practices, and other factors; and
WHEREAS, discharge from the ESPA to the Snake River is the most significant contribution of water to the Snake River between Milner Dam and the Murphy Gage; and
WHEREAS, Policy 4A of the 2012 Idaho State Water Plan requires that the Murphy minimum stream flow water right be administered in priority; and
WHEREAS, the declines in ESPA storage content have decreased surface water supplies available for irrigation, aquaculture, municipal, industrial and other uses on land overlying the Eastern Snake Plain, resulting in multiple water delivery calls, protracted litigation, and curtailment notices issued by the Idaho Department of Water Resources; and
WHEREAS, current ESPA water levels and total storage content, after more than six decades of decline, are inadequate to provide a reasonably safe supply of water for sustainable surface and ground water irrigation, hydropower, aquaculture, municipal and industrial uses, the curtailment of which would cause severe economic harm to the State of Idaho; and
WHEREAS, if the Thousand Springs discharges continue to decline, junior water rights will be required to curtail to sustain the Murphy minimum stream flow; and
WHEREAS, on June 30, 2015, a historic settlement agreement was entered into between the following surface water right holders: A & B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company, collectively known as the Surface Water Coalition (SWC); and the following ground water right holders: Aberdeen American Falls Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Carey Valley Ground Water District, North Side Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District, Magic Valley Ground Water District, Fremont-Madison Irrigation District, Anheuser-Busch, United Water, Glanbia Foods, City of Blackfoot, City of American Falls, City of Jerome, City of Rupert, City of Heyburn, City of Paul, City of Chubbuck and City of Hazelton, collectively known as the Idaho Ground Water Appropria}
that the State of Idaho supports the settlement agreement entered into on June 30, 2015, between participating members of the Surface Water Coalition and participating members of the Idaho Ground Water Approporators, Inc. to resolve litigation, avoid curtailment, maintain sustainable ground and surface water supplies on the ESPA and minimize harm to Idaho's economy, and further supports state management to ensure ESPA water supply issues are timely addressed.

BE IT FURTHER RESOLVED that the State of Idaho supports the goal of stabilizing and reversing the trend of declining ESPA water levels in the Eastern Snake Plain Aquifer.

SJM 104
BY RESOURCES AND ENVIRONMENT COMMITTEE
A JOINT MEMORIAL

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

WHEREAS, maintaining a healthy suite of economic, environmental and social ecosystem services in aquatic systems is integral to the quality of life in the State of Idaho; and

WHEREAS, healthy aquatic habitats provide clean drinking water, flood control, transportation, recreation, purification of human and industrial wastes, power generation, habitat for native plants and animals, production of fish and other foods, marketable goods and cultural benefits; and

WHEREAS, Dreissena mussels, specifically quagga mussels (Dreissena rostriformis bugensis) and zebra mussels (Dreissena polymorpha), are aquatic invasive species that cause irreparable ecological damage to many waters in the United States; and

WHEREAS, Dreisseniids have not yet been detected in the Pacific Northwest. The estimated annual cost to address established populations of Dreisseniids in the Pacific Northwest Economic Region is almost $0.5 billion annually; and

WHEREAS, the Water Resources Reform and Development Act was signed in June 2014. Section 1039 of the act authorizes $20 million for Columbia River Basin watercraft inspection stations to prevent introduction of Dreisseniid mussels and other aquatic invasive species through the Secretary of the Army; and

WHEREAS, the fiscal year 2016 budget for the United States Army Corps of Engineers includes $4 million in funding for watercraft inspection stations as authorized by the Water Resources Reform and Development Act, and the State of Idaho and Pacific Northwest Economic Region are grateful for the Corps' recognition of the severity of the threat of aquatic invasive species to the region and dedication to assist the region in enhancing prevention efforts.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that Congress ensure the continued appropriation of these funds in the fiscal year 2017 budget to significantly enhance aquatic invasive species prevention efforts and to implement the intent of the Water Resources Reform and Development Act.

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

SJM 104 and SCR 138 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees
February 11, 2016

The JUDICIARY AND RULES Committee reports that S 1282, S 1283, S 1284, S 1285, S 1286, S 1287, S 1288, S 1289, S 1290, S 1291, S 1292, S 1293, S 1294, S 1295, S 1296, S 1297, S 1298, and S 1299 have been correctly printed.

LODGE, Chairman
S 1282 and S 1283 were referred to the Transportation Committee.
S 1284, S 1285, S 1286, S 1287, and S 1288 were referred to the Commerce and Human Resources Committee.
S 1289, S 1290, S 1291, S 1292, and S 1293 were referred to the Education Committee.
S 1294, S 1295, and S 1296 were referred to the Health and Welfare Committee.
S 1297, S 1298, and S 1299 were referred to the State Affairs Committee.

February 10, 2016

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

Joe B. McNeal to the Idaho Commission on Human Rights, term to expire July 1, 2018.

Kevin Coyne Settles to the Idaho Commission on Human Rights, term to expire July 1, 2018.

Rayelle Anderson to the Bingo-Raffle Advisory Board, term to expire January 7, 2019.

MCKENZIE, Chairman

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

February 10, 2016

The RESOURCES AND ENVIRONMENT Committee reports out S 1222, S 1223, S 1224, S 1225, and S 1244 with the recommendation that they do pass.

BAIR, Chairman
S 1222, S 1223, S 1224, S 1225, and S 1244 were filed for second reading.

February 11, 2016

The AGRICULTURAL AFFAIRS Committee reports out S 1214 and S 1258 with the recommendation that they do pass.

RICE, Chairman
s 1214 and s 1258 were filed for second reading.

February 11, 2016

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

Glen R. Gier to the State Soil and Water Conservation Commission, term to expire July 1, 2020.

RICE, Chairman

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

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

Messages from the Governor

February 10, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janice B. Vassar of Lewiston, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing February 1, 2016, and expiring January 31, 2022.

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

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

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

The Gubernatorial appointment was referred to the Transportation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 10, 2016

Dear Mr. President:

I transmit herewith H 381, H 382, H 417, H 389, H 390, H 428, H 445, and H 446, which have passed the House.

ALEXANDER, Chief Clerk

H 381, H 382, H 417, H 389, H 390, H 428, H 445, and H 446 were filed for first reading.

February 10, 2016

Dear Mr. President:

I transmit herewith Enrolled H 384 and H 344 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 384 and H 344 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

February 10, 2016

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Charles L. Winder was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Stennett, the Gubernatorial reappointment of Charles L. Winder as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

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

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

On motion by Senator Martin, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Linda Clark as a member of the State Board of Education was confirmed by voice vote.

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

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

S 1300
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ESTATES; AMENDING SECTION 15-2-802, IDAHO CODE, TO CLARIFY PERSONS WHO DO NOT QUALIFY AS A SURVIVING SPOUSE; AND AMENDING CHAPTER 2, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-2-804, IDAHO CODE, PROVIDING FOR THE REVOCATION OF CERTAIN PROBATE AND NONPROBATE TRANSFERS BY DIVORCE.

S 1301
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO COMMUNITY PROPERTY; AMENDING CHAPTER 6, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-6-114, IDAHO CODE, TO CLARIFY THE CHARACTERIZATION OF PROPERTY AS COMMUNITY PROPERTY OR JOINT PROPERTY.

S 1302
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ESTATES; AMENDING SECTION 15-2-203, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-2-206, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-2-208, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE; AMENDING SECTION 15-3-906, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-3-1004, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 68-10-201, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE.

S 1303
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT; AMENDING TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 15, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE APPLICABILITY, TO PROVIDE FOR AN INDIVIDUAL'S DIRECTION FOR DISCLOSURE OF DIGITAL ASSETS, TO PRESERVE RIGHTS IN A TERMS OF SERVICE AGREEMENT, TO PROVIDE A PROCEDURE FOR DISCLOSING DIGITAL ASSETS, TO AUTHORIZE DISCLOSURE OF THE CONTENT OF ELECTRONIC COMMUNICATIONS OF A DECEASED USER, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS OF A DECEASED USER, TO AUTHORIZE DISCLOSURE OF THE CONTENT OF ELECTRONIC COMMUNICATIONS OF A PRINCIPAL, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS OF A PRINCIPAL, TO AUTHORIZE DISCLOSURE OF DIGITAL ASSETS HELD IN TRUST WHEN A TRUSTEE IS THE ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS HELD IN TRUST WHEN THE TRUSTEE IS NOT AN ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS HELD IN TRUST WHEN A TRUSTEE IS NOT AN ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF DIGITAL ASSETS TO A CONSERVATOR OF A PROTECTED PERSON, TO PROVIDE FOR FIDUCIARY DUTY AND AUTHORITY, TO PROVIDE FOR CUSTODIAN COMPLIANCE AND IMMUNITY, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR RELATION TO THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT AND TO PROVIDE SEVERABILITY.

S 1304
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-314, IDAHO CODE, TO PROVIDE THAT NO ELECTION AND NO CONFIRMATION PROCEEDINGS SHALL BE REQUIRED WHEN THE CONTRACT FOR CONSTRUCTION OF A HYDROELECTRIC PLANT BY THE DISTRICT DOES NOT INVOLVE QUESTIONS OF INDEBTEDNESS INCURRED BY THE DISTRICT.

S 1305
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTROLLED HUNTS; AND AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-104A, IDAHO CODE, TO PROVIDE FOR CONTRACTS WITH PRIVATE ENTITIES TO CONDUCT DRAWINGS FOR CONTROLLED HUNT PERMITS, TO PROVIDE A PROCEDURE AND TO PROVIDE FOR RULEMAKING.

S 1306
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO OIL AND GAS; AMENDING SECTION 47-317, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EMPLOYMENT OF PERSONNEL AND CONTRACTING FOR SERVICES, TO PROVIDE FOR THE AUTHORITY OF THE DEPARTMENT OF LANDS, TO REMOVE CERTAIN PROVISIONS REGARDING HEARINGS, TO REMOVE PROVISIONS RELATING TO THE DESIGNATION OF HEARING OFFICERS AND CONTESTED HEARINGS AND TO PROVIDE THAT THE COMMISSION SHALL FOLLOW CERTAIN PROCEDURES; AMENDING SECTION 47-318, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 47-320, IDAHO CODE, TO PROVIDE A PROCEDURE REGARDING APPLICATIONS FOR PERMITS OR CERTAIN AUTHORIZATIONS TO DRILL OR TREAT WELLS AND TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL COLLECT SPECIFIED FEES; AMENDING SECTION 47-321, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES ASSOCIATED WITH SPACING UNITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-322, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL
HAVE SPECIFIED RESPONSIBILITIES REGARDING INTEGRATION, TO REVISE PROVISIONS REGARDING INTEGRATION, TO PROVIDE FOR THE DESIGNATION OF OPERATORS FOR INTEGRATED UNITS, TO PROVIDE FOR OPTIONS TO BE SET FORTH IN INTEGRATION ORDERS, TO PROVIDE FOR APPLICATIONS FOR ORDERS OF INTEGRATION, TO PROVIDE FOR NOTICE TO CERTAIN OWNERS, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION AND TO PROVIDE THAT APPLICATIONS SHALL BE SUBJECT TO SPECIFIED PROCEDURES; AMENDING SECTION 47-323, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES REGARDING UNIT OPERATIONS AND TO REVISE PROVISIONS REGARDING APPLICATIONS FOR UNIT OPERATIONS; AMENDING SECTION 47-324, IDAHO CODE, TO REVISE AND TO SET FORTH PROVISIONS AND PROCEDURES ASSOCIATED WITH RULEMAKING, COMPLAINTS, APPLICATION FOR ORDERS, PETITIONS, ORDERS AND APPEALS AND TO PROVIDE FOR JUDICIAL REVIEW OF ACTIONS; AND DECLARING AN EMERGENCY.

S 1307
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-501, IDAHO CODE, TO REVISE CERTAIN DATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-503, IDAHO CODE, TO REVISE THE ELECTION DATE FOR SCHOOL DISTRICT TRUSTEES AND TO PROVIDE A TERM EXPIRATION DATE FOR INCUMBENT TRUSTEES; AMENDING SECTION 33-505, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-510, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS.

S 1308
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-405, IDAHO CODE, TO REMOVE A CERTAIN QUALIFICATION REQUIREMENT OF SCHOOL ELECTORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-501, IDAHO CODE, TO REMOVE REFERENCE TO ELECTED AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-503, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTIONS OF TRUSTEES.

S 1309
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO ANIMALS; AMENDING SECTION 25-3520A, IDAHO CODE, TO PROVIDE THAT THE COURT MAY ORDER PRESENTENCE PSYCHOLOGICAL EVALUATIONS PRIOR TO SENTENCING FOR VIOLATIONS OF SPECIFIED LAW.

S 1300, S 1301, S 1302, S 1303, S 1304, S 1305, S 1306, S 1307, S 1308, and S 1309 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 381, H 382, and H 417, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 389 and H 390, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 428, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 445 and H 446, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills
S 1246, S 1261, and S 1263, by Transportation Committee, were read the second time at length and filed for third reading.

S 1270 and S 1271, by Finance Committee, were read the second time at length and filed for third reading.

H 352, H 359, H 360, and H 376, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1232, S 1249, and S 1248, by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills
S 1259 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1259 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business
On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 10:45 a.m., Friday, February 12, 2016.

BRAD LITTLE, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 12, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:45 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hannah Sturtevant, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 11, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 139
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number 08-0203-1503, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 140
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number 08-0203-1506, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 141
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number 08-0203-1511, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 139, SCR 140, and SCR 141 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.
Reports of Standing Committees

February 12, 2016

The JUDICIARY AND RULES Committee reports that SCR 138, SJM 104, S 1300, S 1301, S 1302, S 1303, S 1304, S 1305, S 1306, S 1307, S 1308, and S 1309 have been correctly printed.

LODGE, Chairman

SCR 138 and SJM 104 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1300, S 1301, S 1302, and S 1303 were referred to the Judiciary and Rules Committee.

S 1304, S 1305, and S 1306 were referred to the Resources and Environment Committee.

S 1307 and S 1308 were referred to the Education Committee.

S 1309 was referred to the Agricultural Affairs Committee.

Senator Lodge was recorded present at this order of business.

February 11, 2016

The FINANCE Committee reports out H 445 and H 446 with the recommendation that they do pass.

KEOUGH, Chairman

H 445 and H 446 were filed for second reading.

February 11, 2016

The TRANSPORTATION Committee reports out H 385 and S 1262 with the recommendation that they do pass.

BRACKETT, Chairman

H 385 and S 1262 were filed for second reading.

February 11, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1265 with the recommendation that it do pass.

PATRICK, Chairman

S 1265 was filed for second reading.

February 11, 2016

The HEALTH AND WELFARE Committee reports out S 1231 with the recommendation that it do pass.

HEIDER, Chairman

S 1231 was filed for second reading.

February 12, 2016

The STATE AFFAIRS Committee reports out SJR 101 with the recommendation that it do pass.

MCKENZIE, Chairman

SJR 101 was filed for second reading.

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

Messages from the House

February 11, 2016

Dear Mr. President:

I transmit herewith H 432 and H 426, which have passed the House.

ALEXANDER, Chief Clerk

H 432 and H 426 were filed for first reading.

February 11, 2016

Dear Mr. President:

I transmit herewith Enrolled H 345, H 347, H 348, H 353, H 358, H 361, and H 403 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 345, H 347, H 348, H 353, H 358, H 361, and H 403 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Lincoln Day Service.

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Lee providing opening remarks. The prayer was offered by Senator Harris.

"The Star-Spangled Banner" was performed by Milayni Stephens. The Senate Pages offered their favorite Lincoln quotes. "America the Beautiful" was performed by Milayni Stephens.

Closing remarks were provided by Co-chairman Senator Souza. She extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

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

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

S 1310

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DYED FUEL; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO PROVIDE THAT ANY VEHICLE SHALL BE SUBJECT TO INSPECTION FOR DYED DIESEL FUEL IN THE MOTOR VEHICLE'S DIESEL FUEL TANK UNDER SPECIFIED CONDITIONS.

S 1311

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO VEHICLES; AMENDING SECTION 49-457, IDAHO CODE, TO PROVIDE AN EXCEPTION REGARDING FEES FOR ELECTRIC VEHICLES, TO REMOVE FEE PROVISIONS REGARDING HYBRID VEHICLES AND TO REMOVE A DEFINITION.
S 1312
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO SAFETY RERAINTS; AMENDING SECTION 49-673, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE ISSUANCE OF A CERTAIN WARNING AND OF A CERTAIN CITATION, TO INCREASE A CERTAIN FINE AMOUNT AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 49-673, IDAHO CODE, RELATING TO SAFETY RESTRAINT USE; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-673, IDAHO CODE, REGARDING SAFETY RESTRAINT USE; AND PROVIDING AN EFFECTIVE DATE.

S 1313
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO INSURANCE; AMENDING CHAPTER 13, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1328E, IDAHO CODE, TO PROHIBIT UNFAIR PRACTICES BY INSURANCE COMPANIES IN AUTO BODY REPAIR, WITH EXCEPTIONS.

S 1314
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO TRUST INSTITUTIONS; AMENDING SECTION 26-3205, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS ACTING AS A TRUSTEE SHALL NOT REQUIRE A CHARTER.

S 1315
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO FORECLOSURE; AMENDING SECTION 45-1506, IDAHO CODE, TO PROVIDE THAT A PURCHASER AT A TRUSTEES SALE SHALL BE ENTITLED TO DISPOSE OF ANY NONTITLED PERSONAL PROPERTY UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS.

S 1316
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1830, IDAHO CODE, TO PROVIDE THAT LIFE INSURERS SHALL OFFER LASE OR TERMINATION PROTECTION TO HOLDERS OF LIFE INSURANCE POLICIES.

S 1317
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO HOMEOWNER'S ASSOCIATIONS; AMENDING SECTION 55-115, IDAHO CODE, TO PROVIDE THAT ATTORNEY'S FEES AND COSTS MAY BE COLLECTED, AND A LIEN FILED FOR ATTORNEY'S FEES AND COSTS BY A HOMEOWNER'S ASSOCIATION, ONLY AFTER BEING AWARDED IN AN AMOUNT FOUND TO BE REASONABLE BY A COURT OF COMPETENT JURISDICTION.

S 1318
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE IDAHO APPRAISAL MANAGEMENT COMPANY REGISTRATION AND REGULATION ACT; AMENDING CHAPTER 41, TITLE 54, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 54-4120 THROUGH 54-4134, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE SCOPE, TO DEFINE TERMS, TO PROVIDE FOR AN APPRAISAL PANEL AND ANNUAL SIZE CALCULATION; TO PROVIDE THAT APPRAISAL MANAGEMENT COMPANIES SHALL REGISTER WITH THE REAL ESTATE APPRAISER BOARD AND TO PROVIDE REQUIREMENTS FOR REGISTRATION, TO PROVIDE FOR EXEMPTIONS, TO PROVIDE REQUIREMENTS FOR OWNERSHIP AND FOR CONTROLLING PERSONS, TO PROVIDE FOR LIMITATIONS ON AGREEMENTS, TO PROVIDE FOR APPRAISER ENGAGEMENT, TO PROVIDE FOR APPRAISAL REVIEW, TO PROVIDE FOR APPRAISER COMPENSATION, TO PROVIDE FOR APPRAISER INDEPENDENCE, TO PROVIDE FOR ADDITIONAL POWERS OF THE BOARD, TO PROVIDE FOR ENFORCEMENT BY THE BOARD AND TO PROVIDE FEDERAL REGISTRY REQUIREMENTS.

S 1319
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO STATE EMPLOYEE HEALTH PLANS; AMENDING SECTION 67-5761B, IDAHO CODE, TO CLARIFY THAT THE DEPARTMENT OF ADMINISTRATION SHALL OFFER A HEALTH SAVINGS ACCOUNT PROGRAM AND TO PROVIDE THAT STATE EMPLOYERS SHALL DEPOSIT A CERTAIN AMOUNT INTO A HEALTH SAVINGS ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

S 1320
BY EDUCATION COMMITTEE
AN ACT
RELATING TO GENERAL POWERS OF THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2107, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO CLARIFY CERTAIN POWERS OF THE BOARD OF TRUSTEES OF EACH COMMUNITY COLLEGE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-2211, IDAHO CODE, TO PROVIDE CODE REFERENCES.

S 1321
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PUBLIC SCHOOL INSTRUCTION; REPEALING SECTION 33-1604, IDAHO CODE, RELATING TO BIBLE READING IN THE PUBLIC SCHOOLS; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1604, IDAHO CODE, TO PROVIDE WHEN THE BIBLE IS PERMITTED TO BE USED IN THE PUBLIC SCHOOLS.
S 1322
BY HEALTH AND WEALTH COMMITTEE
AN ACT
RELATING TO EPINEPHRINE AUTO-INJECTORS; AMENDING SECTION 54-1704, IDAHO CODE, TO PROVIDE THAT THE PRACTICE OF PHARMACY INCLUDES PRESCRIBING EPINEPHRINE AUTO-INJECTORS; AMENDING SECTION 54-1732, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIOLATIONS AND PENALTIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1733, IDAHO CODE, TO REVISE PROVISIONS REGARDING VALIDITY OF PRESCRIPTION DRUG ORDERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1733C, IDAHO CODE, TO PROVIDE THAT EPINEPHRINE AUTO-INJECTORS MAY BE PRESCRIBED AND DISPENSED TO CERTAIN ENTITIES, TO PROVIDE THAT CERTAIN ENTITIES MAY STOCK EPINEPHRINE AUTO-INJECTORS, TO PROVIDE THAT EPINEPHRINE AUTO-INJECTORS MAY BE PROVIDED OR ADMINISTERED TO CERTAIN PERSONS, TO REQUIRE TRAINING, TO PROVIDE THAT CERTAIN PERSONS ARE EXEMPT FROM TRAINING, TO PROVIDE IMMUNITY, TO REQUIRE DISPOSAL OF OUTDATED PRODUCT AND TO DEFINE TERMS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1733D, IDAHO CODE, TO PROVIDE THAT PHARMACISTS OR PRESCRIBERS MAY PRESCRIBE EPINEPHRINE AUTO-INJECTORS TO CERTAIN PERSONS; AND AMENDING SECTION 54-1734, IDAHO CODE, TO REVISE PROVISIONS REGARDING POSSESSION OF LEGEND DRUGS.

S 1323
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO STATE INDEPENDENT LIVING COUNCIL; AMENDING SECTION 56-1203, IDAHO CODE, TO REVISE A REFERENCE TO A FEDERAL LAW; AMENDING SECTION 56-1204, IDAHO CODE, TO REVISE A REFERENCE TO A FEDERAL LAW; AND AMENDING SECTION 56-1205, IDAHO CODE, TO REVISE LANGUAGE REGARDING FUNDING OF THE STATE INDEPENDENT LIVING COUNCIL.

S 1324
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO WINERIES; AMENDING SECTION 23-1334, IDAHO CODE, TO ALLOW PERSONS UNDER THE AGE OF TWENTY-ONE TO ENTER OR BE ON THE PREMISES OF A WINERY.

S 1325
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO REGULATORY TAKINGS; AMENDING SECTION 67-8003, IDAHO CODE, TO PROVIDE THAT AN OWNER OF PRIVATE PROPERTY MAY SUBMIT A WRITTEN REQUEST FOR A REGULATORY TAKINGS ANALYSIS WITH THE CLERK OR THE AGENCY OR ENTITY UNDERTAKING THE REGULATORY OR ADMINISTRATIVE ACTION AND TO PROVIDE THAT A PRIVATE PROPERTY OWNER IS NOT REQUIRED TO SUBMIT A REQUEST UNDER THE REGULATORY TAKINGS CHAPTER AND THE FAILURE TO SUBMIT A WRITTEN REQUEST SHALL NOT PREVENT OR PROHIBIT THE PRIVATE PROPERTY OWNER FROM SEEKING ANY LEGAL OR EQUITABLE REMEDY INCLUDING, BUT NOT LIMITED TO, THE PAYMENT OF JUST COMPENSATION.

S 1310, S 1311, S 1312, S 1313, S 1314, S 1315, S 1316, S 1317, S 1318, S 1319, S 1320, S 1321, S 1322, S 1323, S 1324, and S 1325 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 432, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 426, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills
S 1222, S 1223, S 1224, S 1225, and S 1244, by Resources and Environment Committee, were read the second time at length and filed for third reading.

S 1214 and S 1258, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

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

Miscellaneous Business
On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 10:45 a.m., Monday, February 15, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
Committee Meetings. – (B) No committee shall meet during the session of the Senate, nor at any time occupy the Senate Chamber, without leave of the Senate.

Committees–Rules and Procedure. – (C) Unless otherwise specified, general rules of procedure governing the Senate shall govern procedure in all committees and subcommittees, except there may be no call of any committee or of the Senate while in the Committee of the Whole. A motion to adjourn shall not be in order in the Committee of the Whole.

Committee Meetings to be Open. – (D) All meetings of any standing, select, or special committee shall be open to the public at all times, and any person may attend any hearing of such committee, but may participate in the committee only with the approval of the committee itself. The committee chairman, or the acting chairman, shall announce the subject of the matter under inquiry and proceed with hearing testimony or examining witnesses. Each person testifying before the committee shall state his name, address, business, or occupation, and special interest in the matter being heard.

Committee Meetings, Executive Sessions. – (E) Executive sessions of a standing, special or select committee shall be limited and undertaken only when necessitated by extraordinary circumstances as provided in this rule. A request to go into executive session may be considered by a committee only after the committee has given public notice at least twenty-four hours in advance of the meeting that the committee will have before it a request to meet in executive session, has listed the person(s) or agency that has requested the executive session, and has described the reason(s) for which an executive session has been requested. Only after the committee chairman has identified the reason(s) for holding the executive session and only upon a two-thirds vote recorded in the minutes of the meeting of the committee, shall a committee be allowed to hold an executive session during any meeting, at which time persons who are not members of the legislature may be excluded. Executive sessions shall be held only when and to the extent necessary to: discuss records that are exempt from public disclosure by statute, court decision or court rule; consider pending litigation, mediation or arbitration; consider personnel decisions involving a legislative employee; consider charges brought against or the discipline or dismissal of a member when public disclosure would harm an innocent third party; discuss the security of or threats against state citizens, resources or facilities; or discuss acquiring an interest in real property which is not owned by a public agency. Under no circumstances, however, shall an executive session be authorized or held for the purpose of taking any final action or making any final decision, and during such executive session, no votes or official action may be taken.

Disruption of Meetings. – (F) Nothing in this rule shall prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised.

Objection to Testimony. – (G) If any member of the committee shall object to the testimony, or any part thereof, of any witness, the chair of the committee may overrule the objection, require the witness to refrain from the objectionable testimony, or may disallow further testimony and otherwise maintain order. The chair of the committee shall decide all questions of order subject to appeal matters dealing with witness testimony and decorum in the committee.

Committee Chair's Decisions. – (H) The chair's decisions are final and are not subject to appeal to the committee. The
committee may not appeal a chair's ruling to the Senate or its Presiding Officer, excepting that nothing in this subsection limits the provisions of Senate Rule 14(E).

Buck Slips. – (H) Buck slips may be used for committee action on the introduction of or recommendations on bills, but only in instances where committee meetings are impractical. The objection to the use of a buck slip by one committee member shall preclude its use in that instance. All committee members, who are not absent and excused from attendance in the Senate on that day, shall be required to sign their names indicating their aye or nay vote on the matter being considered.

SCR 142
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 18 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO TO REVISE PROVISIONS RELATING TO STATEMENTS OF PURPOSE AND FISCAL NOTES.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rule 18 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 18

Statement of Purpose and Fiscal Notes. – No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. A statement of purpose or fiscal note is not a statement of legislative intent nor intended for any use outside of the legislative process. The statement of purpose and fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. No bill making an appropriation, increasing or decreasing existing appropriations, or requiring a future appropriation, or increasing or decreasing revenues of the state or any unit of local government, or requiring a significant expenditure of funds by the state or a unit of local government, shall be introduced unless it shall have attached thereto a fiscal note. This note shall contain an estimate of the amount of such appropriation, expenditure, or change under the bill. The fiscal note shall identify a full fiscal year’s impact of the legislation. Statements of purpose and fiscal notes may be combined in the same statement. All statements of purpose and fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned. A member may challenge the sufficiency of a statement of purpose or fiscal note at any time prior to passage, except upon introduction. Nothing in this rule shall prohibit a statement of purpose or fiscal note from being revised.

Statement of Purpose and Fiscal Notes – General Provisions. – No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. Statements of purpose and fiscal notes may be combined in the same statement.

Statement of Purpose. – (a) The statement of purpose applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. All statements of purpose shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any review is subject to Joint Rule 18 (e).

Fiscal Notes. – (b) The fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. The fiscal note shall reasonably contain the proponent’s full fiscal year projected increase or decrease in existing or future appropriations, and/or the increase or decrease in revenues by the state or unit(s) of local government. The bill’s proponent bears the responsibility to provide an accurate fiscal note. If the fiscal note states there is no projected fiscal impact, then the fiscal note must contain a statement of the reasons that no fiscal impact is projected. All fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any compliance review is subject to Joint Rule 18 (e). A member of the committee may challenge the sufficiency of a fiscal note at any time prior to the committee’s final action on the bill. In addition, prior to final committee action on the bill, if one-third or more of its appointed members notify the chair of the committee that reasonably believe the fiscal note does not comply with this rule, the chair may appoint a subcommittee to review the fiscal note. The subcommittee must report its review, if any, at the next scheduled committee meeting or at a time designated by the chair.

Debate. – (c) Any member of either house may debate the sufficiency of a statement of purpose or fiscal note at the time of consideration of the bill.

May be Revised. – (d) Either house may revise the statement of purpose or fiscal note at any time before that house’s final action on the bill.

Not a Statement of Legislative Intent. – (e) Statements of purpose and fiscal notes are mere attachments to the bill and are not voted on. The statement of purpose and fiscal note are not expressions or statements of legislative intent, and are not intended for any use outside of the legislative process, including judicial review.

Notice to Others. – (f) Each statement of purpose and fiscal note shall contain this notice: “This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).”

SCR 143
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
REVISING PROVISIONS RELATING TO TRANSMITTAL OF A JOINT RESOLUTION.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 20 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Joint Rule 20 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 20

Constitutional Amendments. – A Joint Resolution proposing an amendment to the Constitution of the State of Idaho must be introduced on or before the thirty-sixth day of the Regular Legislative Session and must be transmitted from the house of origin to the other house prior to the fifty-fifth day of the Regular Legislative Session; provided however, in the event the fifty-fifth day of the Regular Legislative Session falls on a Saturday or Sunday, such transmittal must be made on or prior to the fifty-seventh day of the Regular Legislative Session. The provisions of this rule may be waived by the presiding officer of either house upon presentation of a signed petition by the majority or minority leadership of the house. Requests for a proposed amendment to the Constitution of the State of Idaho shall be in the Office of Legislative Services for drafting at least seven calendar days prior to its intended introduction date.

SCR 144

BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 21 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Joint Rule 21 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 21

Recording of Proceedings of the Chambers. – The proceedings of each house shall be recorded and live streamed by an authorized designee, provided that either house may suspend or end recording and/or live streaming of its proceedings upon a two-thirds vote of the chamber wherein the proceeding takes place. A statement made during floor or committee proceedings is indicative only of the individual speaker and is not an expression of legislative intent by the body as a whole. No recording shall substitute for the Journal of either house as required by Section 13, Article III of the Constitution of the State of Idaho. All recordings shall be maintained by the Director of Legislative Services or his designee for two years, and then transferred. A copy of any recorded proceedings more than two years old will be provided to the state archivist. No member of the Legislature, its employees, or designees shall be permitted to certify or authenticate any recording made under this rule.

SCR 145

BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND ENDORSING THE NEED FOR A SECOND VETERANS CEMETERY IN EASTERN IDAHO.

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

WHEREAS, Idaho is the home to more than 132,000 veterans; and

WHEREAS, more than 30,000 veterans live in the Eastern Idaho catchment areas; and

WHEREAS, the nearest veterans cemetery to Eastern Idaho is the Idaho State Veterans Cemetery in Boise, Idaho, that is more than 200 miles driving distance; and

WHEREAS, although the Boise Idaho State Veterans Cemetery is a beautiful resting place for Idaho veterans, due to its distance from Eastern Idaho and the population density of the region, the needs of Eastern Idaho veterans and their families are not met by the Idaho State Cemetery in Boise, Idaho; and

WHEREAS, pursuant to 38 CFR 39 the state is obligated to provide the land and pay for ongoing cemetery maintenance and operation of a state veterans cemetery; and

WHEREAS, pursuant to 38 CFR 39 the federal government shares this belief, and the Department of Veterans Affairs' State Cemetery Grants Service pays 100% of architectural and engineering costs, to include planning, construction, and equipment, for the development of a state veterans cemetery; and

WHEREAS, pursuant to 38 CFR 39 the state is obligated to provide 10% architectural and engineering matching funds necessary to qualify for federal funding; and

WHEREAS, pursuant to 38 CFR 39 the 10% architectural and engineering matching funds will be reimbursed to the state following grant award; and

WHEREAS, Eastern Idaho leaders and the community have identified potential land donations in an effort to meet the state's obligation to provide land.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we endorse the need for a second veterans cemetery in Eastern Idaho and that legislation should be adopted to facilitate the exchange of property and to authorize the Division of Veterans Services to accept gifts, grants, contributions and bequests, and to purchase and hold title to property on behalf of the State of Idaho.

BE IT FURTHER RESOLVED that the Legislature should act expeditiously so that no more time passes before Eastern Idaho's veterans are given the respect they are so worthy of receiving.

SCR 146

BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND DESIGNATING THE STATE OF IDAHO AS A PURPLE HEART STATE AND PROVIDING THAT AUGUST 7 IS PURPLE HEART DAY IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:
WHEREAS, 1,026 of Idaho veterans were killed in combat during major wars from WWI to the present, and approximately 2,683 were wounded during those wars, making over 3,709 Idahoans eligible for the Purple Heart award; and  
WHEREAS, fourteen states across the United States have honored their combat wounded and killed military veterans by proclaiming their states to be Purple Heart states; and  
WHEREAS, the cities of Boise, Pocatello, Nampa and Fruitland—all served by I-84, named by the Idaho Legislature as the Vietnam Veterans Memorial Highway—were designated as Purple Heart cities in 2015; and  
WHEREAS, the mission of the Military Order of the Purple Heart, chartered by an act of Congress, is to foster an environment of goodwill among combat wounded veterans and their families, to promote patriotism, to support legislative initiatives and, most importantly, to ensure that we never forget the sacrifices of veterans killed in action and wounded in combat; and  
WHEREAS, the State of Idaho honors the service and sacrifices of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedom enjoyed by all Americans.  
NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we designate the State of Idaho as a Purple Heart state and permanently set the date of August 7th as Purple Heart Day for the State of Idaho.

SR 101, SCR 142, SCR 143, SCR 144, SCR 145, and SCR 146 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 15, 2016

The JUDICIARY AND RULES Committee reports that SCR 139, SCR 140, SCR 141, S 1310, S 1311, S 1312, S 1313, S 1314, S 1315, S 1316, S 1317, S 1318, S 1319, S 1320, S 1321, S 1322, S 1323, S 1324, and S 1325 have been correctly printed.

Lodge, Chairman

SCR 139, SCR 140, and SCR 141 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1310, S 1311, and S 1312 were referred to the Transportation Committee.

S 1313, S 1314, S 1315, S 1316, S 1317, S 1318, and S 1319 were referred to the Commerce and Human Resources Committee.

S 1320 was referred to the Education Committee.

S 1321 was referred to the State Affairs Committee.

S 1322 was referred to the Health and Welfare Committee.

S 1323 and S 1324 were referred to the State Affairs Committee.

S 1325 was referred to the Local Government and Taxation Committee.

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

Messages from the House

February 12, 2016

Dear Mr. President:

I transmit herewith HCR 30, H 427, HCR 29, H 383, H 355, HCR 34, H 429, and H 440, which have passed the House.

ALEXANDER, Chief Clerk

HCR 30, H 427, HCR 29, H 383, H 355, HCR 34, H 429, and H 440 were filed for first reading.

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

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

S 1326

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO SUICIDE PREVENTION; AMENDING SECTION 56-1003, IDAHO CODE, TO GRANT CERTAIN AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE AND TO MAKE A TECHNICAL CORRECTION.

S 1326 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 30, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 427, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 29, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 383, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 355, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 34, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 429, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 429, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 445 and H 446, by Appropriations Committee, were read the second time at length and filed for third reading.

H 385, by Transportation and Defense Committee, was read the second time at length and filed for third reading.
S 1262, by Transportation Committee, was read the second time at length and filed for third reading.

S 1265, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1231, by Health and Welfare Committee, was read the second time at length and filed for third reading.

SJR 101, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1230 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President Pro Tempore declared that S 1230 had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

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

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Memorial Service.

MEMORIAL SERVICE

The service was conducted by Memorial Service Committee Co-chairmen Senator Mary Souza and Senator Abby Lee. The Invocation was delivered by Senator Anthon. "Amazing Grace" was performed by Senator Buckner-Webb accompanied by Steven Eaton. The Benediction was delivered by Senator Lee. The Service was coordinated by Laura McClnes, Secretary to the Secretary of the Senate.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator STEVEN L. HERNDON passed on since the close of the First Regular Session of the Sixty-third Legislature to wit, October 22nd, 2015.

WHEREAS, the late Senator STEVEN L. HERNDON served in the interest of Bonner and Boundary Counties during the Forty-ninth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator STEVEN L. HERNDON; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the STEVEN L. HERNDON family.

On motion by Senator Keough, seconded by Senator Nuxoll, the Memorial to the late Senator Herndon was adopted by voice vote.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:20 p.m. until the hour of 4 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senator Lakey, absent and formally excused by the Chair; and Senators Anthon, Den Hartog, Martin, Mortimer, Nonini, Patrick, Souza, Thayn, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 15, 2016

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


Jeffrey Betts to the Sexual Offender Management Board, term to expire January 1, 2019.

Matthew Allen Thomas to the Sexual Offender Management Board, term to expire January 1, 2019.


Mike H. Matthews to the Commission on Pardons and Parole, term to expire January 1, 2019.

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

February 15, 2016

The EDUCATION Committee reports out **S 1257** with the recommendation that it do pass.

MORTIMER, Chairman

**S 1257** was filed for second reading.

February 15, 2016

The HEALTH AND WELFARE Committee reports out** S 1250** and **S 1251** with the recommendation that they do pass.

HEIDER, Chairman

**S 1250** and **S 1251** were filed for second reading.

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

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

**S 1327**

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO VULNERABLE ADULTS; AMENDING SECTION 18-1505, IDAHO CODE, TO REVISE A DEFINITION.
NEW SECTION 33-910. IDAHO CODE, TO PROVIDE THE BROADBAND INFRASTRUCTURE IMPROVEMENT GRANT FUND AND RELATED PROVISIONS, TO REQUIRE RULEMAKING AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.

S 1334
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; REPEALING SECTION 67-5745D, IDAHO CODE, RELATING TO THE IDAHO EDUCATION NETWORK; REPEALING SECTION 67-5745E, IDAHO CODE, RELATING TO THE IDAHO EDUCATION NETWORK PROGRAM AND RESOURCE ADVISORY COUNCIL (IPRAC); AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 33, IDAHO CODE, TO PROVIDE THE EDUCATION OPPORTUNITY RESOURCE ACT, TO PROVIDE A SHORT TITLE, TO PROVIDE PURPOSE, FINDINGS AND LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE THE EDUCATION OPPORTUNITY RESOURCE COMMITTEE, TO PROVIDE SUCH COMMITTEE'S MEMBERS AND MEETING REQUIREMENTS AND POWERS AND DUTIES, TO PROVIDE DUTIES OF THE STATE DEPARTMENT OF EDUCATION AND TO PROVIDE RULEMAKING AUTHORITY TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-125, IDAHO CODE, TO REMOVE A REFERENCE TO THE IDAHO EDUCATION NETWORK; AND AMENDING SECTION 33-125A, IDAHO CODE, TO REMOVE REFERENCE TO THE IDAHO EDUCATION NETWORK AND TO THE IPRAC.

S 1335
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EXECUTIVE SESSIONS UNDER THE OPEN MEETINGS LAW; AMENDING SECTION 74-206, IDAHO CODE, TO REVISE CONDITIONS WHEN AN EXECUTIVE SESSION IS AUTHORIZED REGARDING THE ACQUISITION, SALE OR LEASE OF AN INTEREST IN REAL PROPERTY BY A PUBLIC AGENCY AND TO PROVIDE A CORRECT CODE REFERENCE.

S 1336
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1602, IDAHO CODE, TO PROVIDE THAT THE APPLICABILITY OF CERTAIN PROVISIONS TO CERTAIN PUPILS IS GOVERNED BY SUCH PUPIL'S INDIVIDUALIZED EDUCATION PLAN AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1337
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5202A, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AMENDING SECTION 33-5203, IDAHO CODE, TO PROVIDE AN ADDITIONAL WAY TO FORM A PUBLIC CHARTER SCHOOL AND TO SPECIFY THAT A CHARTER HOLDER MAY NOT OPERATE ENTERPRISES OTHER THAN THE PUBLIC CHARTER SCHOOLS FOR WHICH IT HAS BEEN AUTHORIZED; AMENDING SECTION 33-5204, IDAHO CODE, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5204, IDAHO CODE, AS AMENDED BY SECTION 71, CHAPTER 141, LAWS OF 2015, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5205, IDAHO CODE, TO REVISE PROVISIONS REGARDING PETITIONS TO ESTABLISH PUBLIC CHARTER SCHOOLS, TO REVISE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5205C, IDAHO CODE, TO PROVIDE FOR CHARTER SCHOOL REPLICATION AND RELATED PROVISIONS; AMENDING SECTION 33-5206, IDAHO CODE, TO REQUIRE REPETITION PUBLIC CHARTER SCHOOLS TO ESTABLISH A CERTAIN ADMISSION PREFERENCE POLICY, TO ALLOW PUBLIC CHARTER SCHOOLS TO CONTRACT WITH EDUCATIONAL SERVICES PROVIDERS SUBJECT TO CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-5207, IDAHO CODE, TO PROVIDE THAT REPETITION PUBLIC CHARTER SCHOOLS ARE SUBJECT TO PROVISIONS REGARDING CHARTER REPEAL PROCEDURES; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5209A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCOUNTABILITY REQUIREMENTS; AMENDING SECTION 33-5209B, IDAHO CODE, TO REVISE PROVISIONS REGARDING CHARTER RENEWALS; AMENDING SECTION 33-5209C, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ENFORCEMENT, REVOCATION AND APPEAL PROCESS FOR CHARTER HOLDERS; AMENDING SECTION 33-5210, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN EXEMPTIONS, TO REMOVE A PROVISION THAT SUBJECTS CERTAIN PUBLIC CHARTER SCHOOLS TO CERTAIN RULES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

S 1338
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO ABATEMENT OF PUBLIC NUISANCES; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 31-831 THROUGH 31-834, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR DECLARATION OF A CATASTROPHIC PUBLIC NUISANCE AND TO PROVIDE AUTHORITY TO DECLARE AND DEMAND ABATEMENT, TO PROVIDE FOR EMERGENCY ABATEMENT OF A CATASTROPHIC PUBLIC NUISANCE AND TO PROVIDE FOR LIMITATIONS.

S 1339
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO OIL AND GAS; AMENDING SECTION 47-317, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EMPLOYMENT OF PERSONNEL AND CONTRACTING FOR SERVICES, TO PROVIDE FOR THE AUTHORITY OF THE DEPARTMENT OF LANDS, TO REMOVE CERTAIN PROVISIONS REGARDING HEARINGS, TO REMOVE PROVISIONS RELATING
TO THE DESIGNATION OF HEARING OFFICERS AND CONTESTED HEARINGS AND TO PROVIDE THAT THE COMMISSION SHALL FOLLOW CERTAIN PROCEDURES; AMENDING SECTION 47-318, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 47-320, IDAHO CODE, TO PROVIDE A PROCEDURE REGARDING APPLICATIONS FOR PERMITS OR CERTAIN AUTHORIZATIONS TO DRILL OR TREAT WELLS AND TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL COLLECT SPECIFIED FEES; AMENDING SECTION 47-321, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES ASSOCIATED WITH SPACING UNITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-322, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES REGARDING INTEGRATION, TO REVISE PROVISIONS REGARDING INTEGRATION, TO PROVIDE FOR THE DESIGNATION OF OPERATORS FOR INTEGRATED UNITS, TO PROVIDE FOR OPTIONS TO BE SET FORTH IN INTEGRATION ORDERS, TO PROVIDE FOR APPLICATIONS FOR ORDERS OF INTEGRATION, TO PROVIDE FOR NOTICE TO CERTAIN OWNERS, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION AND TO PROVIDE THAT APPLICATIONS SHALL BE SUBJECT TO SPECIFIED PROCEDURES; AMENDING SECTION 47-323, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES REGARDING UNIT OPERATIONS AND TO REVISE PROVISIONS REGARDING APPLICATIONS FOR UNIT OPERATIONS; AMENDING SECTION 47-324, IDAHO CODE, TO REVISE AND TO SET FORTH PROVISIONS AND PROCEDURES ASSOCIATED WITH RULEMAKING, COMPLAINTS, APPLICATION FOR ORDERS, PETITIONS, ORDERS AND APPEALS AND TO PROVIDE FOR JUDICIAL REVIEW OF ACTIONS; AND DECLARING AN EMERGENCY.

S 1340
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-1109, IDAHO CODE, TO PROVIDE A PROCESS FOR CLAIMS IN THE EVENT OF DAMAGE TO BEES AND BEEHIVES BY BEARS.

S 1341
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES; AMENDING SECTION 39-3357, IDAHO CODE, TO PROVIDE THAT RESIDENTIAL OR ASSISTED LIVING FACILITIES MAY BE CITED ONLY FOR VIOLATIONS OF A REQUIREMENT THAT IS SPECIFIED IN AN APPLICABLE LAW OR RULE.

S 1327, S 1328, S 1329, S 1330, S 1331, S 1332, S 1333, S 1334, S 1335, S 1336, S 1337, S 1338, S 1339, S 1340, and S 1341 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Anthon and Ward-Engelking were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 16, 2016

Senate Chamber

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

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair; and Senators Nuxoll, Rice, Schmidt, and Thayn, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Liberty Stokes, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 15, 2016, was read and approved as corrected.

LODGE, Chairman

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

Senators Rice and Nuxoll were recorded present at this order of business.

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

Motions and Resolutions

At this time Senator Davis arose on a point of personal privilege to announce that two distinguished visitors had arrived, and the President Pro Tempore appointed Senator Keough, Chairman, and Senators McKenzie and Stennett to escort United States Senators Crapo and Risch, into the Senate Chamber where they addressed the members of the Senate.

The President Pro Tempore thanked United States Senators Crapo and Risch for their remarks and Senator Keough, Chairman, and Senators McKenzie and Stennett escorted the Senators from the Chamber, and the Committee was discharged.

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

Reports of Standing Committees

February 16, 2016

The JUDICIARY AND RULES Committee reports that SR 101, SCR 142, SCR 143, SCR 144, SCR 145, SCR 146, S 1326, S 1327, S 1328, S 1329, S 1330, S 1331, S 1332, S 1333, S 1334, S 1335, S 1336, S 1337, S 1338, S 1339, S 1340, and S 1341 have been correctly printed.

LODGE, Chairman

On request by Senator Davis, granted by unanimous consent, SR 101, SCR 142, SCR 143 and SCR 144 were referred to the Judiciary and Rules Committee.

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

SCR 145 and SCR 146 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

S 1326 was referred to the Health and Welfare Committee.

S 1327, S 1328, and S 1329 were referred to the Judiciary and Rules Committee.

S 1330, S 1331, S 1332, S 1333, and S 1334 were referred to the Education Committee.

S 1335 was referred to the State Affairs Committee.

S 1336 and S 1337 were referred to the Education Committee.

S 1338, S 1339, and S 1340 were referred to the Resources and Environment Committee.

S 1341 was referred to the Health and Welfare Committee.

February 15, 2016

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

Peter J. Black to the Parks and Recreation Board, term to expire June 30, 2021.

BAIR, Chairman

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

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

Messages from the House

February 15, 2016

Dear Mr. President:

I transmit herewith HCR 32, H 398, and HCR 36, which have passed the House.

ALEXANDER, Chief Clerk

HCR 32, H 398, and HCR 36 were filed for first reading.
February 15, 2016

Dear Mr. President:

I return herewith S 1206, S 1207, S 1197, S 1216, S 1217, S 1210, S 1233, S 1215, S 1213, and SCR 133, which have passed the House.

ALEXANDER, Chief Clerk

S 1206, S 1207, S 1197, S 1216, S 1217, S 1210, S 1233, S 1215, S 1213, and SCR 133 were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Joe B. McNeal, Kevin Coyne Settles, Rayelle Anderson, Glen R. Gier, Erwin L. Sonnenberg, Jeffrey Betts, Matthew Allen Thomas, Michael David Johnston, Moira A. Lynch, William Dale Crawford, and Mike H. Matthews retained their place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, SCR 137 was placed at the head of the Tenth Order, followed by SCR 138, followed by SCR 136, followed by remaining bills.

The President Pro Tempore announced that SCR 137 was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Stennett, that SCR 137 be adopted. The question being, "Shall the resolution be adopted?"

Pursuant to Rule 39(C), a roll call vote was requested by Senator Davis.

Senators Keough, Schmidt and Stennett supported the request for a roll call vote.

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President Pro Tempore declared SCR 137 adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SCR 138 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bair, seconded by Senator Stennett, SCR 138 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SCR 136 was before the Senate for final consideration.

Moved by Senator Stennett, seconded by Senator Bair, that SCR 136 be adopted. The question being, "Shall the resolution be adopted?"

Pursuant to Rule 39(C), a roll call vote was requested by Senator Davis.

Senators Bair, Martin, Mortimer, Schmidt, Stennett and Winder supported the request for a roll call vote.

Roll call resulted as follows:


NAYS–None.


Total - 35.

The Senate advanced to the Eleventh Order of Business.

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

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

HCR 32, by Agricultural Affairs Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

H 398, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HCR 36, by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Fifteenth Order of Business.

Second Reading of Bills

S 1257, by Education Committee, was read the second time at length and filed for third reading.

S 1250 and S 1251, by Health and Welfare Committee, were read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Wednesday, February 17, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 17, 2016

Senate Chamber

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

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

Prayer was offered by Senator Mortimer.

The Pledge of Allegiance was led by Marshall Toryanski, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 16, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

February 16, 2016

The JUDICIARY AND RULES Committee reports that S 1206, S 1207, S 1197, S 1216, S 1217, S 1210, S 1233, S 1215, S 1213, and SCR 133 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1206, S 1207, S 1197, S 1216, S 1217, S 1210, S 1233, S 1215, S 1213, and SCR 133 and ordered them transmitted to the House for the signature of the Speaker.

February 16, 2016

The TRANSPORTATION Committee reports out S 1283 with the recommendation that it do pass.

BRACKETT, Chairman

S 1283 was filed for second reading.

February 16, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1221, S 1286, and S 1287 with the recommendation that they do pass.

PATRICK, Chairman

S 1221, S 1286, and S 1287 were filed for second reading.

February 16, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1285 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, S 1285 was referred to the Fourteenth Order of Business, General Calendar.

February 16, 2016

The HEALTH AND WELFARE Committee reports out H 335, H 336, H 337, H 338, H 339, and H 340 with the recommendation that they do pass.

HEIDER, Chairman

H 335, H 336, H 337, H 338, H 339, and H 340 were filed for second reading.

February 16, 2016

The EDUCATION Committee reports out H 391, H 392, S 1279, and S 1290 with the recommendation that they do pass.

MORTIMER, Chairman

H 391, H 392, S 1279, and S 1290 were filed for second reading.

February 16, 2016

The EDUCATION Committee reports out S 1280 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, S 1280 was referred to the Fourteenth Order of Business, General Calendar.

February 17, 2016

The STATE AFFAIRS Committee reports out S 1218 and S 1298 with the recommendation that they do pass.

MCKENZIE, Chairman

S 1218 and S 1298 were filed for second reading.

February 17, 2016

The STATE AFFAIRS Committee reports out S 1297 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, S 1297 was referred to the Fourteenth Order of Business, General Calendar.

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

February 16, 2016

Dear Mr. President:

I transmit herewith HCR 42, which has passed the House.

ALEXANDER, Chief Clerk

HCR 42 was filed for first reading.

February 16, 2016

Dear Mr. President:

I return herewith SCR 132, which has passed the House.

ALEXANDER, Chief Clerk

SCR 132 was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Joe B. McNeal retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of William Dale Crawford retained its place on the calendar for one legislative day.

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

On motion by Senator Buckner-Webb, seconded by Senator Stennett, the Gubernatorial reappointment of Kevin Coyne Settles as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

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

On motion by Senator Vick, seconded by Senator Lacey, the Gubernatorial reappointment of Rayelle Anderson as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

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

The President Pro Tempore announced that the Agricultural Affairs Committee report relative to the Gubernatorial appointment of Glen R. Gier was before the Senate for final consideration, the question being, "Shall the report be adopted?"
On motion by Senator Souza, seconded by Senator Jordan, the Gubernatorial reappointment of Michael David Johnston as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Moira A. Lynch was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Lee, the Gubernatorial appointment of Moira A. Lynch as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Mike H. Matthews was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Anthon, seconded by Senator Burgoyne, the Gubernatorial reappointment of Mike H. Matthews as a member of the Commission on Pardons and Parole was confirmed by voice vote.

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

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

On motion by Senator Lacey, seconded by Senator Guthrie, the Gubernatorial appointment of Peter J. Black as a member of the Parks and Recreation Board was confirmed by voice vote.

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

The President Pro Tempore announced that SJM 104 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Heider, seconded by Senator Stennett, SJM 104 was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that SCR 139 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, SCR 139 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SCR 140 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, SCR 140 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

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

**S 1342**

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOL INSTRUCTION: REPEALING SECTION 33-1604, IDAHO CODE, RELATING TO BIBLE READING IN THE PUBLIC SCHOOLS; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1604, IDAHO CODE, TO PROVIDE WHEN THE BIBLE IS PERMITTED TO BE USED IN THE PUBLIC SCHOOLS, WITH EXCEPTIONS.

S 1342 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 42, by Education Committee, was introduced, read at length, and referred to the State Affairs Committee.

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

**Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, H 446 was placed at the head of the Third Reading Calendar, followed by remaining bills.
H 446 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Brackett, Hagedorn, Lakey. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared H 446 passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 11 a.m., Thursday, February 18, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 18, 2016

Senate Chamber

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

Roll call showed all members present except Senators Burgoyne and Hagedorn, absent and formally excused by the Chair.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Mallory DeFord, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 17, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

February 18, 2016

The JUDICIARY AND RULES Committee reports that S 1342 has been correctly printed.

LODGE, Chairman

S 1342 was referred to the State Affairs Committee.

February 18, 2016

The JUDICIARY AND RULES Committee reports that SCR 132 has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled SCR 132 and ordered it transmitted to the House for the signature of the Speaker.

February 17, 2016

The JUDICIARY AND RULES Committee reports out S 1235 and S 1255 with the recommendation that they do pass.

LODGE, Chairman

S 1235 and S 1255 were filed for second reading.

February 17, 2016

The JUDICIARY AND RULES Committee reports out S 1256 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1256 was referred to the Fourteenth Order of Business, General Calendar.

February 17, 2016

The EDUCATION Committee reports out H 428, HCR 31, S 1266, and S 1267 with the recommendation that they do pass.

MORTIMER, Chairman

H 428, S 1266, and S 1267 were filed for second reading.

HCR 31 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 17, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 346, H 357, H 386, and H 405 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 346, H 357, H 386, and H 405 were filed for second reading.

February 18, 2016

The HEALTH AND WELFARE Committee reports out H 373, S 1268, and S 1294 with the recommendation that they do pass.

HEIDER, Chairman

H 373, S 1268, and S 1294 were filed for second reading.

February 18, 2016

The AGRICULTURAL AFFAIRS Committee reports out S 1260 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, S 1260 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

February 17, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William B. Booth of Hayden, Idaho, was re-appointed as a member of the Northwest Power and Conservation Council to serve a term commencing January 15, 2016, and expiring January 15, 2019.
This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, Esto Perpetua

/s/ C.L. "Butch" Otter

Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 17, 2016

Dear Mr. President:

I transmit herewith H 447, H 441, HJM 13, HCR 33, H 449, and H 474, which have passed the House.

ALEXANDER, Chief Clerk

H 447, H 441, HJM 13, HCR 33, H 449, and H 474 were filed for first reading.

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

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

S 1343

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PAROLE; AMENDING SECTION 20-229B, IDAHO CODE, TO REVISE A PROVISION REGARDING ALLEGATIONS OF A VIOLATION OF THE CONDITIONS OF PAROLE.

S 1343 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 447, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 441, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HJM 13, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

HCR 33, by Education Committee, was introduced, read at length, and referred to the Education Committee.

H 449 and H 474, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1283, by Transportation Committee, was read the second time at length and filed for third reading.

S 1221, S 1286, and S 1287, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

H 335, H 336, H 337, H 338, H 339, and H 340, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 391, H 392, S 1279, and S 1290, by Education Committee, were read the second time at length and filed for third reading.

S 1218 and S 1298, by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, S 1246 retained its place on the Third Reading Calendar.

S 1261 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Burgoyne, Hagedorn. Total - 2.

Total - 35.

Whereupon the President declared S 1261 passed, title was approved, and the bill ordered transmitted to the House.

S 1263 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:


Absent and excused–Burgoyne, Hagedorn. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared that S 1263 had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

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

Reading of Communications

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 5 p.m. of this day.
RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m. President Little assumed the Chair.

Roll call showed all members present except Senators Anthon, Brackett, Den Hartog, Johnson, Lee, Mortimer, Nonini, Rice, Souza, Thayn, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fourth Order of Business, Reading Communications.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 18, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 432, S 1264, S 1314, and S 1318 with the recommendation that they do pass.

PATRICK, Chairman

H 432, S 1264, S 1314, and S 1318 were filed for second reading.

February 18, 2016

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

Terry Gestrin to the State Insurance Fund Board, term to expire December 1, 2016.

PATRICK, Chairman

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

February 18, 2016

The TRANSPORTATION Committee reports out S 1311 with the recommendation that it do pass.

BRACKETT, Chairman

S 1311 was filed for second reading.

February 18, 2016

The TRANSPORTATION Committee reports out S 1312 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, S 1312 was referred to the Fourteenth Order of Business, General Calendar.

February 18, 2016

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

Daniel Scott to the Aeronautics Advisory Board, term to expire January 31, 2021.

BRACKETT, Chairman

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

February 18, 2016

The HEALTH AND WELFARE Committee reports out H 374, H 375, and S 1281 with the recommendation that they do pass.

HEIDER, Chairman

H 374, H 375, and S 1281 were filed for second reading.

Senator Johnson was recorded present at this order of business.

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

Third Reading of Bills

S 1246 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Mortimer, Souza, Thayn. Total - 3.

Total - 35.

Whereupon the President declared S 1246 passed, title was approved, and the bill ordered transmitted to the House.

S 1270 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1270 passed, title was approved, and the bill ordered transmitted to the House.

S 1271 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Whereupon the President declared S 1271 passed, title was approved, and the bill ordered transmitted to the House.

H 352 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 352 passed, title was approved, and the bill ordered returned to the House.

H 359 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 359 passed, title was approved, and the bill ordered returned to the House.

H 360 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 360 passed, title was approved, and the bill ordered returned to the House.

H 376 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 376 passed, title was approved, and the bill ordered returned to the House.

S 1232 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1232 passed, title was approved, and the bill ordered transmitted to the House.

S 1249 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1249 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, S 1248 retained its place on the Third Reading Calendar for one legislative day.

S 1222 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1222 passed, title was approved, and the bill ordered transmitted to the House.
S 1223 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1223 passed, title was approved, and the bill ordered transmitted to the House.

S 1224 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Davis, granted by unanimous consent, S 1224 retained its place on the Third Reading Calendar for one legislative day.

S 1225 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1225 passed, title was approved, and the bill ordered transmitted to the House.

Having voted on the prevailing side by which S 1225 passed the Senate, Senator Davis served notice that he may on this or the next legislative day move for reconsideration of the vote.

S 1225 was ordered held at the Secretary's desk.

On request by Senator Davis, granted by unanimous consent, SJR 101 was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 10:30 a.m., Friday, February 19, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 19, 2016

Senate Chamber
President Little called the Senate to order at 10:30 a.m.
Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senator Rice, absent and excused.

Prayer was offered by Father John Worster.
The Pledge of Allegiance was led by Aleena Follett, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 18, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

February 19, 2016

The JUDICIARY AND RULES Committee reports that S 1343 has been correctly printed.

LODGE, Chairman

S 1343 was referred to the Judiciary and Rules Committee.

February 18, 2016

The EDUCATION Committee reports out S 1291 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, S 1291 was referred to the Fourteenth Order of Business, General Calendar.

February 18, 2016

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

Emma Lou Atchley to the State Board of Education, term to expire July 1, 2020.

MORTIMER, Chairman

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

February 19, 2016

The STATE AFFAIRS Committee reports out HCR 42 with the recommendation that it do pass.

MCKENZIE, Chairman

HCR 42 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Rice was recorded present at this order of business.

February 19, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 431 with the recommendation that it do pass.

SIDDOWAY, Chairman

H 431 was filed for second reading.

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

Messages from the Governor

February 18, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Susan Elizabeth Buxton of Boise, Idaho, was appointed as the Administrator of the Division of Human Resources to serve a term effective March 1, 2016. Under Idaho law Administrator Buxton serves at the pleasure of the Governor; however, pursuant to Idaho Code 59-904, under no circumstances shall her appointment extend beyond the Governor's term.

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

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

The correspondence was ordered filed in the office of the Secretary of the Senate.
The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 18, 2016

Dear Mr. President:

I transmit herewith H 486, H 452, and H 439, which have passed the House.

ALEXANDER, Chief Clerk

H 486, H 452, and H 439 were filed for first reading.

February 18, 2016

Dear Mr. President:

I return herewith Enrolled S 1206, S 1207, S 1197, S 1216, S 1217, S 1210, S 1233, S 1215, and S 1213, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1206, S 1207, S 1197, S 1216, S 1217, S 1210, S 1233, S 1215, and S 1213 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

February 18, 2016

Dear Mr. President:

I return herewith Enrolled SCR 133, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 133 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

S 1225 having been held at the desk for possible reconsideration of the vote by which it passed the Senate, and no motion for reconsideration having been received, S 1225 was ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1344

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTROLLED HUNTS; AND AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-104A, IDAHO CODE, TO PROVIDE FOR CONTRACTS WITH PRIVATE ENTITIES TO CONDUCT DRAWINGS FOR CONTROLLED HUNT PERMITS AND TAGS, TO PROVIDE A PROCEDURE AND TO PROVIDE FOR RULEMAKING.

S 1345

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO INSURANCE PRODUCER LICENSING; AMENDING SECTION 41-1016, IDAHO CODE, TO PROVIDE A CAUSE OR VIOLATION FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO SUSPEND, REVOKE OR REFUSE TO ISSUE OR CONTINUE A PRODUCER LICENSE.

S 1346

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO STATE EMPLOYEE HEALTH PLANS; AMENDING SECTION 67-5761B, IDAHO CODE, TO CLARIFY THAT THE DEPARTMENT OF ADMINISTRATION SHALL OFFER A HEALTH SAVINGS ACCOUNT PROGRAM, TO PROVIDE FOR A HEALTH SAVINGS ACCOUNT ADMINISTRATOR AND TO PROVIDE THAT STATE EMPLOYERS SHALL DEPOSIT A CERTAIN AMOUNT INTO A HEALTH SAVINGS ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

S 1347

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TAX DEED SALES; AMENDING SECTION 31-808, IDAHO CODE, TO TRANSFER THE AUTHORITY AND RESPONSIBILITY OF HANDLING EXCESS PROCEEDS FROM TAX DEED SALES TO THE STATE TREASURER.

S 1348

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TAX DEEDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 43-720, IDAHO CODE, TO PROVIDE FOR TAX DEED PURPOSES THAT THE TERM "ENCUMBRANCES" DOES NOT INCLUDE EASEMENTS, HIGHWAYS AND RIGHTS-OF-WAY; AMENDING SECTION 50-1823, IDAHO CODE, TO PROVIDE FOR TAX DEED PURPOSES THAT THE TERM "ENCUMBRANCES" DOES NOT INCLUDE EASEMENTS, HIGHWAYS AND RIGHTS-OF-WAY; AMENDING SECTION 63-1009, IDAHO CODE, TO PROVIDE FOR TAX DEED PURPOSES THAT THE TERM "ENCUMBRANCES" DOES NOT INCLUDE EASEMENTS, HIGHWAYS AND RIGHTS-OF-WAY; AND DECLARING AN EMERGENCY.

S 1349

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO UNBORN INFANTS DIGNITY ACT; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR FINAL DISPOSITION OF CERTAIN REMAINS, TO PROVIDE FOR CERTAIN FETAL DEATH CERTIFICATES, TO PROVIDE PROHIBITIONS, TO REQUIRE INFORMED CONSENT FOR EXPERIMENTATION UNDER CERTAIN
CIRCUMSTANCES, TO ESTABLISH CRIMINAL PENALTIES, TO PROVIDE DUTIES OF THE ATTORNEY GENERAL AND PROSECUTING ATTORNEYS, TO PROVIDE FOR CERTAIN CIVIL AND ADMINISTRATIVE ACTIONS AND TO PROVIDE FOR STATUTORY CONSTRUCTION; AND PROVIDING SEVERABILITY.

S 1344, S 1345, S 1346, S 1347, S 1348, and S 1349 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 486, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 452, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 439, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1235 and S 1255, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 428, S 1266, and S 1267, by Education Committee, were read the second time at length and filed for third reading.

H 346, H 357, and H 386, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

H 405, by Local Government Committee, was read the second time at length and filed for third reading.

H 373, S 1268, and S 1294, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 432, by Business Committee, was read the second time at length and filed for third reading.

S 1264, S 1314, and S 1318, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1311, by Transportation Committee, was read the second time at length and filed for third reading.

H 374, H 375, and S 1281, by Health and Welfare Committee, were read the second time at length and filed for third reading.

President Little called President Pro Tempore Hill to the Chair.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

SJR 101 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Pursuant to Senate Rule 39(H), President Pro Tempore Hill disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared SJR 101 adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, S 1248 retained its place on the Third Reading Calendar.

On request by Senator Stennett, granted by unanimous consent, S 1224 was referred to the Fourteenth Order of Business, General Calendar.

S 1244 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senator Keough.

Whereupon the President Pro Tempore ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senators Buckner-Webb, McKenzie, and Thayn, absent and formally excused by the Chair; and Senators Brackett, Heider, Martin, and Rice, absent and excused.

The President Pro Tempore directed the Sergeant at Arms to find and present Senators Brackett, Heider, Martin, and Rice to the Senate.

Senators Brackett, Heider, Martin, and Rice were recorded present.

On request by Senator Keough, granted by unanimous consent, the Call was lifted.

President Little returned to the Chair.

Pursuant to Senate Rule 39(H), Senators Guthrie and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–None.

Total - 35.

Whereupon the President declared **S 1244** passed, title was approved, and the bill ordered transmitted to the House.

**S 1214** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared **S 1214** passed, title was approved, and the bill ordered transmitted to the House.

**S 1258** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Hagedorn. Total - 1.


Total - 35.

Whereupon the President declared **S 1258** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 10:30 a.m., Monday, February 22, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 22, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Alaiare Chambers, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

February 22, 2016

The JUDICIARY AND RULES Committee reports that S 1344, S 1345, S 1346, S 1347, S 1348, and S 1349 have been correctly printed.

LODGE, Chairman

S 1344 was referred to the Resources and Environment Committee.

S 1345 and S 1346 were referred to the Commerce and Human Resources Committee.

S 1347 and S 1348 were referred to the Local Government and Taxation Committee.

S 1349 was referred to the State Affairs Committee.

February 19, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1206, S 1207, S 1197, S 1216, S 1217, S 1210, S 1233, S 1215, and S 1213 were delivered to the Office of the Governor at 11:40 a.m., February 19, 2016.

LODGE, Chairman

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

February 19, 2016

The JUDICIARY AND RULES Committee reports that Enrolled SCR 133 was delivered to the Office of the Secretary of State at 11:41 a.m., February 19, 2016.

LODGE, Chairman

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

February 19, 2016

The RESOURCES AND ENVIRONMENT Committee reports out S 1237, S 1238, S 1239, S 1339, and S 1340 with the recommendation that they do pass.

BAIR, Chairman

S 1237, S 1238, S 1239, S 1339, and S 1340 were filed for second reading.

February 19, 2016

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

Chris Charles Beck to the Oil and Gas Commission, term to expire July 1, 2019.

BAIR, Chairman

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

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

Messages from the House

February 19, 2016

Dear Mr. President:

I transmit herewith H 461 and H 463, which have passed the House.

ALEXANDER, Chief Clerk

H 461 and H 463 were filed for first reading.

February 19, 2016

Dear Mr. President:

I transmit herewith Enrolled H 446 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 446 and ordered it returned to the House.
February 19, 2016

Dear Mr. President:

I return herewith Enrolled SCR 132, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 132 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Joe B. McNeal was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Joe B. McNeal as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

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

On motion by Senator Lodge, seconded by Senator Stennett, the Gubernatorial appointment of William Dale Crawford as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Terry Gestrin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Thayn, seconded by Senator Burgoyne, the Gubernatorial reappointment of Terry Gestrin as a member of the State Insurance Fund Board was confirmed by voice vote.

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

The President announced that the Transportation Committee report relative to the Gubernatorial reappointment of Daniel Scott was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, the Gubernatorial reappointment of Daniel Scott as a member of the Aeronautics Advisory Board was confirmed by voice vote.

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

Senator McKenzie was recorded present at this order of business.

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Emma Lou Atchley was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Mortimer, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Emma Lou Atchley as a member of the State Board of Education was confirmed by voice vote.

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

The President announced that SCR 145 was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Hagedorn, that SCR 145 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President declared SCR 145 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 146 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Hagedorn, seconded by Senator Buckner-Webb, SCR 146 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that HCR 31 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"
On motion by Senator Buckner-Webb, seconded by Senator Ward-Engelking, HCR 31 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, HCR 42 retained its place on the calendar for Thursday, February 25, 2016.

The Senate advanced to the Eleventh Order of Business.

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

H 461, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 463, by Business Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

H 431, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

S 1248 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lakey and Thayn disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1248 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, S 1224 was returned to the third reading calendar.

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

**Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, S 1224 was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Tuesday, February 23, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDaho Legislature
SECOND Regular Session
Sixty-Third Legislature

FORTy-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 23, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nellie Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 22, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 147
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATEing FINDINGS OF THE LEGISLATURE AND RECOGNIZEing NATIONAL WOMAN'S HISTORY MONTH.

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

WHEREAS, at the time of the American Revolution, the notion of education as a safeguard for democracy created opportunities for girls to receive a basic education; and

WHEREAS, advocates of secondary education for women faced arguments from physicians and others who claimed that females were incapable of intellectual development equal to men, and that they would be harmed by striving for it; and

WHEREAS, against social convention and often legal restraints, women have created a legacy in Idaho and in the world that demonstrates their character, courage and commitment to asserting their human dignity and equality. An early example is Emma Edwards Green, who designed the Idaho state seal and described in it the figure of a woman “signifying justice, as noted by the scales; liberty, as denoted by the liberty cap on the end of the spear, and equality with man as denoted by her position at his side, also signifies freedom.” Other examples include Elizabeth Ingram, a schoolteacher who formed the first women's suffrage organization in Idaho in 1893; Helen Louise Young, who was admitted as the first woman lawyer in Idaho; and Clara Campbell, Hattie Noble, and Mary A. Wright, who were the first women to serve as Idaho state legislators in 1898. While these women were inspirational for their achievements, they were also a rarity; and

WHEREAS, while Idaho voters made Idaho the fourth state to extend the right to vote to women, Elizabeth Cady Stanton and Susan B. Anthony were campaigning on the national front for women's suffrage in 1896, and similar struggles were taking place around the world; and

WHEREAS, on March 19, 1911, the first International Women's Day was observed in Austria, Denmark, Germany and Switzerland, with both men and women attending rallies concerning a woman's right to work under decent labor conditions, to vote, to be educated, to hold public office and to hold other rights denied to women; and

WHEREAS, following 1911, International Women's Day has been observed each year on March 8th and is a platform for celebrating women's progress and for bringing attention to gaps in gender equality where they still exist; and

WHEREAS, in 1981, Congress passed a resolution making Women's History Week a national observance, extending it in 1987 to Women's History Month for the entire month of March each year; and

WHEREAS, the women of Idaho of every race, class and ethnic background have made historic contributions to the growth and strength of our state in countless recorded and unrecorded ways; and

WHEREAS, the women of Idaho have played and continue to play a critical economic, cultural, and social role in every sphere of the life of our state by constituting a significant portion of the labor force working inside and outside of the home, and these contributions have been historically overlooked and undervalued in the teaching of history; and

WHEREAS, women constitute 52% of Idaho's population and have proven their skill in holding elected office, serving on boards or commissions and in leadership positions in both private and public sectors. We recognize that the state and her citizens are best served when women participate in the public arena and in leadership positions to the fullest extent of their capabilities.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that March 2016 is recognized as Women's History Month, and the citizens of Idaho are invited and encouraged to learn about the roles that Idaho women have played throughout the history of our nation and state and to support and look forward to women's accomplishments in the future.

SCR 147 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 22, 2016

The JUDICIARY AND RULES Committee reports that Enrolled SCR 132 was delivered to the Office of the Secretary of State at 11:35 a.m., February 22, 2016.

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

February 22, 2016

The STATE AFFAIRS Committee reports out HCR 30 and S 1212 with the recommendation that they do pass.

MCKENZIE, Chairman

HCR 30 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1212 was filed for second reading.

February 22, 2016

The JUDICIARY AND RULES Committee reports out S 1253, S 1276, and S 1277 with the recommendation that they do pass.

LODGE, Chairman

S 1253, S 1276, and S 1277 were filed for second reading.

February 22, 2016

The RESOURCES AND ENVIRONMENT Committee reports out S 1240, S 1241, S 1242, S 1278, S 1304, and S 1344 with the recommendation that they do pass.

BAIR, Chairman

S 1240, S 1241, S 1242, S 1278, S 1304, and S 1344 were filed for second reading.

February 22, 2016

The HEALTH AND WELFARE Committee reports out S 1295 and S 1296 with the recommendation that they do pass.

HEIDER, Chairman

S 1295 and S 1296 were filed for second reading.

February 22, 2016

The EDUCATION Committee reports out S 1320, S 1333, and S 1334 with the recommendation that they do pass.

MORTIMER, Chairman

S 1320, S 1333, and S 1334 were filed for second reading.

February 22, 2016

The EDUCATION Committee reports out H 379 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, H 379 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

February 22, 2016

Dear Mr. President:

I transmit herewith H 476, H 455, H 456, and H 471, which have passed the House.

ALEXANDER, Chief Clerk

H 476, H 455, H 456, and H 471 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Vick, seconded by Senator Lacey, the Gubernatorial reappointment of Chris Charles Beck as a member of the Oil and Gas Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1350

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO LIMITED ARTICLE V CONVENTION ACT; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 16, TITLE 34, IDAHO CODE, TO PROVIDE THE IDAHO LIMITED ARTICLE V CONVENTION ACT, TO DEFINE TERMS, TO PROVIDE FOR INSTRUCTION TO DELEGATES, TO PROVIDE LIMITATIONS ON THE AUTHORITY OF DELEGATES, TO PROVIDE DUTIES OF THE SECRETARY OF STATE AND TO PROVIDE A CITATION.

S 1351

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PRISONERS; AMENDING SECTION 20-617, IDAHO CODE, TO PROVIDE THAT CERTAIN CONFINED PERSONS MAY BE REQUIRED TO PERFORM LABOR ON COMMUNITY SERVICE PROJECTS.

S 1352

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO GUARDIANS OF MINORS; AMENDING SECTION 15-5-210, IDAHO CODE, TO PROVIDE THAT A GUARDIAN'S AUTHORITY AND RESPONSIBILITY SHALL TERMINATE UPON TERMINATION OF THE GUARDIANSHIP AND TO REVISE A PROVISION REGARDING THE RESIGNATION OF A GUARDIAN; AND AMENDING SECTION 15-5-212, IDAHO CODE, TO PROVIDE FOR PROCEEDINGS FOR THE MODIFICATION
OR TERMINATION OF A GUARDIANSHIP AND TO MAKE TECHNICAL CORRECTIONS.

S 1350, S 1351, and S 1352 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 476, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 455 and H 456, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 471, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1237, S 1238, S 1239, S 1339, and S 1340, by Resources and Environment Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Lakey, granted by unanimous consent, S 1257 retained its place on the Third Reading Calendar for one legislative day.

S 1224, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Stenett arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.

Whereupon the President Pro Tempore declared S 1250 passed, title was approved, and the bill ordered transmitted to the House.

S 1251 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.

Whereupon the President Pro Tempore declared S 1251 passed, title was approved, and the bill ordered transmitted to the House.

S 1283 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1283 passed, title was approved, and the bill ordered transmitted to the House.

S 1221 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1221 passed, title was approved, and the bill ordered transmitted to the House.

S 1286 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1286 passed, title was approved, and the bill ordered transmitted to the House.

S 1287 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President Pro Tempore declared S 1287 passed, title was approved, and the bill ordered transmitted to the House.

S 1279 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1279 passed, title was approved, and the bill ordered transmitted to the House.

S 1290 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bair. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1290 passed, title was approved, and the bill ordered transmitted to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 362, S 1285, S 1280, S 1297, S 1312, and S 1291, without recommendation, amended as follows:

SENATE AMENDMENT TO H 362
AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 22 through 27, and insert:

"(12) "Person" means every any individual, partnership, corporation, organization or association holding a retail liquor license business corporation, nonprofit corporation, benefit corporation as defined in section 30-2002(1), Idaho Code; partnership, limited partnership, nonprofit corporation, benefit corporation, general cooperative association, limited cooperative association, estate, unincorporated nonprofit association, statutory trust, business trust, common-law business trust, estate trust, associations, joint venture, public corporation, government or governmental subdivision, agency or instrumentality, any entity defined in section 30-21-102, Idaho Code, or any other commercial entity, whether conducting the business singularly or collectively."

SENATE AMENDMENT TO S 1285
AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 20, delete "contingent" and insert: "restricted"; in line 21, delete "contingent on the" and insert: "restricted to those licensees"; in line 22, delete "licensee"; also in line 22, following "state" insert: "and teaching upper division engineering courses"; and in line 24, following "rule," insert: "As used in this section, "restricted license" means a license to teach college or university upper division courses with an earned doctorate but without passing a technical examination.".

CORRECTION TO TITLE

On page 1, in line 4, delete "AND" and insert: ";"; in line 5, delete "CONTINGENT" and insert: "RESTRICTED"; and in line 6, following "CONDITIONS" insert: "AND TO DEFINE A TERM".

SENATE AMENDMENT TO S 1280
AMENDMENT TO SECTION 1

On page 4 of the printed bill, delete lines 6 through 11, and insert:

a) A student attending an Idaho public institution of higher education with financial assistance provided by another country or governmental unit or agency thereof. Such nonresidency shall continue for twelve (12) months
after the completion of the last semester for which such assistance was provided.

(b) A student who is not a United States citizen, unless lawfully present in the United States.

SENATE AMENDMENT TO S 1297
AMENDMENT TO THE BILL
On page 2 of the printed bill, following line 47, insert:

"SECTION 3. That Section 34-404, Idaho Code, be, and the same is hereby amended to read as follows:

34-404. REGISTRATION OF ELECTORS. (1) All electors must register before being able to vote at any primary, general, special, school or any other election governed by the provisions of title 34, Idaho Code. Registration of a qualified person occurs when a legible, accurate and complete registration card application is received in the office of the county clerk or is received at the polls pursuant to section 34-408A, Idaho Code.

(2) Each elector may select on the registration card application an affiliation with a political party qualified to participate in elections pursuant to section 34-501, Idaho Code, or may select to be designated as "unaffiliated." The county clerk shall record the party affiliation or "unaffiliated" designation so selected as part of the elector's registration record. If an elector shall fail or refuse to make such a selection, the county clerk shall enter on the registration records that such elector is "unaffiliated."

(3) In order to provide an elector with the appropriate primary election ballot, pursuant to section 34-904A, Idaho Code, the poll book for primary elections shall include the party affiliation or designation as "unaffiliated" for each elector so registered. An "unaffiliated" elector shall declare to the poll worker which primary election ballot the elector chooses to vote in, pursuant to section 34-904A, Idaho Code, and the poll worker or other authorized election personnel shall record such declaration in the poll book. The poll book shall contain checkoff boxes to allow the poll worker or other authorized election personnel to record such "unaffiliated" elector's selection.

(4) In order to provide electors who are already registered to vote, and who remain registered electors, with an opportunity to select a party affiliation or to select their status as "unaffiliated," the poll book for the 2012 primary election shall include checkoff boxes by which the poll worker or other authorized election personnel shall record each elector's choice of party affiliation or choice to be designated as "unaffiliated." After the 2012 primary election, the county clerk shall record the party affiliation or "unaffiliated" designation so selected in the poll book as part of such an elector's record within the voter registration system as provided for in section 34-437A, Idaho Code.

(5) After the 2012 primary election, electors who remain registered voters and who did not vote in the 2012 primary election or who have not selected party affiliation or who have not selected to be designated as "unaffiliated," shall be designated as "unaffiliated" and the county clerk shall record that designation for each such elector within the voter registration system as provided for in section 34-437A, Idaho Code.

SECTION 4. That Section 34-408, Idaho Code, be, and the same is hereby amended to read as follows:

34-408. CLOSING OF REGISTER – TIME LIMIT. (1) No elector may register in the office of the county clerk within twenty-four (24) days preceding any election held throughout the county in which he resides for the purpose of voting at such election; provided however, a legible, accurate and complete registration card application received in the office of the county clerk during the twenty-four (24) day period preceding an election shall be accepted and held by the county clerk until the day following the election when registration reopens, at which time the registration shall become effective. This deadline shall also apply to any registrants the county clerk may have appointed.

(2) Any elector who will complete his residence requirement or attain the requisite voting age during the period when the register of electors is closed may register prior to the closing of the register.

(3) Notwithstanding subsection (1) of this section, an individual who is eligible to vote may also register, upon providing proof of residence, at the "absent electors' polling place" provided in section 34-1006, Idaho Code.

SECTION 5. That Section 34-408A, Idaho Code, be, and the same is hereby amended to read as follows:

34-408A. ELECTION DAY REGISTRATION. An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration card application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) Showing an Idaho driver's license or Idaho identification card application issued through the department of transportation; or

(2) Showing any document which contains a valid address in the precinct together with a picture identification card application; or

(3) Showing a current valid student photo identification card application from a postsecondary educational institution in Idaho accompanied with a current student fee statement that contains the student's valid address in the precinct.

Election day registration provided in this section shall apply to all elections conducted under title 34, Idaho Code, and to school district and municipal elections.

An individual who is eligible to vote may also register, upon providing proof of residence, at the "absent electors' polling place" provided in section 34-1006, Idaho Code.

SECTION 6. That Section 34-416, Idaho Code, be, and the same is hereby amended to read as follows:

34-416. REGISTRATION CARDS APPLICATIONS. (1) The registration card application shall contain the following warning:

WARNING: Any elector who supplies any information, knowing it to be false, is guilty of perjury.

(2) The elector shall read the warning set forth in subsection (1) of this section and shall sign his name in an appropriate place on the completed card application.

(3) The registration card application completed and signed as provided in this section constitutes the official registration card application of the elector. The county clerk shall keep and file all such card applications in a convenient manner in his office. Such card applications constitute the register of electors and shall be considered confidential and unavailable for public inspection and copying except as provided by subsection (25) of section 74-106, Idaho Code.
SECTION 7. That Section 34-419, Idaho Code, be, and the same is hereby amended to read as follows:

34-419. SUSPENSION OF REGISTRATION OF ELECTORS WHO APPEAR NOT TO BE CITIZENS OF THE UNITED STATES. The county clerk shall remove from the register of electors the official registration and application of any elector who appears by the registration records in the office of the county clerk not to be a citizen of the United States and shall suspend the registration of such elector. The county clerk shall mail a written notice of such removal and suspension to the elector at his residence address indicated on the said application. If the elector proves to the county clerk that he is in fact a citizen of the United States, his said application shall be replaced in the register and his registration reinstated.

SECTION 8. That Section 34-420, Idaho Code, be, and the same is hereby amended to read as follows:

34-420. NO ELECTOR'S REGISTRATION SHALL BE CANCELLED WHILE HE IS SERVING IN THE ARMED FORCES – EXCEPTION. (1) Except as provided in section 34-435, Idaho Code, no elector's registration shall be cancelled, nor shall he be deprived of his right to vote at any election by reason of the removal of his official registration and application from the register of electors, during any period that he is serving in the armed forces of the United States or of any ally of the United States.

(2) In order to facilitate the implementation of the provisions of subsection (1) of this section, the one hundred twenty (120) day limitation in section 34-435, Idaho Code, shall be waived for the year 1987, in order to allow military registrations to be cancelled by the county clerk in calendar year 1987.

SECTION 9. That Section 74-106, Idaho Code, be, and the same is hereby amended to read as follows:

74-106. RECORDS EXEMPT FROM DISCLOSURE – PERSONNEL RECORDS, PERSONAL INFORMATION, HEALTH RECORDS, PROFESSIONAL DISCIPLINE. The following records are exempt from disclosure:

(1) Except as provided in this subsection, all personnel records of a current or former public official other than the public official's public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace and employing agency. All other personnel information relating to a public employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence and performance evaluations, shall not be disclosed to the public without the employee's or applicant's written consent. Names of applicants to classified or merit system positions shall not be disclosed to the public without the applicant's written consent. Disclosure of names as part of a background check is permitted. Names of the five (5) final applicants to all other positions shall be available to the public. If such group is less than five (5) finalists, then the entire list of applicants shall be available to the public. A public official or authorized representative may inspect and copy his personnel records, except for material used to screen and test for employment.

(2) Retired employees' and retired public officials' home addresses, home telephone numbers and other financial and nonfinancial membership records; active and inactive member financial and membership records and mortgage portfolio loan documents maintained by the public employee retirement system. Financial statements prepared by retirement system staff, funding agents and custodians concerning the investment of assets of the public employee retirement system of Idaho are not considered confidential under this chapter.

(3) Information and records submitted to the Idaho state lottery for the performance of background investigations of employees, lottery retailers and major procurement contractors; audit records of lottery retailers, vendors and major procurement contractors submitted to or performed by the Idaho state lottery; validation and security tests of the state lottery for lottery games; business records and information submitted pursuant to sections 67-7412(8) and (9) and 67-7421(8) and (9), Idaho Code, and such documents and information obtained and held for the purposes of lottery security and investigative action as determined by lottery rules unless the public interest in disclosure substantially outweighs the private need for protection from public disclosure.

(4) Records of a personal nature as follows:

(a) Records of personal debt filed with a public agency or independent public body corporate and politic pursuant to law;

(b) Personal bank records compiled by a public depositary for the purpose of public funds transactions conducted pursuant to law;

(c) Records of ownership of financial obligations and instruments of a public agency or independent public body corporate and politic, such as bonds, compiled by the public agency or independent public body corporate and politic pursuant to law;

(d) Records, with regard to the ownership of, or security interests in, registered public obligations;

(e) Vital statistics records; and

(f) Military records as described in and pursuant to section 65-301, Idaho Code.

(5) Information in an income or other tax return measured by items of income or sales, which is gathered by a public agency for the purpose of administering the tax, except such information to the extent disclosed in a written decision of the tax commission pursuant to a taxpayer protest of a deficiency determination by the tax commission, under the provisions of section 63-3045B, Idaho Code.

(6) Records of a personal nature related directly or indirectly to the application for and provision of statutory services rendered to persons applying for public care for people who are elderly, indigent or have mental or physical disabilities, or participation in an environmental or a public health study, provided the provisions of this subsection making records exempt from disclosure shall not apply to the extent that such records or information contained in those records are necessary for a background check on an individual that is required by federal law regulating the sale of firearms, guns or ammunition.

(7) Employment security information, except that a person may agree, through written, informed consent, to waive the exemption so that a third party may obtain information pertaining to the person, unless access to the information by the person is restricted by subsection (3)(a), (3)(b) or (3)(d) of section 74-113, Idaho Code. Notwithstanding the provisions of section 74-113, Idaho Code, a person may not review identifying information concerning an informant who reported to the department of labor a suspected violation by the person of the employment security law, chapter 13, title 72, Idaho Code, under an assurance of confidentiality. As used in this section and in chapter 13, title 72, Idaho Code, "employment security information" means any information descriptive of an identifiable person or persons that is received by, recorded by, prepared by, furnished to or collected
by the department of labor or the industrial commission in the administration of the employment security law.

(8) Any personal records, other than names, business addresses and business phone numbers, such as parentage, race, religion, sex, height, weight, tax identification and social security numbers, financial worth or medical condition submitted to any public agency or independent public body corporate and politic pursuant to a statutory requirement for licensing, certification, permit or bonding.

(9) Unless otherwise provided by agency rule, information obtained as part of an inquiry into a person's fitness to be granted or retain a license, certificate, permit, privilege, commission or position, private association peer review committee records authorized in title 54, Idaho Code. Any agency which has records exempt from disclosure under the provisions of this subsection shall annually make available a statistical summary of the number and types of matters considered and their disposition.

(10) The records, findings, determinations and decisions of any prelitigation screening panel formed under chapters 10 and 23, title 6, Idaho Code.

(11) Complaints received by the board of medicine and investigations and informal proceedings, including informal proceedings of any committee of the board of medicine, pursuant to chapter 18, title 54, Idaho Code, and rules adopted thereunder.

(12) Records of the department of health and welfare or a public health district that identify a person infected with a reportable disease.

(13) Records of hospital care, medical records, including prescriptions, drug orders, records or any other prescription information that specifically identifies an individual patient, prescription records maintained by the board of pharmacy under sections 37-2726 and 37-2730A, Idaho Code, records of psychiatric care or treatment and professional counseling records relating to an individual's condition, diagnosis, care or treatment, provided the provisions of this subsection making records exempt from disclosure shall not apply to the extent that such records or information contained in those records are necessary for a background check on an individual that is required by federal law regulating the sale of firearms, guns or ammunition.

(14) Information collected pursuant to the directory of new hires act, chapter 16, title 72, Idaho Code.

(15) Personal information contained in motor vehicle and driver records that is exempt from disclosure under the provisions of chapter 2, title 49, Idaho Code.

(16) Records of the financial status of prisoners pursuant to subsection (2) of section 20-607, Idaho Code.

(17) Records of the Idaho state police or department of correction received or maintained pursuant to section 19-5514, Idaho Code, relating to DNA databases and databanks.

(18) Records of the department of health and welfare relating to a survey, resurvey or complaint investigation of a licensed nursing facility shall be exempt from disclosure. Such records shall, however, be subject to disclosure as public records as soon as the facility in question has received the report, and no later than the fourteenth day following the date that department of health and welfare representatives officially exit the facility pursuant to federal regulations. Provided however, that for purposes of confidentiality, no record shall be released under this section which specifically identifies any nursing facility resident.

(19) Records and information contained in the registry of immunizations against childhood diseases maintained in the department of health and welfare, including information disseminated to others from the registry by the department of health and welfare.

(20) Records of the Idaho housing and finance association (IHFA) relating to the following:

(a) Records containing personal financial, family, health or similar personal information submitted to or otherwise obtained by the IHFA;

(b) Records submitted to or otherwise obtained by the IHFA with regard to obtaining and servicing mortgage loans and all records relating to the review, approval or rejection by the IHFA of said loans;

(c) Mortgage portfolio loan documents;

(d) Records of a current or former employee other than the employee's duration of employment with the association, position held and location of employment. This exemption from disclosure does not include the contracts of employment or any remuneration, including reimbursement of expenses, of the executive director, executive officers or commissioners of the association. All other personnel information relating to an association employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence, retirement plan information and performance evaluations, shall not be disclosed to the public without the employee's or applicant's written consent. An employee or authorized representative may inspect and copy that employee's personnel records, except for material used to screen and test for employment or material not subject to disclosure elsewhere in the Idaho public records act.

(21) Records of the department of health and welfare related to child support services in cases in which there is reasonable evidence of domestic violence, as defined in chapter 63, title 39, Idaho Code, that can be used to locate any individuals in the child support case except in response to a court order.

(22) Records of the Idaho state bar lawyer assistance program pursuant to chapter 49, title 54, Idaho Code, unless a participant in the program authorizes the release pursuant to subsection (4) of section 54-4901, Idaho Code.

(23) Records and information contained in the trauma registry created by chapter 20, title 57, Idaho Code, together with any reports, analyses and compilations created from such information and records.

(24) Records contained in the court files, or other records prepared as part of proceedings for judicial authorization of sterilization procedures pursuant to chapter 39, title 39, Idaho Code.

(25) The physical voter registration card application on file in the county clerk's office; however, a redacted copy of said card application shall be made available consistent with the requirements of this section. Information from the voter registration card application maintained in the statewide voter registration database, including age, will be made available except for the voter's driver's license number, date of birth and, upon a showing that the voter comes within the provisions of subsection (30) of this section or upon showing of good cause by the voter to the county clerk in consultation with the county prosecuting attorney, the physical residence address of the voter. For the purposes of this subsection good cause shall include the protection of life and property and protection of victims of domestic violence and similar crimes.

(26) File numbers, passwords and information in the files of the health care directive registry maintained by the secretary of state under section 39-4515, Idaho Code, are confidential and shall not be disclosed to any person other than to the person who executed the health care directive or the revocation thereof and that person's legal representatives, to the person who registered the health care directive or revocation thereof, and to physicians, hospitals, medical personnel, nursing homes, and other persons
who have been granted file number and password access to the documents within that specific file.

(27) Records in an address confidentiality program participant's file as provided for in chapter 57, title 19, Idaho Code, other than the address designated by the secretary of state, except under the following circumstances:
   (a) If requested by a law enforcement agency, to the law enforcement agency; or
   (b) If directed by a court order, to a person identified in the order.

(28) Except as otherwise provided by law relating to the release of information to a governmental entity or law enforcement agency, any personal information including, but not limited to, names, personal and business addresses and phone numbers, sex, height, weight, date of birth, social security and driver's license numbers, or any other identifying numbers and/or information related to any Idaho fish and game licenses, permits and tags unless written consent is obtained from the affected person.

(29) Documents and records related to continuing education and recordkeeping violations that are maintained by the Idaho board of veterinary medicine under the provisions of section 54-2118(1)(b), Idaho Code, provided the requirements set forth therein are met.

(30) The Idaho residential street address and telephone number of an eligible law enforcement officer and such officer's residing household member(s) as provided for in chapter 58, title 19, Idaho Code, except under the following circumstances:
   (a) If directed by a court order, to a person identified in the court order;
   (b) If requested by a law enforcement agency, to the law enforcement agency;
   (c) If requested by a financial institution or title company for business purposes, to the requesting financial institution or title company; or
   (d) If the law enforcement officer provides written permission for disclosure of such information.

(31) All information exchanged between the Idaho transportation department and insurance companies, any database created, all information contained in the verification system and all reports, responses or other information generated for the purposes of the verification system, pursuant to section 49-1234, Idaho Code.

(32) Nothing in this section shall prohibit the release of information to the state controller as the state social security administrator as provided in section 59-1101A, Idaho Code.

(33) Personal information including, but not limited to, property values, personal and business addresses, phone numbers, dates of birth, social security and driver's license numbers or any other identifying numbers or information maintained by the administrator of the unclaimed property law set forth in chapter 5, title 14, Idaho Code. Nothing in this subsection shall prohibit the release of names, last known city of residence, property value ranges and general property information by the administrator for the purpose of reuniting unclaimed property with its owner."

On page 3, in line 1, delete "3" and insert: "10".

CORRECTION TO TITLE
On page 1, delete line 6, and insert: "FICE OF THE SECRETARY OF STATE; AMENDING SECTION 34-404, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-408, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-408A, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-416, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-419, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-420, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AND DECLARING AN EMERGENCY."

SENATE AMENDMENT TO S 1312
AMENDMENT TO SECTION 1
On page 2 of the printed bill, in line 21, delete "or passenger"; in line 22, delete "or passenger"; also in line 22, delete "being" and insert: "having"; and in line 24, delete "section" and insert: "subsection".

SENATE AMENDMENT TO S 1291
AMENDMENT TO SECTION 1
On page 1 of the printed bill, delete lines 28 through 31, and insert:

"(c) "Eligible institution" shall be defined in the same manner as provided in section 33-4303(2)(b), Idaho Code.;" in line 37, delete "and"; in line 40, delete "and" and insert: "and"; and after line 40, insert:

"(v) Is pursuing a clearly identified career path.".

The Committee also has S 1256 and S 1260 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Lakey, seconded by Senator Burgoyne, the report was adopted by voice vote.

H 362, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

S 1285, as amended, S 1280, as amended, S 1297, as amended, S 1312, as amended, and S 1291, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

February 23, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to H 362, S 1285, S 1280, S 1297, S 1312, and S 1291 have been correctly printed.

LODGE, Chairman

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

February 23, 2016

The JUDICIARY AND RULES Committee reports that S 1285, as amended, S 1280, as amended, S 1297, as amended, S 1312, as amended, and S 1291, as amended, have been correctly engrossed.

LODGE, Chairman


S 1285, as amended, S 1280, as amended, S 1297, as amended, S 1312, as amended, and S 1291, as amended, were filed for first reading.

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

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

H 362, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1285, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

S 1280, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1297, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1312, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

S 1291, as amended, by Education Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator McKenzie, granted by unanimous consent, S 1297, as amended, was referred to the Fourteenth Order of Business, General Calendar.

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

Petitions, Resolutions, and Memorials

On motion by Senator Lakey, seconded by Senator Burgoyne, by voice vote the Senate recessed at 12:20 p.m. until the hour of 4:30 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m. President Little assumed the Chair.

Roll call showed all members present except Senators Anthon and Lakey, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 23, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 377, S 1288, S 1345, and S 1346 with the recommendation that they do pass.

PATRICK, Chairman

H 377, S 1288, S 1345, and S 1346 were filed for second reading.

February 23, 2016

The EDUCATION Committee reports out H 452 and S 1336 with the recommendation that they do pass.

MORTIMER, Chairman

H 452 and S 1336 were filed for second reading.

February 23, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 474 and S 1325 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 474 and S 1325 were filed for second reading.

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

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

S 1353

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR ATTORNEYS FEES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR INFORMATION TECHNOLOGY COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE PRISONS ADMINISTRATION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR TRAINING COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE IDAHO STATE CORRECTIONAL CENTER FOR FISCAL YEAR 2016 TO PROVIDE FOR FOOD SERVICE DELIVERY; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE POCATELLO WOMEN'S CORRECTIONAL CENTER FOR FISCAL YEAR 2016 TO PROVIDE FOR RELIGIOUS ACTIVITIES CONTRACT COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY SUPERVISION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR ADDITIONAL PERSONNEL COSTS AND OPERATING EXPENDITURES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY WORK CENTERS PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR SEWER REPAIRS; REDUCING THE APPROPRIATION TO THE
DEPARTMENT OF CORRECTION FOR THE IDAHO STATE CORRECTIONAL INSTITUTION FOR FISCAL YEAR 2016 DUE TO CLOSURE OF A UNIT; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE COUNTY AND OUT-OF-STATE PLACEMENT PROGRAM FOR FISCAL YEAR 2016 DUE TO CONTRACT SAVINGS; Reducing the Appropriation to the Department of Correction for the Correctional Alternative Placement Program for Fiscal Year 2016 due to Contract Savings; Reducing the Appropriation to the Department of Correction for the Community Supervision Program for Fiscal Year 2016 due to Savings in Training Costs; Reducing the Appropriation to the Department of Correction for the Correctional Alternative Placement Program for Fiscal Year 2016 due to Contract Savings; and Declaring an Emergency.

S 1353 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, S 1235 retained its place on the Third Reading Calendar for one legislative day.

S 1218 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared S 1218 passed, title was approved, and the bill ordered transmitted to the House.

S 1255 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared S 1255 passed, title was approved, and the bill ordered transmitted to the House.

S 1266 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared S 1266 passed, title was approved, and the bill ordered transmitted to the House.

S 1267 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.
Whereupon the President declared **S 1267** passed, title was approved, and the bill ordered transmitted to the House.

**S 1268** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared **S 1268** passed, title was approved, and the bill ordered transmitted to the House.

**S 1294** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Keough, Nuxoll, Souza, Stennett, Vick. Total - 5.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared **S 1294** passed, title was approved, and the bill ordered transmitted to the House.

**S 1264** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Patrick, Thayn, Ward-Engelking, Winder. Total - 17.


Absent and excused–Anthon. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted NAY and declared that **S 1264** had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

**S 1314** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared **S 1314** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6 p.m. until the hour of 10 a.m., Wednesday, February 24, 2016.

BRAD LITTLE, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE
____________________
FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 24, 2016

Senator Chamber

President Little called the Senate to order at 10 a.m.
Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair; and Senators Bair, Buckner-Webb, Rice, and Ward-Engelking, absent and excused.

Prayer was offered by Father John Worster.
The Pledge of Allegiance was led by Anna Daley Laursen, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2016, was read and approved as corrected.

LODGE, Chairman

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

Senators Rice, Ward-Engelking, and Buckner-Webb were recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

SCR 148
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE
AND RECOGNIZING THE CONTRIBUTIONS AND
ACCOMPLISHMENTS OF HECLA MINING COMPANY
AND ITS EMPLOYEES AND CONGRATULATING HECLA
MINING COMPANY ON ITS 125TH ANNIVERSARY.

Be It Resolved by the Legislature of the State of Idaho:
WHEREAS, the company was formed for the purposes of acquiring and trading mining claims in what was then North Idaho's newly discovered Silver Valley; and
WHEREAS, mining played an integral role in the settlement of the West and, in particular, North Idaho; and
WHEREAS, Hecla Mining Company has endured the Great Depression, two World Wars and extreme swings in metals prices; and
WHEREAS, today with four operating North American mines, a number of exploration properties and pre-development projects, Hecla Mining Company is the largest primary silver producer in the United States; and
WHEREAS, Hecla Mining Company is the oldest New York Stock Exchange listed precious metals mining company in all of North America; and
WHEREAS, Hecla Mining Company has advanced techniques that have improved mine worker safety, such as wireless technology, advanced seismic monitoring systems, low-emission diesel-powered equipment and implementation of risk-based management systems that have improved mine worker safety; and
WHEREAS, Hecla Mining Company has a deep connection with the communities in which it operates, providing over $800 million to the North Idaho economy in just the last five years alone in wages, benefits, taxes and economic support of education, youth activities, community health and infrastructure; and
WHEREAS, Hecla Mining Company has just over 1,400 employees worldwide, with about 380 of them in North Idaho.
Hecla Mining Company provides many of the highest-paying jobs in North Idaho; and
WHEREAS, Hecla Mining Company has a strong asset profile with assets including Greens Creek in Alaska, Lucky Friday in Mullan, Idaho, Casa Berardi in Quebec, San Sebastian in Mexico and Rock Creek in Montana; and
WHEREAS, Hecla Mining Company will continue to help supply the world's increasing consumer demand for goods that require silver, gold, zinc and lead, with silver being a key ingredient for solar voltaic cells, modern electronics and medical applications.
NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize the contributions and accomplishments of Hecla Mining Company and its employees, and congratulate Hecla Mining Company on its 125th anniversary.

SCR 149
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE
AND ENDORSING THE NEED FOR A VETERANS CEMETERY
IN EASTERN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:
WHEREAS, Idaho is the home to more than 132,000 veterans; and
WHEREAS, more than 30,000 veterans live in the Eastern Idaho catchment areas; and
WHEREAS, the nearest veterans cemetery to Eastern Idaho is the Idaho State Veterans Cemetery in Boise, Idaho, that is more than 200 miles driving distance; and
WHEREAS, although the Idaho State Veterans Cemetery in Boise is a beautiful resting place for Idaho veterans, due to its
distance from Eastern Idaho and the population density of the region, the needs of Eastern Idaho veterans and their families are not met by the Idaho State Cemetery in Boise, Idaho; and

WHEREAS, pursuant to 38 CFR 39 the state is obligated to provide the land and pay for ongoing cemetery maintenance and operation of a state veterans cemetery; and

WHEREAS, pursuant to 38 CFR 39 the federal government shares this belief, and the Department of Veterans Affairs' State Cemetery Grants Service pays 100% of architectural and engineering costs, to include planning, construction, and equipment, for the development of a state veterans cemetery; and

WHEREAS, pursuant to 38 CFR 39 the state is obligated to provide 10% architectural and engineering matching funds necessary to qualify for federal funding; and

WHEREAS, pursuant to 38 CFR 39 the 10% architectural and engineering matching funds will be reimbursed to the state following grant award; and

WHEREAS, Eastern Idaho leaders and the community have identified potential land donations in an effort to meet the state's obligation to provide land.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we endorse the need for a veterans cemetery in Eastern Idaho and that legislation should be adopted to facilitate the exchange of property and to authorize the Division of Veterans Services to accept gifts, grants, contributions and bequests, and to purchase and hold title to property on behalf of the State of Idaho.

BE IT FURTHER RESOLVED that the Legislature should act expeditiously so that no more time passes before Eastern Idaho's veterans are given the respect they are so worthy of receiving.

SCR 148 and SCR 149 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees
February 24, 2016

The JUDICIARY AND RULES Committee reports that SCR 147, S 1350, S 1351, S 1352, and S 1353 have been correctly printed.

LODGE, Chairman

SCR 147 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1350 was referred to the State Affairs Committee.

S 1351 and S 1352 were referred to the Judiciary and Rules Committee.

S 1353 was referred to the Finance Committee.

February 24, 2016

The STATE AFFAIRS Committee reports out S 1274 and S 1275 with the recommendation that they do pass.

MCKENZIE, Chairman

S 1274 and S 1275 were filed for second reading.

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

Messages from the Governor
February 23, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Michael "Mike" Mark Mooney of Boise, Idaho, was appointed as a member of the Idaho Energy Resources Authority to serve a term commencing February 18, 2016, and expiring June 30, 2020.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House
February 23, 2016

Dear Mr. President:

I transmit herewith H 454, H 472, H 495, H 464, H 458, H 459, H 473, and HCR 35, which have passed the House.

ALEXANDER, Chief Clerk

H 454, H 472, H 495, H 464, H 458, H 459, H 473, and HCR 35 were filed for first reading.

February 23, 2016

Dear Mr. President:

I transmit herewith Enrolled H 352, H 359, H 360, and H 376 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 352, H 359, H 360, and H 376 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the following attaches were elected to fill the offices provided for by the Constitution of the State of Idaho and by statute:
Whereupon the President instructed the Sergeant at Arms to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

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

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

**S 1354**

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ALCOHOL BEVERAGE CATERING PERMITS; AMENDING SECTION 23-902, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-934A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ALCOHOL BEVERAGE CATERING PERMITS; AMENDING SECTION 23-934B, IDAHO CODE, TO REVISE PROVISIONS REGARDING FILING AND APPROVAL OF AN APPLICATION FOR AN ALCOHOL BEVERAGE CATERING PERMIT; AND AMENDING SECTION 23-217, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**S 1355**

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO INVASIVE SPECIES; AMENDING SECTION 22-1910A, IDAHO CODE, TO CLARIFY THAT PEACE OFFICERS MAY ISSUE A CITATION FOR CERTAIN PERSONS AND TO PROVIDE THAT PEACE OFFICERS SHALL ACCOMPANY A VEHICLE TO AN INSPECTION STATION IN CERTAIN Instances; AND AMENDING SECTION 22-1913, IDAHO CODE, TO REVISE PENALTIES.

**S 1356**

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ALCOHOL BEVERAGE CATERING PERMITS; AMENDING SECTION 23-1337, IDAHO CODE, TO PROVIDE THAT TWO OR MORE WINERIES MAY USE A WINERY’S LICENSED PREMISES TO HOST AN EVENT UNDER AN ALCOHOL BEVERAGE CATERING PERMIT TO SERVE AND SELL THEIR RESPECTIVE WINES AT THAT EVENT; AND DECLARING AN EMERGENCY.

**S 1357**

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO BINGO AND RAFFLES; AMENDING SECTION 67-7702, IDAHO CODE, TO DEFINE A TERM, TO REVISE DEFINITIONS, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7704, IDAHO CODE, TO REVISE QUALIFICATIONS FOR BINGO-RAFFLE ADVISORY BOARD MEMBERS; AMENDING SECTION 67-7705, IDAHO CODE, TO REDUCE THE MINIMUM NUMBER OF MEETINGS HELD ANNUALLY BY THE BINGO-RAFFLE ADVISORY BOARD; AMENDING SECTION 67-7709, IDAHO CODE, TO AUTHORIZE APPROVAL OF ELECTRONIC BILL PAYMENT OF BINGO EXPENSES, TO REVISE PROVISIONS REGARDING BINGO PROCEEDS AND RECORDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7710, IDAHO CODE, TO PROVIDE CONDITIONS FOR A MISDEMEANOR COMMITTED PURSUANT TO THIS CHAPTER, TO PROVIDE DEADLINES FOR CONDUCTING RAFFLE DRAWINGS, TO DEFINE ALLOWABLE USES FOR NET PROCEEDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7711, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE PROCEDURES, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7712, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DEFINE NEW ORGANIZATIONS THAT ARE REQUIRED TO PAY A FEE AND TO REMOVE PROVISIONS PERTAINING TO THE SUSPENSION AND REVOCATION OF LICENSES; AMENDING SECTION 67-7713, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO CLARIFY THE CALCULATION OF MERCHANDISE VALUE; AMENDING CHAPTER 77, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7713A, IDAHO CODE, TO PROVIDE CONDITIONS AND PROCEDURES FOR THE SUSPENSION OR REVOCATION OF LICENSES; AND AMENDING SECTION 67-7715, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

S 1354, S 1355, S 1356, and S 1357 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Bair was recorded present at this order of business.

**H 454**, by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 472**, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

**H 495**, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

**H 464**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 458** and **H 459**, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

**H 473**, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**HCR 35**, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.
The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1212, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1253, S 1276, and S 1277, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1240, S 1241, S 1242, S 1278, and S 1304, by Resources and Environment Committee, were read the second time at length and filed for third reading.

S 1344, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1295 and S 1296, by Health and Welfare Committee, were read the second time at length and filed for third reading.

S 1320, S 1333, and S 1334, by Education Committee, were read the second time at length and filed for third reading.

H 362, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1285, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1280, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1312, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

S 1291, as amended, by Education Committee, was read the second time at length and filed for third reading.

H 377, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1288, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1345 and S 1346, by State Affairs Committee, were read the second time at length and filed for third reading.

H 452, by Education Committee, was read the second time at length and filed for third reading.

S 1336, by Education Committee, was read the second time at length and filed for third reading.

H 474, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1325, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1265 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Anthon, Bair, Bayer, Burgoyne, Den Hartog, Hagedorn, Harris, Mortimer, Nonini, Nuxoll, Siddoway, Souza, Thayn, Vick. Total - 14.

Absent and excused–Lacey, Rice. Total - 2.

Total - 35.

Whereupon the President declared S 1265 passed, title was approved, and the bill ordered transmitted to the House.

S 1257 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Lacey. Total - 1.

Total - 35.

Whereupon the President declared S 1257 passed, title was approved, and the bill ordered transmitted to the House.

S 1235 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lacey. Total - 1.

Total - 35.

Whereupon the President declared S 1235 passed, title was approved, and the bill ordered transmitted to the House.

S 1318 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–Bayer, Den Hartog, Nonini, Nuxoll, Vick. Total - 5.

Absent and excused–Lacey. Total - 1.

Total - 35.

Whereupon the President declared S 1318 passed, title was approved, and the bill ordered transmitted to the House.

Having voted on the prevailing side by which S 1257 passed the Senate, Senator Brackett served notice that he may on this or the next legislative day move for reconsideration of the vote.

S 1257 was ordered held at the Secretary's desk.

S 1311 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Davis, Winder, and Stennett disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–Bair, Hagedorn, Heider, Mortimer, Patrick, Rice, Siddoway. Total - 7.

Absent and excused–Lacey. Total - 1.

Total - 35.

Whereupon the President declared S 1311 passed, title was approved, and the bill ordered transmitted to the House.

S 1281 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lacey. Total - 1.

Total - 35.

Whereupon the President declared S 1281 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Thursday, February 25, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
The FINANCE Committee reports out S 1353 with the recommendation that it do pass.

KEOUGH, Chairman

February 24, 2016

S 1353 was filed for second reading.

February 24, 2016

The JUDICIARY AND RULES Committee reports out SCR 142, SCR 143, SCR 144, and SR 101 with the recommendation that they do pass.

LODGE, Chairman

February 24, 2016

SCR 142, SCR 143, SCR 144, and SR 101 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 24, 2016

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

Anna Jane "Janie" Dressen to the Commission on Pardons and Parole, term to expire January 1, 2019.

Corntney C. Dennis to the Commission on Pardons and Parole, term to expire January 1, 2018.

J. Philip Reberger to the Idaho Judicial Council, term to expire July 1, 2021.

LODGE, Chairman

February 24, 2016

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

February 24, 2016

The HEALTH AND WELFARE Committee reports out HCR 34 with the recommendation that it do pass.

HEIDER, Chairman

February 24, 2016

HCR 34 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 24, 2016

The EDUCATION Committee reports out HCR 33, S 1293, and S 1330 with the recommendation that they do pass.

MORTIMER, Chairman

February 24, 2016

HCR 33 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1293 and S 1330 were filed for second reading.

February 24, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 463 with the recommendation that it do pass.

SIDDOWAY, Chairman
H 463 was filed for second reading.

February 25, 2016

The AGRICULTURAL AFFAIRS Committee reports out H 383, H 417, and H 455 with the recommendation that they do pass.

RICE, Chairman

H 383, H 417, and H 455 were filed for second reading.

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

Messages from the House

February 24, 2016

Dear Mr. President:

I transmit herewith H 451, which has passed the House.

ALEXANDER, Chief Clerk

H 451 was filed for first reading.

February 24, 2016

Dear Mr. President:

I transmit herewith Enrolled HCR 31 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 31 and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

S 1257 having been held at the desk for possible reconsideration of the vote by which it passed the Senate, and no motion for reconsideration having been received, S 1257 was ordered transmitted to the House.

The President announced that HCR 42 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Buckner-Webb, HCR 42 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Davis was recorded present at this order of business.

The President announced that HCR 30 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lakey, HCR 30 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that SCR 147 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lee, SCR 147 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1358
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE IDAHO EQUIPMENT DEALER PROTECTION LAW; AMENDING SECTION 28-24-103, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CLARIFICATION REGARDING COMPETITIVE CIRCUMSTANCES; AND AMENDING SECTION 28-24-104, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE PROVISIONS REGARDING NOTICE, AND TO MAKE TECHNICAL CORRECTIONS.

S 1359
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO FARM IMPLEMENTS AND EQUIPMENT; AMENDING SECTION 28-23-101, IDAHO CODE, TO REVISE PROVISIONS ASSOCIATED WITH THE REPURCHASE OF CERTAIN EQUIPMENT FROM RETAILERS BY WHOLESALERS, MANUFACTURERS AND DISTRIBUTORS AND TO REVISE PROVISIONS REGARDING SUMS TO BE PAID FOR REPURCHASE; AMENDING SECTION 28-23-102, IDAHO CODE, TO REVISE VERBIAGE AND TO PROVIDE FOR THE PURCHASE PRICE OF REPAIR TOOLS IN COMPLETE AND UsABLE CONDITION.

S 1360
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5223, IDAHO CODE, TO PROVIDE A REQUIREMENT REGARDING CERTAIN AMENDMENTS TO ADMINISTRATIVE RULES.

S 1361
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO PUBLIC DEFENSE; AMENDING SECTION 19-862, IDAHO CODE, TO PROVIDE THAT MONEY TO ADMINISTER PUBLIC DEFENSE MAY BE APPROPRIATED FROM CERTAIN FUNDS; AMENDING SECTION 31-3403, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 63-805, IDAHO CODE, TO PROVIDE FOR PUBLIC DEFENDER SERVICES.

S 1362
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO RENEWAL OF JUDGMENT ON LIENS; AMENDING SECTION 10-1111, IDAHO CODE, TO INCREASE THE PERIOD OF TIME A RENEWED JUDGMENT ON A LIEN MAY BE CONTINUED FOR CERTAIN JUDGMENTS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION FOR CERTAIN JUDGMENTS.
S 1358, S 1359, S 1360, S 1361, and S 1362 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 451, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1274 and S 1275, by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1237 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1340 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, S 1339 retained its place on the Third Reading Calendar.

S 1238 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1238 passed, title was approved, and the bill ordered transmitted to the House.

S 1239 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1239 passed, title was approved, and the bill ordered transmitted to the House.

S 1340 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1212 passed, title was approved, and the bill ordered transmitted to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1256, S 1260, H 379, and S 1297, as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1256

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 23, following "seventy-five" insert: "not less than one hundred fifty dollars ($150) and not more than"; in line 25, delete ", 49-1232" and insert: ", 49-1232"; and following line 25, insert:

"(7) It is an infraction punishable by a fine of seventy-five dollars ($75.00) for any person to violate the provisions of section 49-1232, Idaho Code."

AMENDMENT TO SECTION 2

On page 2, in line 17, following "seventy-five" insert: "not less than one hundred fifty dollars ($150) and not more than".

AMENDMENT TO SECTION 3

On page 2, in line 36, following "seventy-five" insert: "not less than one hundred fifty dollars ($150) and not more than".

SENATE AMENDMENT TO S 1260

AMENDMENT TO SECTION 7

On page 6 of the printed bill, in line 46, delete "waste" and insert: "environmental management".
AMENDMENT TO SECTION 9
On page 10, in line 7, delete "and" and insert: "or".

SENATE AMENDMENT TO H 379
AMENDMENT TO SECTION 2
On page 2 of the printed bill, in line 9, following "for" insert: "public"; also in line 9, following "and" insert: "public"; in line 18, delete "and" and insert: ";"; also in line 18, following "administrators" insert: ", parents and students"; in line 19, delete "Evaluating" and insert: "Ensuring that the state department of education and the Idaho digital learning academy evaluate"; in line 20, delete "software"; also in line 20, delete "providing" and insert: "provide"; in line 21, delete "software"; in line 39, delete "software"; also in line 39, following "for" insert: "public"; also in line 39, following "districts" insert: "and public charter schools"; in line 40, delete "professional-" and insert: "career"; in line 41, following "technical" insert: "secondary and"; and in line 45, delete "professional-" and insert: "career".

SENATE AMENDMENT TO S 1297, As Amended
AMENDMENT TO SECTION 1
On page 1 of the engrossed bill, in line 34, delete "section 34-1113" and insert: "sections 34-1113 and 34-1114"; and on page 2, line 15, delete "may" and insert: "shall".

WINDER, Chairman

On motion by Senator Lakey, seconded by Senator Burgoyne, the report was adopted by voice vote.

S 1256, as amended, S 1260, as amended, and S 1297, as amended, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 379, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

February 25, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1256, S 1260, H 379, and S 1297, as amended, have been correctly printed.

LODGE, Chairman

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

February 25, 2016

The JUDICIARY AND RULES Committee reports that S 1256, as amended, S 1260, as amended, and S 1297, as amended, as amended, have been correctly engrossed.

LODGE, Chairman

S 1256, as amended, S 1260, as amended, and S 1297, as amended, as amended, were filed for first reading.

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

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

H 379, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1256, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1260, as amended, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

S 1297, as amended, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Burgoyne, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Little presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 25, 2016

The RESOURCES AND ENVIRONMENT Committee reports out S 1355 with the recommendation that it be re-referred.

BAIR, Chairman

There being no objection, S 1355 was referred to the Agricultural Affairs Committee.

February 25, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 341, H 367, H 369, H 440, and HCR 36 with the recommendation that they do pass.

PATRICK, Chairman

H 341, H 367, H 369, and H 440 were filed for second reading.

HCR 36 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2016

The EDUCATION Committee reports out H 459 and H 476 with the recommendation that they do pass.

MORTIMER, Chairman
H 459 and H 476 were filed for second reading.

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

Messages from the Governor

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

February 24, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1215, S 1217, and S 1233

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

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

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

Third Reading of Bills

S 1339 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1339 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:40 p.m. until the hour of 10:30 a.m., Friday, February 26, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
The HEALTH AND WELFARE Committee reports out S 1341 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, S 1341 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

February 25, 2016

Dear Mr. President:

I transmit herewith HCR 43, H 493, HCR 28, as amended, H 356, as amended, H 462, as amended, and H 491, as amended, which have passed the House.

ALEXANDER, Chief Clerk

HCR 43, H 493, HCR 28, as amended, H 356, as amended, H 462, as amended, and H 491, as amended, were filed for first reading.

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

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

HCR 43, by Revenue and Taxation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 493, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

HCR 28, as amended, by Transportation and Defense Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 356, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 462, as amended, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 491, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1353, by Finance Committee, was read the second time at length and filed for third reading.

S 1293 and S 1330, by Education Committee, were read the second time at length and filed for third reading.

H 463, by Business Committee, was read the second time at length and filed for third reading.
H 383, H 417, and H 455, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

H 379, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

S 1256, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1260, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

S 1297, as amended, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 341, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 367, H 369, and H 440, by Business Committee, were read the second time at length and filed for third reading.

H 459 and H 476, by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1253 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1277 passed, title was approved, and the bill ordered transmitted to the House.

S 1240 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1240 passed, title was approved, and the bill ordered transmitted to the House.

S 1241 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1241 passed, title was approved, and the bill ordered transmitted to the House.

S 1242 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Whereupon the President declared \textbf{S 1242} passed, title was approved, and the bill ordered transmitted to the House.

\textbf{S 1278} was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared \textbf{S 1278} passed, title was approved, and the bill ordered transmitted to the House.

\textbf{S 1304} was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared \textbf{S 1304} passed, title was approved, and the bill ordered transmitted to the House.

\textbf{S 1344} was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared \textbf{S 1344} passed, title was approved, and the bill ordered transmitted to the House.

\textbf{S 1295} was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared \textbf{S 1295} passed, title was approved, and the bill ordered transmitted to the House.

\textbf{S 1296} was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared \textbf{S 1296} passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

\textbf{Miscellaneous Business}

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 10:45 a.m., Monday, February 29, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 29, 2016

Senate Chamber

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

Roll call showed all members present except Senators McKenzie and Nonini, absent and formally excused by the Chair.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Luke Henrie, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 26, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Petitions, Resolutions, and Memorials

SJ 105
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

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

WHEREAS, the mail processing function of the post office in Pocatello, Idaho, was closed on or about April 18, 2015; and

WHEREAS, Brian Sperry, the regional spokesman for the United States Postal Service (USPS) stated that the impacts would be that stamped "First-Class Mail" would take between two and three days to reach its destination; and

WHEREAS, mail delivery in eastern Idaho is now significantly delayed, with delays ranging from a few days up to a few weeks; and

WHEREAS, USPS has already closed or suspended services in many locations nationwide, including in Twin Falls, Idaho, and is considering closing more; and

WHEREAS, USPS can provide better delivery times while still cutting substantive costs by restructuring its pre-funding for retirement benefits.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress should pass legislation that would direct USPS to restructure their budget priorities, rethink their administrative model, make appropriate budget cuts if necessary, focus on customer service and acceptable delivery times, and reopen shuttered mail processing plants throughout the United States.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the 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.

SJ 106
BY STATE AFFAIRS 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, TO THE UNITED STATES DEPARTMENT OF STATE, THE UNITED STATES ENTITY COORDINATOR, BONNEVILLE POWER ADMINISTRATION AND THE UNITED STATES ARMY CORPS OF ENGINEERS.

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

WHEREAS, Canada and the United States share one of the most integrated energy markets in the world; and

WHEREAS, the Columbia River Treaty was signed by the United States and Canada in 1961 and implemented in 1964; and

WHEREAS, the purpose of the treaty was to reduce impacts from flooding and to increase power generation; and

WHEREAS, the treaty did provide flood control and increased hydropower generation at dams downriver; and

WHEREAS, the Columbia River Treaty continues to offer mutual benefit to both the United States and Canada as it currently stands; and

WHEREAS, the states of the pacific northwest, Washington, Oregon, Idaho and Montana, and the Province of British Columbia are interested in working together to ensure that any potential changes or updates will continue to benefit the entire region collectively; and

WHEREAS, state and provincial legislators, tribal, community, federal and academic leaders from across the pacific northwest have worked together to educate state and provincial leaders on the current status of the work that has been done on both sides of the border and discuss the future of the treaty.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the United States Department of State to continue the Columbia River Treaty, to consult with British Columbia and the states of the pacific northwest regarding any review of the treaty and to receive and consider input from British Columbia and the states of the pacific northwest regarding any negotiations with respect to the treaty.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the
Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States, the United States Department of State, the United States Entity Coordinator, Bonneville Power Administration and the United States Army Corps of Engineers.

SJM 105 and SJM 106 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 26, 2016

The STATE AFFAIRS Committee reports out S 1269 and S 1272 with the recommendation that they do pass.

MCKENZIE, Chairman

S 1269 and S 1272 were filed for second reading.

February 26, 2016

The STATE AFFAIRS Committee reports out S 1342 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, S 1342 was referred to the Fourteenth Order of Business, General Calendar.

February 26, 2016

The JUDICIARY AND RULES Committee reports out H 461, S 1327, S 1351, and S 1352 with the recommendation that they do pass.

LODGE, Chairman

H 461, S 1327, S 1351, and S 1352 were filed for second reading.

February 26, 2016

The JUDICIARY AND RULES Committee reports out S 1328 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1328 was referred to the Fourteenth Order of Business, General Calendar.

February 29, 2016

The STATE AFFAIRS Committee reports out H 355, H 473, S 1234, and S 1323 with the recommendation that they do pass.

MCKENZIE, Chairman

H 355, H 473, S 1234, and S 1323 were filed for second reading.

February 29, 2016

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

Michael “Mike” Mark Mooney to the Idaho Energy Resources Authority, term to expire June 30, 2020.

MCKENZIE, Chairman

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

February 29, 2016

The STATE AFFAIRS Committee reports out S 1357 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, S 1357 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

February 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1197, S 1206, S 1207, S 1210, S 1213, and S 1216

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 26, 2016

Dear Mr. President:

I transmit herewith H 331, as amended, H 478, H 512, H 469, H 499, H 343, H 526, H 497, and H 511, which have passed the House.

ALEXANDER, Chief Clerk

H 331, as amended, H 478, H 512, H 469, H 499, H 343, H 526, H 497, and H 511 were filed for first reading.

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

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

S 1363

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.
S 1364
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND APPROPRIATING AND TRANSFERRING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL (DED) FUND WITHIN THE STATE INDEPENDENT LIVING COUNCIL ON JULY 1, 2016, OR AS SOON THEREAFTER AS IS PRACTICAL.

S 1365
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

S 1366
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1367
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1368
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1369
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE MILITARY DIVISION FOR THE FEDERAL/STATE AGREEMENTS PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE MILITARY DIVISION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; GRANTING A CONTINUOUS APPROPRIATION FOR A CERTAIN FUND; AND DECLARING AN EMERGENCY.

S 1370
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1371
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR THE MORTGAGE RECOVERY FUND.

S 1372
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE REGULATORY BOARDS FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1363, S 1364, S 1365, S 1366, S 1367, S 1368, S 1369, S 1370, S 1371, and S 1372 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 331, as amended, H 478, and H 512, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 469, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 499, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 343, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 526, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 497, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 511, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1322 and S 1326, by Health and Welfare Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1320 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–None.


Total - 35.

Whereupon the President declared S 1320 passed, title was approved, and the bill ordered transmitted to the House.

S 1333 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1333 passed, title was approved, and the bill ordered transmitted to the House.

S 1334 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1334 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, S 1293 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.
The JUDICIARY AND RULES Committee reports out
S 1302 with the recommendation that it do pass, and with
the recommendation that it be placed on the Consent Calendar.

LODGE, Chairman

February 29, 2016

S 1302 was filed for second reading.

The JUDICIARY AND RULES Committee reports out
S 1300 and S 1303 with the recommendation that they be referred
to the Fourteenth Order of Business for amendment.

LODGE, Chairman

February 29, 2016

There being no objection, S 1300 and S 1303 were referred
to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

February 29, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Shelly Jo Enderud of Post Falls, Idaho, was reappointed as a member of the State
Building Authority to serve a term commencing January 1, 2016,
and expiring January 1, 2021.

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

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

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

The gubernatorial appointment was referred to the State
Affairs Committee.

February 29, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Bud Tracy of Malta, Idaho, was reappointed as a member of the State Building
Authority to serve a term commencing January 1, 2016, and expiring January 1, 2021.

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

As Always - Idaho, Estó Perpetua
/s/ C.L. "Butch" Otter
Governor
The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 29, 2016

Dear Mr. President:

I transmit herewith H 481, H 519, H 494, HCR 39, HCR 40, HCR 44, HCR 45, H 532, H 496, H 524, H 498, H 500, H 515, and H 527, which have passed the House.

ALEXANDER, Chief Clerk

H 481, H 519, H 494, HCR 39, HCR 40, HCR 44, HCR 45, H 532, H 496, H 524, H 498, H 500, H 515, and H 527 were filed for first reading.

February 29, 2016

Dear Mr. President:

I return herewith S 1208 and S 1202, which have passed the House.

ALEXANDER, Chief Clerk

S 1208 and S 1202 were referred to the Judiciary and Rules Committee for enrolling.

February 29, 2016

Dear Mr. President:

I transmit herewith Enrolled HCR 42 and HCR 30 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 42 and HCR 30 and ordered them returned to the House.

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

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

S 1373

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PROTECTION ORDERS; AMENDING CHAPTER 79, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7907, IDAHO CODE, TO PROVIDE AN ACTION FOR A PROTECTION ORDER AGAINST HARASSMENT AND STALKING, TO PROVIDE PROCEDURES FOR A FILING AND HEARING FOR A PROTECTION ORDER, TO PROVIDE FOR CONDUCT TO BE PROHIBITED IN A PROTECTION ORDER, TO PROVIDE FOR HOW A PETITION AND PROTECTION ORDER SHALL BE SERVED, TO PROVIDE FOR NOTICE TO LAW ENFORCEMENT AGENCIES TO PROVIDE THAT LAW ENFORCEMENT AGENCIES SHALL TAKE CERTAIN ACTIONS FOLLOWING RECEIPT OF NOTICE, TO AUTHORIZE RENEWAL, MODIFICATION OR RESCINDING OF A PROTECTION ORDER, TO PROVIDE A PENALTY, TO PROVIDE FOR WHERE A PETITION SHALL BE FILED, TO AUTHORIZE A SINGLE PETITION WHEN A DOMESTIC VIOLENCE PROTECTION ORDER IS ALSO SOUGHT, TO DEFINE TERMS AND TO AUTHORIZE A HEARING BY ELECTRONIC MEANS IN CERTAIN Instances; AMENDING CHAPTER 79, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7908, IDAHO CODE, TO PROVIDE AN ACTION FOR AN EX PARTE TEMPORARY PROTECTION ORDER AGAINST HARASSMENT AND STALKING, TO PROVIDE FOR REQUIREMENTS TO PETITION FOR AN EX PARTE ORDER, TO PROVIDE FOR HEARINGS, TO PROVIDE FOR THE EFFECTIVENESS OF AN EX PARTE ORDER, TO PROVIDE FOR A MOTION SEEKING AN ORDER SHORTENING THE TIME PERIOD OF AN EX PARTE ORDER AND TO PROVIDE A CODE REFERENCE; AND AMENDING CHAPTER 79, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7909, IDAHO CODE, TO PROVIDE THAT CERTAIN FEES SHALL BE WAIVED.

S 1374

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO GUARDIANS OF MINORS; AMENDING SECTION 15-5-201, IDAHO CODE, TO INCLUDE REFERENCE TO THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR, AMENDING CHAPTER 5, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-5-202A, IDAHO CODE, AUTHORIZING THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR; AMENDING SECTION 15-5-203, IDAHO CODE, TO INCLUDE REFERENCE TO THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR; AMENDING SECTION 15-5-208, IDAHO CODE, TO INCLUDE REFERENCE TO THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR; AMENDING SECTION 15-5-210, IDAHO CODE, TO PROVIDE FOR THE TERMINATION OF AN INTER VIVOS APPOINTMENT OF THE GUARDIAN OF A MINOR; AND AMENDING SECTION 15-5-211, IDAHO CODE, TO INCLUDE REFERENCE TO THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR.

S 1375

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE DELEGATION OF POWERS OVER MINORS OR PERSONS WITH DEVELOPMENTAL DISABILITIES; AMENDING SECTION 15-5-104, IDAHO CODE, TO CLARIFY THE DURATION AND REVOCATION OF A POWER OF ATTORNEY DELEGATING POWERS AND TO AUTHORIZE A PARENT OR GUARDIAN OF A MINOR OR PERSON WITH A DEVELOPMENTAL DISABILITY TO DELEGATE CERTAIN POWERS UPON THE OCCURRENCE OF CERTAIN CONDITIONS.

S 1373, S 1374, and S 1375 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 481, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.
**H 519.** by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 494.** by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

**HCR 39 and HCR 40.** by Judiciary, Rules, and Administration Committee, were introduced, read at length, and referred to the Judiciary and Rules Committee.

**HCR 44 and HCR 45.** by Education Committee, were introduced, read at length, and referred to the Education Committee.

**H 532.** by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

**H 496.** by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

**H 524.** by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

**H 498.** by Health and Welfare Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 500.** by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

**H 515 and H 527.** by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**S 1269.** by Health and Welfare Committee, was read the second time at length and filed for third reading.

**S 1272.** by State Affairs Committee, was read the second time at length and filed for third reading.

**H 461.** by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

**S 1327, S 1351, and S 1352.** by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

**H 355 and H 473.** by Transportation and Defense Committee, were read the second time at length and filed for third reading.

**S 1234 and S 1323.** by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Fourteenth Order of Business.

**General Calendar**

President Little called Senator Keough to the Chair.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:20 p.m. until the hour of 4:30 p.m. of this day.

**RECESS AFTERNOON SESSION**

The Senate reconvened at 4:30 p.m. President Little returned to the Chair.

Roll call showed all members present except Senator Schmidt, absent and formally excused by the Chair; and Senators Brackett, Davis, Johnson, Keough, Rice, and Vick, absent and excused.

Prior to recess the Senate was at the Fourteenth Order of Business, General Calendar.

**General Calendar**

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

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

Senators Keough, Brackett, Davis, Johnson, Rice, and Vick were recorded present at this order of business.

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out **S 1342** and **S 1293**, without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1342**

**AMENDMENT TO SECTION 2**

On page 1 of the printed bill, in line 13, following "The" insert: "use of religious texts, including the"; also in line 13, following "Bible" insert: ".". in line 17, delete "astronomy, biology, geology,"; and in line 19, following "of" insert: "religious texts, including"; also in line 19, following "Bible" insert: ".".

**CORRECTION TO TITLE**

On page 1, in line 5, following "WHEN" insert: "RELIGIOUS TEXTS, INCLUDING"; also in line 5, following "BIBLE" delete "IS" and insert: ", ARE".

**SENATE AMENDMENT TO S 1293**

**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 12, delete "A student's parent or guardian is the"; delete lines 13 and 14; in line 15, delete "a" and insert: "A"; and in line 16, following "child's" insert: "public".

The Committee also has **S 1341, S 1328**, and **S 1357** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

**S 1342, as amended, and S 1293, as amended,** were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

March 1, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1342 and S 1293 have been correctly engrossed.

LODGE, Chairman

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

March 1, 2016

The JUDICIARY AND RULES Committee reports that S 1342, as amended, and S 1293, as amended, have been correctly engrossed.

LODGE, Chairman

S 1342, as amended, and S 1293, as amended, were filed for first reading.

March 1, 2016

The JUDICIARY AND RULES Committee reports that S 1208 and S 1202 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1208 and S 1202 and ordered them transmitted to the House for the signature of the Speaker.

March 1, 2016

The AGRICULTURAL AFFAIRS Committee reports out H 381 with the recommendation that it do pass.

RICE, Chairman

H 381 was filed for second reading.

March 1, 2016

The TRANSPORTATION Committee reports out H 471 and H 472 with the recommendation that they do pass.

BRACKETT, Chairman

H 471 and H 472 were filed for second reading.

March 1, 2016

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

Janice B. Vassar to the Idaho Transportation Board, term to expire January 31, 2022.

BRACKETT, Chairman

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

The COMMERCE AND HUMAN RESOURCES Committee reports out H 332, H 333, H 334, H 396, H 397, H 441, and S 1359 with the recommendation that they do pass.

PATRICK, Chairman

H 332, H 333, H 334, H 396, H 397, H 441, and S 1359 were filed for second reading.

March 1, 2016

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

Susan Elizabeth Buxton as the Administrator of the Division of Human Resources, term to continue at the pleasure of the Governor.

PATRICK, Chairman

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

March 1, 2016

The FINANCE Committee reports out H 532, S 1363, S 1364, S 1365, S 1366, S 1367, S 1368, S 1369, S 1370, S 1371, and S 1372 with the recommendation that they do pass.

KEOUG, Chairman

H 532, S 1363, S 1364, S 1365, S 1366, S 1367, S 1368, S 1369, S 1370, S 1371, and S 1372 were filed for second reading.

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

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

S 1342, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1293, as amended, by Education Committee, was read the first time at length and filed for second reading.

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

Third Reading of Bills

S 1285, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Schmidt. Total - 1.

Total - 35.
Whereupon the President declared S 1285, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1280, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1280, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1312, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Brackett, Davis, Hagedorn, Keough, Lacey, Patrick, Souza, Winder. Total - 8.


Absent and excused–Lakey, Schmidt. Total - 2.

Total - 35.

Whereupon the President declared S 1312, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1291, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bair, Bayer, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Lacey, Lodge, Martin, Nonini, Nuxoll, Rice, Siddoway, Vick, Winder. Total - 17.

Absent and excused–Lakey, Schmidt. Total - 2.

Total - 35.

Whereupon the President declared that S 1291, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.
President Little called the Senate to order at 10:30 a.m.

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

Prayer was offered by Father John Worster.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 1, 2016, was read and approved as corrected.

   LODGE, Chairman

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

Senator Brackett was recorded present at this order of business.

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

Reports of Standing Committees

March 2, 2016

The JUDICIARY AND RULES Committee reports that S 1373, S 1374, and S 1375 have been correctly printed.

   LODGE, Chairman

S 1373, S 1374, and S 1375 were referred to the Judiciary and Rules Committee.

   March 1, 2016

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

John H. Tippets as the Director of the Department of Environmental Quality, term to continue at the pleasure of the Governor.

John Randolph MacMillan to the Board of Environmental Quality, term to expire July 1, 2019.

Kevin C. Boling to the Board of Environmental Quality, term to expire July 1, 2019.

L.N. Nick Purdy to the Board of Environmental Quality, term to expire July 1, 2019.

HEIDER, Chairman

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

March 1, 2016

The EDUCATION Committee reports out H 458 and S 1332 with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, H 458 and S 1332 were referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

March 1, 2016

Dear Mr. President:

I transmit herewith H 503, H 480, H 482, H 483, HCR 47, and H 516, which have passed the House.

   TAYLOR, Assistant Chief Clerk

H 503, H 480, H 482, H 483, HCR 47, and H 516 were filed for first reading.

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

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

H 503, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 480 and H 482, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 483, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 47, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 516, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1301, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1302, by Judiciary and Rules Committee, was read the second time at length and filed for third reading, Consent Calendar.
H 381, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 471 and H 472, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 332, H 333, and H 334, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 396 and H 397, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

H 441, by Business Committee, was read the second time at length and filed for third reading.

S 1359, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 532, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1363, S 1364, S 1365, S 1366, S 1367, S 1368, S 1369, S 1370, S 1371, and S 1372, by Finance Committee, were read the second time at length and filed for third reading.

S 1342, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1293, as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1260, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared H 461 passed, title was approved, and the bill ordered returned to the House.

S 1345 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1345 passed, title was approved, and the bill ordered transmitted to the House.

S 1346 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1346 passed, title was approved, and the bill ordered transmitted to the House.

S 1336 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1336 passed, title was approved, and the bill ordered transmitted to the House.
S 1325 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1325 passed, title was approved, and the bill ordered transmitted to the House.

S 1274 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1274 passed, title was approved, and the bill ordered transmitted to the House.

S 1275 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1275 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Burgoyne, granted by unanimous consent, S 1256, as amended, retained its place on the Third Reading Calendar for one legislative day.

S 1297, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1297, as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1322 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1322 passed, title was approved, and the bill ordered transmitted to the House.

S 1326 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1326 passed, title was approved, and the bill ordered transmitted to the House.

S 1269 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1269 passed, title was approved, and the bill ordered transmitted to the House.

S 1272 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared S 1272 passed, title was approved, and the bill ordered transmitted to the House.

S 1256, as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 10:30 a.m., Thursday, March 3, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 3, 2016

Senator Keough was recorded present at this order of business.

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

Reports of Standing Committees

March 2, 2016

The STATE AFFAIRS Committee reports out H 389, H 390, and S 1356 with the recommendation that they do pass.

MCKENZIE, Chairman

H 389, H 390, and S 1356 were filed for second reading.

March 2, 2016

The STATE AFFAIRS Committee reports out H 447 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, H 447 was referred to the Fourteenth Order of Business, General Calendar.

March 2, 2016

The RESOURCES AND ENVIRONMENT Committee reports out S 1338 with the recommendation that it do pass.

BAIR, Chairman

S 1338 was filed for second reading.

March 2, 2016

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


BAIR, Chairman

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

March 2, 2016

The JUDICIARY AND RULES Committee reports out H 429, S 1361, S 1362, and H 491, as amended, with the recommendation that they do pass.

LODGE, Chairman

H 429, S 1361, S 1362, and H 491, as amended, were filed for second reading.

March 2, 2016

The STATE AFFAIRS Committee reports out S 1354 with the recommendation that it do pass.

MCKENZIE, Chairman

S 1354 was filed for second reading.

March 2, 2016

The EDUCATION Committee reports out H 451 with the recommendation that it do pass.

MORTIMER, Chairman

H 451 was filed for second reading.

March 3, 2016

The AGRICULTURAL AFFAIRS Committee reports out H 456, H 499, and HCR 32 with the recommendation that they do pass.

RICE, Chairman

H 456 and H 499 were filed for second reading.

HCR 32 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

March 2, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Paul J. Schneider of Boise, Idaho, was reappointed as a member of the Idaho State Racing Commission to serve a term commencing January 15, 2016, and expiring January 15, 2022.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 3, 2016

Dear Mr. President:

I transmit herewith HCR 38, H 504, H 508, H 528, H 525, as amended, H 485, H 501, H 509, H 514, and H 534, which have passed the House.

TAYLOR, Acting Chief Clerk

HCR 38, H 504, H 508, H 528, H 525, as amended, H 485, H 501, H 509, H 514, and H 534 were filed for first reading.

March 2, 2016

Dear Mr. President:

I return herewith Enrolled S 1208 and S 1202, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1208 and S 1202 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that SCR 148 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nonini, seconded by Senator Burgoyne, SCR 148 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SCR 149 was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Hagedorn, that SCR 149 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lacey, Patrick, Siddoway. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared SCR 149 adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, SCR 142 was referred to the Judiciary and Rules Committee.

The President Pro Tempore announced that SCR 143 was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that SCR 143 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lacey, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared SCR 143 adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SCR 144 was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that SCR 144 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lacey. Total - 1.

Total - 35.
Whereupon the President Pro Tempore declared SCR 144 adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SR 101 was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Lakey, that SR 101 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Absent and excused–Lacey. Total - 1.

Total - 35.

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

The President Pro Tempore announced that HCR 34 was before the Senate for final consideration.

Moved by Senator Lee, seconded by Senator Burgoyne, that HCR 34 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Absent and excused–Lacey. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared that the Senate has failed to adopt HCR 34 and ordered the resolution returned to the House.

On request by Senator Winder, granted by unanimous consent, HCR 33 retained its place on the calendar for Thursday, March 10, 2016.

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

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

S 1376
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5202A, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AMENDING SECTION 33-5203, IDAHO CODE, TO PROVIDE AN ADDITIONAL WAY TO FORM A PUBLIC CHARTER SCHOOL AND TO SPECIFY THAT A CHARTER HOLDER MAY NOT OPERATE ENTERPRISES OTHER THAN THE PUBLIC CHARTER SCHOOLS FOR WHICH IT HAS BEEN AUTHORIZED; AMENDING SECTION 33-5204, IDAHO CODE, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5204, IDAHO CODE, AS AMENDED BY SECTION 71, CHAPTER 141, LAWS OF 2015, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5205, IDAHO CODE, TO REVISE PROVISIONS REGARDING PETITIONS TO ESTABLISH PUBLIC CHARTER SCHOOLS, TO REVISE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5205C, IDAHO CODE, TO PROVIDE FOR CHARTER SCHOOL REPLICATION AND RELATED PROVISIONS; AMENDING SECTION 33-5206, IDAHO CODE, TO REQUIRE REPLICATION PUBLIC CHARTER SCHOOLS TO ESTABLISH A CERTAIN ADMISSION PREFERENCE POLICY, TO ALLOW PUBLIC CHARTER SCHOOLS TO CONTRACT WITH EDUCATIONAL SERVICES PROVIDERS SUBJECT TO CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-5207, IDAHO CODE, TO PROVIDE THAT REPLICATION PUBLIC CHARTER SCHOOLS ARE SUBJECT TO PROVISIONS REGARDING CHARTER REPEAL PROCEDURES; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5209A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCOUNTABILITY REQUIREMENTS; AMENDING SECTION 33-5209B, IDAHO CODE, TO REVISE PROVISIONS REGARDING CHARTER RENEWALS; AMENDING SECTION 33-5209C, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ENFORCEMENT, REVOCATION AND APPEAL PROCESS FOR CHARTER HOLDERS; AMENDING SECTION 33-5210, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN EXEMPTIONS, TO REMOVE A PROVISION THAT SUBJECTS CERTAIN PUBLIC CHARTER SCHOOLS TO CERTAIN RULES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

S 1377
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTIONS; AMENDING SECTION 34-1203, IDAHO CODE, TO REMOVE THE REQUIREMENT THAT ELECTION JUDGES MUST POST A CORRECT COPY OF RESULTS AT THE POLLING PLACE AND TO MAKE TECHNICAL CORRECTIONS.
PROVISIONS REGARDING CONCEALED WEAPONS; AND AMENDING SECTION 18-3302C, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED CONDUCT.

S 1379  
BY FINANCE COMMITTEE  
AN ACT  
APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1380  
BY FINANCE COMMITTEE  
AN ACT  
APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1381  
BY FINANCE COMMITTEE  
AN ACT  
APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1382  
BY JUDICIARY AND RULES COMMITTEE  
AN ACT  
RELATING TO NURSES; AMENDING SECTION 54-1402, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

S 1383  
BY JUDICIARY AND RULES COMMITTEE  
AN ACT  
RELATING TO THE CIVIL RIGHTS OF PERSONS CONVICTED OF CRIME; AMENDING SECTION 18-310, IDAHO CODE, TO PROVIDE THAT THE RIGHT TO SHIP, TRANSPORT, POSSESS OR RECEIVE A FIREARM SHALL NOT BE RESTORED FOLLOWING FELONY CONVICTIONS FOR CERTAIN CRIMES.

S 1376, S 1377, S 1378, S 1379, S 1380, S 1381, S 1382, and S 1383 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 38, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 504 and H 508, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 528, by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 525, as amended, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 485 and H 501, by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 509, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 514, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 534, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1341, S 1300, H 458, S 1256, as amended, and H 447, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1341  
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 29, following "Residential" insert: "care"; and delete lines 34 through 36, and insert: "the conduct omitted. If the department requires a specific corrective action in relation to a citation, that requirement must be in writing and reference the corresponding rule.".

CORRECTION TO TITLE

On page 1, in line 3, following "RESIDENTIAL" insert: "CARE".

SENATE AMENDMENT TO S 1300  
AMENDMENT TO SECTION 2

On page 3 of the printed bill, delete lines 5 through 7, and insert:

"(c) Revival. Provisions revoked solely by this section are revived by the divorced individual's remarriage to the former spouse or by the divorce or annulment being set aside.".

SENATE AMENDMENT TO H 458  
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 22, delete "middle or" and insert: "middle level or".

AMENDMENT TO SECTION 3

On page 2, in line 6, delete "cost" and insert: "distribution"; in line 9, following "course." insert: "An overload course must be taken for high school credit to be eligible for funding."; and in line 10, delete "cost" and insert: "distribution".

SENATE AMENDMENT TO S 1256, AS AMENDED  
AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 23, delete "not less"; delete line 24 and insert: "one hundred fifty dol-"; and in line 25, delete "300" and insert: "$35,00150$.

AMENDMENT TO SECTION 2

On page 2, in line 22, delete "not less"; delete line 23 and insert: "one hundred fifty dol-"; and in line 24, delete "$35,00100$" and insert: "$35,00150$".


AMENDMENT TO SECTION 3
On page 2, in line 41, delete "not less"; delete line 42 and insert: "one hundred fifty dol-"; and in line 43, delete "3,300" and insert: "3,500."

SENATE AMENDMENT TO H 447
AMENDMENT TO SECTION 1
On page 2 of the printed bill, delete lines 6 through 9, and insert:
"(b) Records of buildings, facilities, infrastructures and systems, other than public expenditure records, related to proposed or existing critical infrastructure held by or in the custody of any public agency only when the disclosure of such information would not be reasonably likely to jeopardize the safety of persons."

The Committee also has S 1328, S 1357, S 1303, and S 1332 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

S 1341, as amended, S 1300, as amended, and S 1256, as amended, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 458, as amended in the Senate, and H 447, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 3, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1341, S 1300, H 458, S 1256, as amended, and H 447 have been correctly printed.

LODGE, Chairman

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

March 3, 2016

The JUDICIARY AND RULES Committee reports that S 1341, as amended, S 1300, as amended, and S 1256, as amended, have been correctly engrossed.

LODGE, Chairman

S 1341, as amended, S 1300, as amended, and S 1256, as amended, as amended, were filed for first reading.

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

H 458, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

H 447, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1341, as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

S 1300, as amended, and S 1256, as amended, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 4:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 3, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1208 and S 1202 were delivered to the Office of the Governor at 11:30 a.m., March 3, 2016.

LODGE, Chairman

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

March 3, 2016

The TRANSPORTATION Committee reports out H 343 with the recommendation that it do pass.

BRACKETT, Chairman

H 343 was filed for second reading.

March 3, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 366, H 368, H 486, and H 519 with the recommendation that they do pass.

PATRICK, Chairman

H 366, H 368, H 486, and H 519 were filed for second reading.

March 3, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1315 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, S 1315 was referred to the Fourteenth Order of Business, General Calendar.
March 3, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 496 with the recommendation that it do pass.

SIDDOWAY, Chairman

H 496 was filed for second reading.

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

**Motions and Resolutions**

The President Pro Tempore announced that HCR 36 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Burgoyne, HCR 36 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that SJM 105 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Guthrie, seconded by Senator Burgoyne, SJM 105 was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that SJM 106 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator McKenzie, seconded by Senator Burgoyne, SJM 106 was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Anna Jane "Janie" Dressen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Jordan, seconded by Senator Burgoyne, the Gubernatorial reappointment of Anna Jane "Janie" Dressen as a member of the Commission on Pardons and Parole was confirmed by voice vote.

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

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of J. Philip Reberger was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Anthon, the Gubernatorial reappointment of J. Philip Reberger as a member of the Idaho Judicial Council was confirmed by voice vote.

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

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

On motion by Senator Buckner-Webb, seconded by Senator McKenzie, the Gubernatorial appointment of Michael "Mike" Mark Mooney as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

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

The President Pro Tempore announced that the Transportation Committee report relative to the Gubernatorial reappointment of Janice B. Vassar was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Schmidt, the Gubernatorial reappointment of Janice B. Vassar as a member of the Idaho Transportation Board was confirmed by voice vote.

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

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Susan Elizabeth Buxton was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Susan Elizabeth Buxton as the Administrator of the Division of Human Resources was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.
The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of John H. Tippets was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Hagedorn, the Gubernatorial appointment of John H. Tippets as the Director of the Department of Environmental Quality was confirmed by voice vote.

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

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

On motion by Senator Heider, seconded by Senator Jordan, the Gubernatorial reappointment of John Randolph MacMillan as a member of the Board of Environmental Quality was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Kevin C. Boling retained its place on the calendar.

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

On motion by Senator Stennett, seconded by Senator Burgoyne, the Gubernatorial reappointment of L.N. Nick Purdy as a member of the Board of Environmental Quality was confirmed by voice vote.

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

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

**Third Reading of Bills**

The President Pro Tempore announced that Senator Davis requested and has received an excused absence for the remainder of the legislative day.

**S 1327** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1327** passed, title was approved, and the bill ordered transmitted to the House.

**S 1351** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1351** passed, title was approved, and the bill ordered transmitted to the House.

**S 1352** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1352** passed, title was approved, and the bill ordered transmitted to the House.

**S 1234** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–None.
Absent and excused–Davis, Lacey, Nuxoll. Total - 3.
Total - 35.

Whereupon the President Pro Tempore declared S 1234 passed, title was approved, and the bill ordered transmitted to the House.

S 1233 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.
Absent and excused–Davis, Lacey, Nuxoll. Total - 3.
Total - 35.

Whereupon the President Pro Tempore declared S 1323 passed, title was approved, and the bill ordered transmitted to the House.

S 1301 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.
Absent and excused–Davis, Lacey, Nuxoll. Total - 3.
Total - 35.

Whereupon the President Pro Tempore declared S 1359 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6 p.m. until the hour of 10:30 a.m., Friday, March 4, 2016.

BRENT HILL, President Pro Tempore
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL

OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 4, 2016

Senate Chamber

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

Roll call showed all members present except Senators Anthon and Davis, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Cardston Stanford, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 3, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

March 4, 2016

The JUDICIARY AND RULES Committee reports that S 1376, S 1377, S 1378, S 1379, S 1380, S 1381, S 1382, and S 1383 have been correctly printed.

LODGE, Chairman

S 1376 was referred to the Education Committee.

S 1377 and S 1378 were referred to the State Affairs Committee.

S 1379, S 1380, and S 1381 were referred to the Finance Committee.

S 1382 was referred to the Health and Welfare Committee.

S 1383 was referred to the Judiciary and Rules Committee.

Senator Davis was recorded present at this order of business.

March 3, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out S 1347 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, S 1347 was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2016

The HEALTH AND WELFARE Committee reports out H 481 and H 500 with the recommendation that they do pass.

HEIDER, Chairman

H 481 and H 500 were filed for second reading.

March 4, 2016

The STATE AFFAIRS Committee reports out H 426, H 427, H 436, H 464, and HCR 29 with the recommendation that they do pass.

MCKENZIE, Chairman

H 426, H 427, H 436, and H 464 were filed for second reading.

HCR 29 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the House

March 3, 2016

Dear Mr. President:

I transmit herewith HCR 46, H 535, H 546, H 547, H 548, H 549, H 550, H 551, H 552, and H 523, which have passed the House.

TAYLOR, Acting Chief Clerk

HCR 46, H 535, H 546, H 547, H 548, H 549, H 550, H 551, H 552, and H 523 were filed for first reading.

March 3, 2016

Dear Mr. President:

I return herewith S 1229, S 1259, S 1270, S 1271, S 1219, and S 1249, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1229, S 1259, S 1270, S 1271, S 1219, and S 1249 were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Johnson, granted by unanimous consent, HCR 32 retained its place on the calendar for Monday, March 7, 2016.
The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Kevin C. Boling was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Burgoyne, the Gubernatorial reappointment of Kevin C. Boling as a member of the Board of Environmental Quality was confirmed by voice vote.

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

Senator Anthon was recorded present at this order of business.

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

On motion by Senator Vick, seconded by Senator Lacey, the Gubernatorial reappointment of William B. Booth as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1384
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE LIMITED LINES TRAVEL INSURANCE ACT; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 62, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR LIMITED LINES TRAVEL INSURANCE PRODUCERS, TO REQUIRE REGISTRATION, TO PROVIDE FOR TYPES OF POLICIES, TO PROVIDE FOR RESPONSIBILITIES OF LIMITED LINES TRAVEL INSURANCE PRODUCERS AND TO PROVIDE FOR ENFORCEMENT.

S 1385
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLES AND FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-117, IDAHO CODE, TO REVISE THE DEFINITION OF "PROOF OF FINANCIAL RESPONSIBILITY," TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR APPLICABILITY.

S 1386
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ABORTION; TO PROVIDE A SHORT TITLE; AMENDING SECTION 18-604, IDAHO CODE, TO PROVIDE ADDITIONAL DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 18-622 THROUGH 18-629, IDAHO CODE, TO PROHIBIT DISMEMBERMENT ABORTIONS, TO PROVIDE FOR PROTECTION OR PRIVACY IN COURT PROCEEDINGS, TO PROVIDE FOR INJUNCTIONS AGAINST DISMEMBERMENT ABORTIONS, TO PROVIDE CIVIL REMEDIES, TO PROVIDE ATTORNEY'S FEES, TO PROVIDE CRIMINAL PENALTIES, TO PROVIDE FOR CONSTRUCTION AND TO PROVIDE SEVERABILITY; AMENDING SECTION 18-617, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 18-613, IDAHO CODE, RELATING TO PARTIAL-BIRTH ABORTIONS; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-613, IDAHO CODE, TO PROHIBIT PARTIAL-BIRTH ABORTIONS, TO PROVIDE AN EXCEPTION, TO PROVIDE DEFINITIONS, TO PROVIDE FOR CIVIL ACTIONS, TO PROVIDE FOR A FACT-FINDING HEARING WITH THE STATE MEDICAL BOARD AND TO PROVIDE LIMITED IMMUNITY TO THE PERSON UPON WHOM THE ABORTION IS PERFORMED, PROVIDING SEVERABILITY, AND DECLARING AN EMERGENCY.

S 1384, S 1385, and S 1386 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 46, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 535, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 546, H 547, H 548, H 549, H 550, H 551, and H 552, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 523, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 389 and H 390, by State Affairs Committee, were read the second time at length and filed for third reading.

S 1356, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1338, by Resources and Environment Committee, was read the second time at length and filed for third reading.

H 429, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1361 and S 1362, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 491, as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.
S 1354, by State Affairs Committee, was read the second time at length and filed for third reading.

H 451, by Education Committee, was read the second time at length and filed for third reading.

H 456, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 499, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 458, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

H 447, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1341, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1300, as amended, and S 1256, as amended, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 343, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 366, H 368, H 486, and H 519, by Business Committee, were read the second time at length and filed for third reading.

H 496, by Local Government Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1363 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1364 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lakey, granted by unanimous consent, H 445 was placed at the top of the calendar.

H 445 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared H 445 passed, title was approved, and the bill ordered returned to the House.

S 1365 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1365 passed, title was approved, and the bill ordered transmitted to the House.

S 1366 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President Pro Tempore declared S 1366 passed, title was approved, and the bill ordered transmitted to the House.

S 1367 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1367 passed, title was approved, and the bill ordered transmitted to the House.

S 1368 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President Pro Tempore declared S 1368 passed, title was approved, and the bill ordered transmitted to the House.

S 1369 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared S 1369 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lakey, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills, followed by House appropriations bills.

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

Motions and Resolutions

On request by Senator Lakey, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service.

The Idaho Day Service was presented to the members of the Senate with Senator Den Hartog providing opening remarks.

The Silver Trail Elementary 4th Graders performed "Fifty Nifty United States", "Here We Have Idaho" and "Everyday Heroes".

Closing remarks were provided by Senators Anthon and Den Hartog. They extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

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

Miscellaneous Business

On motion by Senator Lakey, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Monday, March 7, 2016.

BRENT HILL, President Pro Tempore
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 7, 2016

Senate Chamber
President Pro Tempore Hill called the Senate to order at 10 a.m.
Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Davis, Lakey, Lodge, and McKenzie, absent and excused.
Prayer was offered by Father John Worster.
The Pledge of Allegiance was led by Ailene Chambers, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal
The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 4, 2016, was read and approved as corrected.

LODGE, Chairman
There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.
Senator Davis was recorded present at this order of business.
On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees
March 7, 2016
The JUDICIARY AND RULES Committee reports that S 1384, S 1385, and S 1386 have been correctly printed.

LODGE, Chairman
S 1384 and S 1385 were referred to the Commerce and Human Resources Committee.
S 1386 was referred to the State Affairs Committee.

March 7, 2016
The JUDICIARY AND RULES Committee reports that S 1229, S 1259, S 1270, S 1271, S 1219, and S 1249 have been correctly enrolled.

LODGE, Chairman
The President Pro Tempore signed Enrolled S 1229, S 1259, S 1270, S 1271, S 1219, and S 1249 and ordered them transmitted to the House for the signature of the Speaker.

March 4, 2016
The FINANCE Committee reports out H 546, H 547, H 548, H 549, H 550, H 551, H 552, S 1379, S 1380, and S 1381 with the recommendation that they do pass.

KEOUGH, Chairman
H 546, H 547, H 548, H 549, H 550, H 551, H 552, S 1379, S 1380, and S 1381 were filed for second reading.

Senator Lakey was recorded present at this order of business.

March 4, 2016
The JUDICIARY AND RULES Committee reports out H 495, HCR 39, HCR 40, and S 1343 with the recommendation that they do pass.

LODGE, Chairman
H 495 and S 1343 were filed for second reading.

HCR 39 and HCR 40 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

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

Messages from the House
March 4, 2016
Dear Mr. President:
I transmit herewith HCR 41, which has passed the House.
TAYLOR, Acting Chief Clerk
HCR 41 was filed for first reading.

March 3, 2016
Dear Mr. President:
I transmit herewith Enrolled H 461 for the signature of the President.
TAYLOR, Acting Chief Clerk
The President Pro Tempore signed Enrolled H 461 and ordered it returned to the House.
The Senate advanced to the Tenth Order of Business.

Motions and Resolutions
Senator McKenzie was recorded present at this order of business.
The President Pro Tempore announced that HCR 32 was before the Senate for final consideration, the question being, “Shall the resolution be adopted?”

On motion by Senator Johnson, seconded by Senator Schmidt, HCR 32 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Lodge was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, HCR 29 retained its place on the calendar for one legislative day.
On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

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

**HCR 41**, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 481** and **H 500**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

**H 426, H 427, H 436, and H 464**, by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

**S 1370** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1370** passed, title was approved, and the bill ordered transmitted to the House.

**S 1371** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1371** passed, title was approved, and the bill ordered transmitted to the House.

**S 1372** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1372** passed, title was approved, and the bill ordered transmitted to the House.

**S 1342**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1342**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**S 1293**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne, Schmidt. Total - 2.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1293**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**S 1356** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1356 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1338 retained its place on the Third Reading Calendar.

S 1361 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1361 passed, title was approved, and the bill ordered transmitted to the House.

S 1362 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1362 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1354 retained its place on the Third Reading Calendar for one legislative day.

S 1341, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1341, as amended, passed, title was approved, and the bill ordered transmitted to the House.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 150
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 18 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO TO REVISE PROVISIONS RELATING TO STATEMENTS OF PURPOSE AND FISCAL NOTES.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rule 18 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 18

Statement of Purpose and Fiscal Notes. No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact
person for the statement of purpose and fiscal note shall be identified on the document. A statement of purpose or fiscal note is not a statement of legislative intent nor intended for any use outside of the legislative process. The statement of purpose and fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. No bill making an appropriation, increasing or decreasing existing appropriations, or requiring a future appropriation, or increasing or decreasing revenues of the state or any unit of local government, or requiring a significant expenditure of funds by the state or a unit of local government, shall be introduced unless it shall have attached thereto a fiscal note. This note shall contain an estimate of the amount of such appropriation, expenditure, or change under the bill. The fiscal note shall identify a full fiscal year’s impact of the legislation. Statements of purpose and fiscal notes may be combined in the same statement. All statements of purpose and fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned. A member may challenge the sufficiency of a statement of purpose or fiscal note at any time prior to passage, except upon introduction. Nothing in this rule shall prohibit a statement of purpose or fiscal note from being revised.

Statement of Purpose and Fiscal Notes – General Provisions.
– No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. Statements of purpose and fiscal notes may be combined in the same statement.

Statement of Purpose. – (a) The statement of purpose applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. All statements of purpose shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any review is subject to Joint Rule 18(c).

Fiscal Notes. – (b) The fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. The fiscal note shall reasonably contain the proponent’s full fiscal year projected increase or decrease in existing or future appropriations, and/or the increase or decrease in revenues by the state or unit(s) of local government. The bill’s proponent bears the responsibility to provide a reasonably accurate fiscal note. If the fiscal note states there is no projected fiscal impact, then the fiscal note must contain a statement of the reasons that no fiscal impact is projected. All fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any compliance review is subject to Joint Rule 18(c). A member of the committee may challenge the sufficiency of a fiscal note at any time prior to the committee’s final action on the bill.

Debate. – (c) Any member of either house may debate the sufficiency of a statement of purpose or fiscal note at the time of consideration of the bill.

May be Revised. – (d) Either house may revise the statement of purpose or fiscal note at any time before that house’s final action on the bill; however, the revision to the statement of purpose or fiscal note is ministerial only and shall not be done by action of the house.

Not a Statement of Legislative Intent. – (e) Statements of purpose and fiscal notes are mere attachments to the bill and are not voted on. The statement of purpose and fiscal note are not expressions or statements of legislative intent, and are not intended for any use outside of the legislative process, including judicial review.

Notice to Others. – (f) Each statement of purpose and fiscal note shall contain this notice: "This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18)."

SCR 150 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 7, 2016

The STATE AFFAIRS Committee reports out HCR 28, as amended, and S 1350 with the recommendation that they do pass.

MCKENZIE, Chairman

HCR 28, as amended, was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

S 1350 was filed for second reading.

March 7, 2016

The RESOURCES AND ENVIRONMENT Committee reports out H 350, H 378, and H 509 with the recommendation that they do pass.

BAIR, Chairman

H 350, H 378, and H 509 were filed for second reading.

March 7, 2016

The HEALTH AND WELFARE Committee reports out HCR 47 with the recommendation that it do pass.

HEIDER, Chairman

HCR 47 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

March 7, 2016

The JUDICIARY AND RULES Committee reports out H 528, S 1373, and S 1383 with the recommendation that they do pass.

LODGE, Chairman

H 528, S 1373, and S 1383 were filed for second reading.
On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

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

**S 1387**
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO PHARMACY ACT; AMENDING SECTION 54-1705, IDAHO CODE, TO ADD A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1719, IDAHO CODE, TO CLARIFY THE PHARMACY BOARD’S AUTHORITY OVER DURABLE MEDICAL SUPPLIES; AMENDING SECTION 54-1729, IDAHO CODE, TO CLARIFY THAT THE PHARMACY BOARD MAY ISSUE ENHANCED CERTIFICATES TO ANY OUTLET AND TO ESTABLISH ADDITIONAL REGISTRATION REQUIREMENTS FOR DURABLE MEDICAL EQUIPMENT SUPPLIERS OF CERTAIN TYPES OF EQUIPMENT; AMENDING SECTION 37-3201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1761, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 54-4702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**S 1388**
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO TAX DEEDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 31-808, IDAHO CODE, TO PROVIDE NONAPPLICATION TO EASEMENTS, HIGHWAYS, AND RIGHTS-OF-WAY OWNED BY THE COUNTY, UNLESS EXPRESSLY CONVEYED AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 43-714A, IDAHO CODE, TO FURTHER DEFINE THE TERM "PARTY IN INTEREST"; AMENDING SECTION 43-720, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AMENDING SECTION 50-1823, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AMENDING SECTION 63-201, IDAHO CODE, TO FURTHER DEFINE THE TERM "PARTY IN INTEREST" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-1009, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AND DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

**S 1389**
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONCEALED WEAPONS AND TO PROVIDE CORRECT CODE REFERENCES; AND AMENDING SECTION 18-3302C, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED CONDUCT.

**S 1390**
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**S 1391**
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAID FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; PROVIDING FOR TRANSFER OF APPROPRIATIONS BETWEEN CERTAIN PROGRAMS; REQUIRING BI-ANNUAL REPORTS ON MEDICAID MANAGED CARE IMPLEMENTATION; AND REQUIRING A REPORT ON FLEXIBLE RECEIPT AUTHORITY.

**S 1392**
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1393**
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE PROGRAM AND DIRECTING A TRANSFER FOR FISCAL YEAR 2017.

**S 1394**
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1387, S 1388, S 1389, S 1390, S 1391, S 1392, S 1393, and S 1394 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

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

**General Calendar**

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

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

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out S 1328, S 1332, and S 1347, without recommendation, amended as follows:
SENATE AMENDMENT TO S 1328
AMENDMENT TO SECTION 1
On page 2 of the printed bill, in line 14, delete "or items". On page 5, in line 28, following "the standard" insert: "of care"; in line 30, delete "at the same time" and insert: "simultaneously"; and in line 34, delete "and" and insert: "or".

SENATE AMENDMENT TO S 1332
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 12, delete "governmental"; and following line 35, insert: "(4) No later than February 1 of each year, the TCLC and the administrator of the division of professional-technical education shall provide a report to the joint finance-appropriations committee, the legislative services office, budget and policy analysis, the division of financial management within the governor's office and to the education committees of the senate and the house of representatives, details regarding the proposals submitted, the proposals approved, the expenditures made from the industry partner fund and any other information requested by the legislature.".

CORRECTION TO TITLE
On page 1, in line 4, delete "AND TO" and insert: ":-"; following "AUTHORITY" insert: "AND TO PROVIDE REPORTING REQUIREMENTS".

SENATE AMENDMENT TO S 1347
AMENDMENT TO SECTION 1
On page 2 of the printed bill, delete lines 11 through 17, and insert: "erty."; in line 24, following "accepted," delete "The" and insert: "Within sixty (60) days of the date a claim on the proceeds is due, the"; also in line 24, delete "then" and insert: "thereafter!"; in line 25, following "law" delete ", within"; in line 26, delete "sixty (60) days" and insert: ": within sixty (60) days or shall transfer the funds to the state treasurer as set forth in paragraph (d) of this subsection"; in line 30, following "record" insert: "or transferred to the state treasurer"; and following line 30, insert:

(d) With the consent of the state treasurer, the board of county commissioners may transfer funds to be paid to parties in interest or the owner(s) of records pursuant to paragraph (c) of this subsection to the state treasurer. Upon transfer, the board of county commissioners shall immediately notify the first-class mail all parties that submitted a claim on the proceeds and the owner(s) of record of the transfer. The board of county commissioners shall provide such information to the state treasurer concerning the claims and the proceeds as the state treasurer shall reasonably request. The state treasurer shall keep and distribute the proceeds in accordance with chapter 5, title 14, Idaho Code."

CORRECTION TO TITLE
On page 1, in line 2, following ":,; TO" insert: "ALLOW"; also in line 2, following "TRANSFER" insert: "OF"; and in line 4, following "TREASURER" insert: "AND TO PROVIDE DUTIES OF THE BOARD OF COUNTY COMMISSIONERS".

The Committee also has S 1357, S 1303, and S 1315 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

S 1328, as amended, S 1332, as amended, and S 1347, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

On request by Senator Mortimer, granted by unanimous consent, H 452 was referred to the Fourteenth Order of Business, General Calendar.

S 1338 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1338 passed, title was approved, and the bill ordered transmitted to the House.

S 1300, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1300, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1256, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Whereupon the President Pro Tempore declared S 1256, as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 362, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 362, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 379, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 379, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 458, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 458, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 447, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon and Jordan disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 447, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 385 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 385, passed, title was approved, and the bill ordered returned to the House.
H 335 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 335 passed, title was approved, and the bill ordered returned to the House.

H 336 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 336 passed, title was approved, and the bill ordered returned to the House.

H 337 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 337 passed, title was approved, and the bill ordered returned to the House.

H 338 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 338 passed, title was approved, and the bill ordered returned to the House.

H 339 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 339 passed, title was approved, and the bill ordered returned to the House.

H 340 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 340 passed, title was approved, and the bill ordered returned to the House.
H 391 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 391 passed, title was approved, and the bill ordered returned to the House.

H 392 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 392 passed, title was approved, and the bill ordered returned to the House.

H 428 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 428 passed, title was approved, and the bill ordered returned to the House.

H 346 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 346 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, S 1302 was returned to the third reading calendar.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

Reports of Standing Committees

March 7, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1328, S 1332, and S 1347 have been correctly printed.

LODGE, Chairman

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

March 7, 2016

The JUDICIARY AND RULES Committee reports that S 1328, as amended, S 1332, as amended, and S 1347, as amended, have been correctly engrossed.

LODGE, Chairman

S 1328, as amended, S 1332, as amended, and S 1347, as amended, were filed for first reading.

The Senate advanced to the Eleventh Order of Business.

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

S 1328, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1332, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1347, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Fifteenth Order of Business.
Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 10:30 a.m., Tuesday, March 8, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nellie Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 7, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

March 8, 2016

The JUDICIARY AND RULES Committee reports that SCR 150, S 1387, S 1388, S 1389, S 1390, S 1391, S 1392, S 1393, and S 1394 have been correctly printed.

LODGE, Chairman

SCR 150 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1387 was referred to the Commerce and Human Resources Committee.

S 1388 was referred to the Judiciary and Rules Committee.

S 1389 was referred to the State Affairs Committee.

S 1390, S 1391, S 1392, S 1393, and S 1394 were referred to the Finance Committee.

The EDUCATION Committee reports out H 515, HCR 44, HCR 45, and S 1376 with the recommendation that they do pass.

MORTIMER, Chairman

H 515 and S 1376 were filed for second reading.

HCR 44 and HCR 45 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the Governor

March 7, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that L. Daniel Cravens of Blackfoot, Idaho, was appointed as a member of the Idaho Commission on Human Rights to serve a term commencing February 29, 2016, and expiring July 1, 2017.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 7, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk

HCR 50, H 556, H 533, H 521, H 538, HCR 48, H 477, as amended, H 443, as amended, H 406, as amended, H 513, as amended, H 558, H 542, H 540, H 541, H 531, and HCR 49 were filed for first reading.

March 7, 2016

Dear Mr. President:

I return herewith S 1218, S 1314, S 1268, S 1232, S 1267, S 1290, and S 1339, which have passed the House.

TAYLOR, Acting Chief Clerk
S 1218, S 1314, S 1268, S 1232, S 1267, S 1290, and S 1339 were referred to the Judiciary and Rules Committee for enrolling.

March 4, 2016

Dear Mr. President:

I transmit herewith Enrolled HCR 36 for the signature of the President.

TAYLOR, Acting Chief Clerk

The President Pro Tempore signed Enrolled HCR 36 and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Davis was recorded present at this order of business.

The President Pro Tempore announced that HCR 29 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Stennett, HCR 29 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 39 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nonini, seconded by Senator Jordan, HCR 39 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 40 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nonini, seconded by Senator Jordan, HCR 40 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 48 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, HCR 28, as amended, was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 47 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lakey, HCR 47 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

HCR 50, by Education Committee, was introduced, read at length, and referred to the Education Committee.

H 556, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 533, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 521, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 538, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HCR 48, by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

H 477, as amended, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 443, as amended, and H 406, as amended, by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 513, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 558, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 542, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 540, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 541, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 531, by State Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

HCR 49, by State Affairs Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 546, H 547, H 548, H 549, H 550, H 551, and H 552, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1379, S 1380, and S 1381, by Finance Committee, were read the second time at length and filed for third reading.

H 495, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1343, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1350, by State Affairs Committee, was read the second time at length and filed for third reading.

H 350, H 378, and H 509, by Resources and Conservation Committee, were read the second time at length and filed for third reading.
H 528, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1373, S 1383, and S 1328, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1332, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1347, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1354 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Martin, Mortimer, Siddoway. Total - 3.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1354 passed, title was approved, and the bill ordered transmitted to the House.

S 1302 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1302 passed, title was approved, and the bill ordered transmitted to the House.

H 357 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 386 passed, title was approved, and the bill ordered returned to the House.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed in recognition of Idaho's military families at 12 noon until the hour of 4 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4 p.m. President Little assumed the Chair.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and Senators Bair, Brackett, Den Hartog, Johnson, Rice, and Siddoway, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 8, 2016

The JUDICIARY AND RULES Committee reports that S 1218, S 1314, S 1268, S 1232, S 1267, S 1290, and S 1339 have been correctly enrolled.

LODGE, Chairman
The President signed Enrolled S 1218, S 1314, S 1268, S 1232, S 1267, S 1290, and S 1339 and ordered them transmitted to the House for the signature of the Speaker.

March 8, 2016

The AGRICULTURAL AFFAIRS Committee reports out H 469 and H 524 with the recommendation that they do pass.

RICE, Chairman

H 469 and H 524 were filed for second reading.

March 8, 2016

The STATE AFFAIRS Committee reports out H 356, as amended, with the recommendation that it do pass.

MCKENZIE, Chairman

H 356, as amended, was filed for second reading.

March 8, 2016

The FINANCE Committee reports out S 1390, S 1391, S 1392, S 1393, and S 1394 with the recommendation that they do pass.

KEOUGH, Chairman

S 1390, S 1391, S 1392, S 1393, and S 1394 were filed for second reading.

Senator Brackett was recorded present at this order of business.

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

Senator Bair was recorded present at this order of business.

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1303, S 1315, and H 452, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1303

AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 30, following "custodian to disclose" insert: "to the designated recipient".

On page 4, delete lines 4 through 7, and insert: "(2) This chapter does not give a fiduciary or designated recipient any new or expanded rights other than those held by the user for whom, or for whose estate, the fiduciary or designated recipient acts or represents.

(3) A fiduciary's or designated recipient's access to digital assets may be modified or elimi-
"

On page 8, in line 9, following "fiduciary's" insert: "or designated recipient's"; and delete line 14, and insert: "(c) In the case of a fiduciary, is limited by the scope of the fiduciary's duties; and"

On page 9, in line 3, delete "15-14-114" and insert: "15-14-115".

SENATE AMENDMENT TO S 1315

AMENDMENT TO SECTION 1

On page 4 of the printed bill, following line 2, insert: "(15) On or after the tenth day, as provided in subsection (11) of this section, if the property is reasonably determined by the purchaser to be unoccupied, the purchaser may:
(a) Dispose of any titled personal property remaining on the premises in the manner described by applicable law; and
(b) Remove any nontitled personal property from the premises and place it in suitable storage. The purchaser may dispose of the nontitled personal property only after providing ninety (90) days' written notice as follows:
(i) First class mail to the last known address of the last known occupant of the property; and
(ii) Posting a notice in a conspicuous place on the premises that such nontitled personal property may be disposed of following such ninety (90) day period, and providing a name, address and phone number to contact regarding further information as to the location and disposition of such nontitled personal property; and
(iii) The notice shall generally describe the nontitled personal property that was left on the premises and that the purchaser intends to dispose of the property and the anticipated method of disposition.
(c) If the owner of the nontitled personal property fails to claim the nontitled personal property within ninety (90) days of the date that written notice was provided under paragraph (b) of this subsection, then any and all of his rights in said property shall extinguish, and the purchaser shall have no further liability regarding said property or to any potential claimants of said property."

SENATE AMENDMENT TO H 452

AMENDMENT TO SECTION 1

On page 4 of the printed bill, following line 18, insert: "(29) "Public education entity" means community colleges, public school districts, public charter schools and the Idaho digital learning academy;"

in line 19, delete "(29)" and insert: "(30)"; in line 22, delete "(30)" and insert: "(30)"; in line 26, delete "(31)" and insert: "(31)"; in line 29, delete "(32)" and insert: "(32)"; delete lines 31 through 35, and insert: "(33) State educational agency" means the following state agencies and educational institutions supervised by the Idaho state board of education:

(a) Boise state university;
(b) Idaho state university;
(c) University of Idaho;
(d) Lewis-Clark state college;
(e) Eastern Idaho technical college;
(f) Idaho public television;
(g) The division of vocational rehabilitation;
(h) The division of career technical education;
(i) The office of the state board of education; and
(j) The department of education;"

in line 36, delete "(33)" and insert: "(35)"; in line 46, delete "(34)" and insert: "(34)"; in line 49, delete "(35)" and insert: "(35)".

AMENDMENT TO THE BILL

On page 5, delete lines 1 through 40, and insert: "SECTION 2. That Section 67-5333A, Idaho Code, be, and the same is hereby amended to read as follows:

67-5333A. SICK LEAVE TRANSFERRED – COMMUNITY COLLEGES – STATE EMPLOYMENT
On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

S 1303, as amended, and S 1315, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 452, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

Senators Den Hartog, Johnson, Siddoway, and Rice were recorded present at this order of business.

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

Third Reading of Bills

H 405 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 405 passed, title was approved, and the bill ordered returned to the House.

H 373 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 373 passed, title was approved, and the bill ordered returned to the House.

H 432 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill,

NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 432 passed, title was approved, and the bill ordered returned to the House.

H 374 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 374 passed, title was approved, and the bill ordered returned to the House.

H 375 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 375 passed, title was approved, and the bill ordered returned to the House.

H 377 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 377 passed, title was approved, and the bill ordered returned to the House.

H 474 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 474 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the third reading calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

**Reports of Standing Committees**

March 8, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1303, S 1315, and H 452 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.
March 8, 2016

The JUDICIARY AND RULES Committee reports that S 1303, as amended, and S 1315, as amended, have been correctly engrossed.

LODGE, Chairman

S 1303, as amended, and S 1315, as amended, were filed for first reading.

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

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

H 452, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

S 1303, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1315, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:55 p.m. until the hour of 10:30 a.m., Wednesday, March 9, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 9, 2016

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Anna Daley Laursen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 8, 2016, was read and approved as corrected.

LODGE, Chairman

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

Senator Brackett was recorded present at this order of business.

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

Reports of Standing Committees

March 8, 2016

The EDUCATION Committee reports out H 526 with the recommendation that it do pass.

MORTIMER, Chairman

H 526 was filed for second reading.

March 8, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 511 and S 1387 with the recommendation that they do pass.

PATRICK, Chairman

H 511 and S 1387 were filed for second reading.

March 8, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1317 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, S 1317 was referred to the Fourteenth Order of Business, General Calendar.

March 9, 2016

The STATE AFFAIRS Committee reports out H 512, S 1360, and S 1377 with the recommendation that they do pass.

MCKENZIE, Chairman

H 512, S 1360, and S 1377 were filed for second reading.

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

Messages from the House

March 8, 2016

Dear Mr. President:

I transmit herewith HCR 51, H 560, H 561, H 562, H 563, H 564, H 567, H 537, H 555, and H 413, as amended, which have passed the House.

TAYLOR, Acting Chief Clerk

HCR 51, H 560, H 561, H 562, H 563, H 564, H 567, H 537, H 555, and H 413, as amended, were filed for first reading.

March 8, 2016

Dear Mr. President:

I return herewith S 1248, S 1294, S 1246, S 1261, S 1262, S 1258, S 1353, and S 1298, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1248, S 1294, S 1246, S 1261, S 1262, S 1258, S 1353, and S 1298 were referred to the Judiciary and Rules Committee for enrolling.

March 7, 2016

Dear Mr. President:

I transmit herewith Enrolled H 445 for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled H 445 and ordered it returned to the House.

March 8, 2016

Dear Mr. President:

I return herewith Enrolled S 1229, S 1259, S 1270, S 1271, S 1219, and S 1249, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1229, S 1259, S 1270, S 1271, S 1219, and S 1249 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.
Motions and Resolutions

The President announced that SCR 150 was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that SCR 150 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Whereupon the President declared SCR 150 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that HCR 44 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, HCR 44 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that HCR 45 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, HCR 45 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1395
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1396
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

S 1397
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE GENERAL FUND; PROVIDING CERTAIN DEDICATED FUND REAPPROPRIATION AUTHORITY; AND PROVIDING CERTAIN GENERAL FUND REAPPROPRIATION AUTHORITY.

S 1395, S 1396, and S 1397 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 51, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 560, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 561, H 562, H 563, H 564, and H 567, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 537, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 555, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 413, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 515, by Education Committee, was read the second time at length and filed for third reading.

S 1376, by State Affairs Committee, was read the second time at length and filed for third reading.

H 469 and H 524, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

H 356, as amended, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1390, S 1391, S 1392, S 1393, and S 1394, by Finance Committee, were read the second time at length and filed for third reading.

H 452, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

S 1303, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1315, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, S 1343 retained its place on the third reading calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, S 1328, as amended, retained its place on the third reading calendar for one legislative day.
S 1350 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, “Shall the bill pass?”

Roll call resulted as follows:

AYES—Hagedorn, Harris, Hill, Keough, Lakey, Lodge, McKenzie, Mortimer, Rice, Siddoway, Souza, Thayn. Total - 12.


Total - 35.

Whereupon the President declared that S 1350 had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:20 p.m. until the hour of 4 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Anthon, Bayer, Brackett, Buckner-Webb, Den Hartog, Hagedorn, Johnson, Mortimer, Nonini, Patrick, Schmidt, Souza, Thayn, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 151

BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT AN INTERIM COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF POTENTIAL APPROACHES TO MITIGATING THE RISK OF BIAS IN CONTESTED CASES.

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

WHEREAS, state agencies and members of the public are often opposing parties in a contested case administrative hearing; and

WHEREAS, an order issued in such a contested case can determine legal rights, duties, privileges, immunities and other legal interests; and

WHEREAS, agency directors, boards and administrative hearing officers play an integral role in determining the outcome of contested cases and any orders that are issued; and

WHEREAS, those who adjudicate contested cases should have the independence and expertise to conduct fair and thorough hearings; and

WHEREAS, the Office of Performance Evaluations (OPE) on February 22, 2016, issued its study "Risk of Bias in Administrative Hearings"; and

WHEREAS, OPE found that the types of actions involving administrative hearings total 93 and, of that number, 48 of these actions, or 52%, present moderate or high risk for bias; and

WHEREAS, one recommendation of OPE was to consider whether current safeguards could be strengthened or new safeguards implemented to help mitigate the risk of bias as well as promote greater consistency in hearing procedures; and

WHEREAS, another recommendation of OPE was for the Legislature to consider whether a central panel is appropriate to mitigating the risk of bias in contested cases; and

WHEREAS, a further recommendation of OPE was that the Legislature should consider establishing an interim committee to study possible contested case changes; and

WHEREAS, the Legislature finds that 48 of 93 types of actions holding a moderate or high risk of bias is not acceptable.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of potential approaches to mitigating the risk of bias in contested case proceedings including, but not limited to: the assignment of agency directors, boards and administrative hearing officers for the conduct and decision of contested cases; the appointment and compensation of administrative hearing officers; and appropriate means to mitigate actual and perceived bias, conflicts of interest and any other factors undermining the actual and perceived unfairness of contested case proceedings. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The political party affiliations of the committee members from each legislative body shall be in the same proportions as they are in the legislative body in which such members serve. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the cochairs of the committee are authorized to appoint advisors with technical expertise in the area of contested case administrative hearings and hearing officers and are expected to receive input from stakeholders in various state agencies.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-fourth Idaho Legislature.

SCR 151 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Schmidt was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 9, 2016

The JUDICIARY AND RULES Committee reports that

S 1248, S 1294, S 1246, S 1261, S 1262, S 1258, S 1353, and S 1298 have been correctly enrolled.

LODGE, Chairman
The President signed Enrolled S 1248, S 1294, S 1246, S 1261, S 1262, S 1258, S 1353, and S 1298 and ordered them transmitted to the House for the signature of the Speaker.

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

March 9, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1229, S 1259, S 1270, S 1271, S 1219, and S 1249 were delivered to the Office of the Governor at 11:30 a.m., March 9, 2016.

LODGE, Chairman

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

March 9, 2016

The FINANCE Committee reports out H 561, H 562, H 563, H 564, and H 567 with the recommendation that they do pass.

KEOUGH, Chairman

H 561, H 562, H 563, H 564, and H 567 were filed for second reading.

March 9, 2016

The JUDICIARY AND RULES Committee reports out H 439, H 504, and S 1388 with the recommendation that they do pass.

LODGE, Chairman

H 439, H 504, and S 1388 were filed for second reading.

Senator Johnson was recorded present at this order of business.

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

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, S 1373 retained its place on the third reading calendar for one legislative day.

S 1383 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS--Bayer, Harris, Nonini, Vick. Total - 4.

Total - 35.

Whereupon the President declared S 1383 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Mortimer, granted by unanimous consent, S 1332, as amended, retained its place on the third reading calendar for Friday, March 11, 2016.

S 1347, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1347, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1379 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1379 passed, title was approved, and the bill ordered transmitted to the House.

S 1380 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1380 passed, title was approved, and the bill ordered transmitted to the House.

S 1381 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1381 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, H 463 retained its place on the third reading calendar for one legislative day.
H 383 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 383 passed, title was approved, and the bill ordered returned to the House.

H 417 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 417 passed, title was approved, and the bill ordered returned to the House.

H 455 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 455 passed, title was approved, and the bill ordered returned to the House.

H 341 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 341 passed, title was approved, and the bill ordered returned to the House.

H 367 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 367 passed, title was approved, and the bill ordered returned to the House.


Whereupon the President declared H 369 passed, title was approved, and the bill ordered returned to the House.


Whereupon the President declared H 440 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, S 1315, as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, H 459 was placed at the head of the third reading calendar, followed by H 463, followed by Senate bills, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:10 p.m. until the hour of 10:30 a.m., Thursday, March 10, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 10, 2016

Senate Chamber

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

Roll call showed all members present except Senators Davis, Guthrie, Johnson, Keough, Mortimer, Nuxoll, and Thayn, absent and excused.

Prayer was offered by Father John Worster.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 9, 2016, was read and approved as corrected.

LODGE, Chairman

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

Senator Mortimer was recorded present at this order of business.

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

Reports of Standing Committees

March 10, 2016

The JUDICIARY AND RULES Committee reports that SCR 151, S 1395, S 1396, and S 1397 have been correctly printed.

LODGE, Chairman

SCR 151 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1395, S 1396, and S 1397 were referred to the Finance Committee.

March 9, 2016

The RESOURCES AND ENVIRONMENT Committee reports out H 351, HCR 35, HCR 43, and HJM 13 with the recommendation that they do pass.

BAIR, Chairman

H 351 was filed for second reading.

HCR 35, HCR 43, and HJM 13 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 9, 2016

The EDUCATION Committee reports out H 514 with the recommendation that it do pass.

MORTIMER, Chairman

H 514 was filed for second reading.

March 9, 2016

The HEALTH AND WELFARE Committee reports out S 1382 and H 483 with the recommendation that they do pass.

HEIDER, Chairman

S 1382 and H 483 were filed for second reading.

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

March 9, 2016

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


HEIDER, Chairman

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

March 10, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 372, H 534, and H 535 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 372, H 534, and H 535 were filed for second reading.

Senator Nuxoll was recorded present at this order of business.

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

Messages from the Governor

March 9, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1202 and S 1208

As Always - Idaho, Estro Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho
The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House
March 9, 2016

Dear Mr. President:

I return herewith S 1214, S 1250, S 1251, S 1281, S 1221, S 1286, S 1235, S 1244, S 1363, and S 1364, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1214, S 1250, S 1251, S 1281, S 1221, S 1286, S 1235, S 1244, S 1363, and S 1364 were referred to the Judiciary and Rules Committee for enrolling.

March 9, 2016

Dear Mr. President:

I return herewith Enrolled S 1218, S 1314, S 1268, S 1232, S 1267, S 1290, and S 1339, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1218, S 1314, S 1268, S 1232, S 1267, S 1290, and S 1339 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 9, 2016

Dear Mr. President:

I return herewith S 1287, which has failed to pass the House.

TAYLOR, Acting Chief Clerk

S 1287 was ordered filed in the office of the Secretary of the Senate.

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

Second Reading of Bills

On request by Senator Davis, granted by unanimous consent, S 1388 was referred to the Fourteenth Order of Business, General Calendar.

H 439 and H 504, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

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

Motions and Resolutions

The President announced HCR 33 was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Ward-Engelking, that HCR 33 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Whereupon the President declared HCR 33 adopted, title was approved, and the resolution ordered returned to the House.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1315, as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1315, As Amended
AMENDMENT TO SECTION 1
On page 3 of the engrossed bill, in line 21, delete "The purchaser at"; and delete lines 22 through 26.

CORRECTION TO TITLE
On page 1, in line 3, delete "ANY" and insert: "TITLED OR".

The Committee also has S 1357 and S 1317 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

S 1315, as amended, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.
Third Reading of Bills

H 459 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


NAYS–Bayer, Den Hartog, Guthrie, Harris, Lacey, Nonini, Nuxoll. Total - 7.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 459 passed, title was approved, and the bill ordered returned to the House.

H 463 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


Paired and voting included in roll call:

AYE - Winder NAY - Buckner-Webb

Total - 35.

Whereupon the President declared H 463 passed, title was approved, and the bill ordered returned to the House.

S 1343 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared S 1343 passed, title was approved, and the bill ordered transmitted to the House.

S 1373 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared S 1373 passed, title was approved, and the bill ordered transmitted to the House.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Sten nett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senators Bayer, Guthrie, Rice, Thayn, and Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Rice was recorded present at this order of business.

March 10, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1315, as amended, have been correctly printed.

LODGE, Chairman

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

March 10, 2016

The JUDICIARY AND RULES Committee reports that S 1315, as amended, as amended, has been correctly engrossed.

LODGE, Chairman

S 1315, as amended, as amended, was filed for first reading.
Senator Bayer was recorded present at this order of business.

March 10, 2016

The JUDICIARY AND RULES Committee reports that S 1214, S 1250, S 1251, S 1281, S 1221, S 1286, S 1235, S 1244, S 1363, and S 1364 have been correctly enrolled.

Lodge, Chairman

The President signed Enrolled S 1214, S 1250, S 1251, S 1281, S 1221, S 1286, S 1235, S 1244, S 1363, and S 1364 and ordered them transmitted to the House for the signature of the Speaker.

March 10, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1218, S 1314, S 1268, S 1232, S 1267, S 1290, and S 1339 were delivered to the Office of the Governor at 11:31 a.m., March 10, 2016.

Lodge, Chairman

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

March 10, 2016

The AGRICULTURAL AFFAIRS Committee reports out H 525, as amended, H 531, and HCR 49 with the recommendation that they do pass.

Rice, Chairman

H 525, as amended, and H 531 were filed for second reading.

HCR 49 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 10, 2016

The AGRICULTURAL AFFAIRS Committee reports out H 382 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

Rice, Chairman

There being no objection, H 382 was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2016

The FINANCE Committee reports out S 1395, S 1396, and S 1397 with the recommendation that they do pass.

Keough, Chairman

S 1395, S 1396, and S 1397 were filed for second reading.

Senator Vick was recorded present at this order of business.

March 10, 2016

The EDUCATION Committee reports out H 527 with the recommendation that it do pass.

Mortimer, Chairman

H 527 was filed for second reading.

March 10, 2016

The TRANSPORTATION Committee reports out H 513, as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

Brackett, Chairman

There being no objection, H 513, as amended, was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 398, H 454, H 480, H 482, H 485, H 501, and HCR 48 with the recommendation that they do pass.

Patrick, Chairman

H 398, H 454, H 480, H 482, H 485, and H 501 were filed for second reading.

HCR 48 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 10, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 371 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

Patrick, Chairman

There being no objection, H 371 was referred to the Fourteenth Order of Business, General Calendar.

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

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

S 1315, as amended, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

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

Third Reading of Bills

S 1328, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS--None.

Absent and excused--Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1328, as amended, passed, title was approved, and the bill ordered transmitted to the House.
S 1376 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Stennett. Total - 1.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1376 passed, title was approved, and the bill ordered transmitted to the House.

S 1303, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1303, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1390 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1390 passed, title was approved, and the bill ordered transmitted to the House.

S 1391 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Nonini, Nuxoll, Patrick, Rice, Vick. Total - 5.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1391 passed, title was approved, and the bill ordered transmitted to the House.

S 1392 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Pro Tempore Hill called Senator Lacey to the Chair.

Roll call resulted as follows:


Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared S 1392 passed, title was approved, and the bill ordered transmitted to the House.

S 1393 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared S 1393 passed, title was approved, and the bill ordered transmitted to the House.
S 1394 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared S 1394 passed, title was approved, and the bill ordered transmitted to the House.

H 452, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared H 452, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 476 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared H 476 passed, title was approved, and the bill ordered returned to the House.

H 473 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared H 473 passed, title was approved, and the bill ordered returned to the House.

H 381 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared H 381 passed, title was approved, and the bill ordered returned to the House.

H 471 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 471** passed, title was approved, and the bill ordered returned to the House.

**H 472** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 472** passed, title was approved, and the bill ordered returned to the House.

**H 332** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 332** passed, title was approved, and the bill ordered returned to the House.

**H 334** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Pro Tempore Hill returned to the Chair.

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 334** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the third reading calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6 p.m. until the hour of 10 a.m., Friday, March 11, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

**Messages from the House**

March 10, 2016

Dear Mr. President:

I transmit herewith H 575, H 576, H 577, H 578, H 579, H 544, H 536, and H 553, which have passed the House.

TAYLOR, Acting Chief Clerk

H 575, H 576, H 577, H 578, H 579, H 544, H 536, and H 553 were filed for first reading.

March 10, 2016

Dear Mr. President:

I return herewith S 1368, which has failed to pass the House.

TAYLOR, Acting Chief Clerk

S 1368 was ordered filed in the office of the Secretary of the Senate.

March 10, 2016

Dear Mr. President:

I return herewith S 1365, S 1366, S 1367, S 1369, S 1280, as amended, S 1320, and S 1336, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1365, S 1366, S 1367, S 1369, S 1280, as amended, S 1320, and S 1336 were referred to the Judiciary and Rules Committee for enrolling.

March 10, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk


March 10, 2016

Dear Mr. President:

I return herewith Enrolled S 1248, S 1294, S 1246, S 1261, S 1262, S 1258, S 1353, and S 1298, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1248, S 1294, S 1246, S 1261, S 1262, S 1258, S 1353, and S 1298 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.
On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

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

S 1398
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE TRANSFER OF UNEXPENDED AND UNENCUMBERED MONEYS TO THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT AT THE END OF FISCAL YEAR 2016; PROVIDING LEGISLATIVE INTENT REGARDING THE LEVEL OF SERVICES THAT THE GEOLOGICAL SURVEY PROGRAM WILL PROVIDE IN EASTERN IDAHO; AND DECLARING AN EMERGENCY.

S 1399
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION.

S 1400
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR LOCAL DEPARTMENT OF LABOR OFFICES.

S 1401
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN TRANSFER LIMITATIONS; AND PROVIDING REAPPROPRIATION AUTHORITY FOR CERTAIN BALANCES.

S 1402
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND; TRANSFERRING MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND; TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND; TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE MISCELLANEOUS REVENUE FUND FOR DEPOSIT TO THE PRIEST LAKE OUTLET SUBACCOUNT; AND PROVIDING LEGISLATIVE INTENT.

S 1403
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED AND SERVICE INTEGRATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; AND DIRECTING EXPENDITURES FOR HEAD START APPROPRIATIONS FROM TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

H 575, H 576, H 577, H 578, and H 579, by Appropriations Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 544, by State Affairs Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 536 and H 553, by State Affairs Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

President Pro Tempore Hill and Senators Siddoway and Stennett were recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 351, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 514, by Education Committee, was read the second time at length and filed for third reading.

S 1382, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 483, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 372, by Business Committee, was read the second time at length and filed for third reading.

H 534 and H 535, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

H 525, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 531, by State Affairs Committee, was read the second time at length and filed for third reading.
S 1395, S 1396, and S 1397, by Finance Committee, were read the second time at length and filed for third reading.

H 527, by Education Committee, was read the second time at length and filed for third reading.

H 398, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 454, by Environment, Energy, and Technology Committee, was read the second time at length and filed for third reading.

H 480 and H 482, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 485 and H 501, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1315, as amended, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

Senators Nuxoll and Lakey were recorded present at this order of business.

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

Senator Buckner-Webb was recorded present at this order of business.

**General Calendar**

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

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

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out H 513, as amended, without recommendation, amended as follows:

**SENATE AMENDMENT TO H 513, As Amended**

AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 22, delete "security"; in line 35, delete ": and" and insert ": and delete lines 36 through 38.

The Committee also has S 1357, S 1317, S 1388, H 382, and H 371 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

H 513, as amended, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

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

**Third Reading of Bills**

S 1332, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.

Whereupon the President declared S 1332, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1387 retained its place on the third reading calendar for Monday, March 14, 2016.

S 1360 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.

S 1377 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.
Whereupon the President declared S 1377 passed, title was approved, and the bill ordered transmitted to the House.

H 396 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.

Whereupon the President declared H 396 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the third reading calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

Reports of Standing Committees

March 11, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to H 513, as amended, have been correctly printed.

LODGE, Chairman

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

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

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

H 513, as amended, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11 a.m. until the hour of 10 a.m., Monday, March 14, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
To the Senate of the State of Idaho:

The Senate unanimously adopts the following:

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Administration relating to Rules Governing Capitol Mall Parking 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 Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.04.04, Rules of the Department of Administration, Rules Governing Capitol Mall Parking, Section 022., Subsections 02.b. and 08.d., and Section 040., Subsections 02.g. and 02.h., only, adopted as pending rules under Docket Number 38-040-1-1501, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 152 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 14, 2016

The JUDICIARY AND RULES Committee reports that S 1398, S 1399, S 1400, S 1401, S 1402, and S 1403 have been correctly printed.

LODGE, Chairman

S 1398, S 1399, S 1400, S 1401, S 1402, and S 1403 were referred to the Finance Committee.

Senator McKenzie was recorded present at this order of business.

March 11, 2016

The JUDICIARY AND RULES Committee reports that S 1365, S 1366, S 1367, S 1369, S 1280, as amended, S 1320, and S 1336 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1365, S 1366, S 1367, S 1369, S 1280, as amended, S 1320, and S 1336 and ordered them transmitted to the House for the signature of the Speaker.

March 11, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1248, S 1294, S 1246, S 1261, S 1262, S 1258, S 1353, and S 1298 were delivered to the Office of the Governor at 11 a.m., March 11, 2016.

LODGE, Chairman

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

Senator Lodge was recorded present at this order of business.

March 11, 2016

The STATE AFFAIRS Committee reports out H 516 and HCR 41 with the recommendation that they do pass.

MCKENZIE, Chairman

H 516 was filed for second reading.

HCR 41 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2016

The FINANCE Committee reports out H 575, H 576, H 577, H 578, and H 579 with the recommendation that they do pass.

KEOUGH, Chairman
H 575, H 576, H 577, H 578, and H 579 were filed for second reading.

March 11, 2016

The JUDICIARY AND RULES Committee reports out H 503 and H 521 with the recommendation that they do pass.

LODGE, Chairman

H 503 and H 521 were filed for second reading.

March 11, 2016

The JUDICIARY AND RULES Committee reports out H 555 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, H 555 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

March 11, 2016

Dear Mr. President:

I transmit herewith H 574, H 566, and H 554, which have passed the House.

TAYLOR, Acting Chief Clerk

H 574, H 566, and H 554 were filed for first reading.

March 11, 2016

Dear Mr. President:

I return herewith S 1288, S 1222, S 1223, S 1224, S 1225, S 1237, S 1340, S 1344, S 1370, S 1371, S 1372, S 1295, S 1296, and S 1326, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1288, S 1222, S 1223, S 1224, S 1225, S 1237, S 1340, S 1344, S 1370, S 1371, S 1372, S 1295, S 1296, and S 1326 were referred to the Judiciary and Rules Committee for enrolling.

March 10, 2016

Dear Mr. President:

I transmit herewith Enrolled HCR 44, HCR 45, H 383, H 417, H 455, H 341, H 367, H 369, and H 440 for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled HCR 44, HCR 45, H 383, H 417, H 455, H 341, H 367, H 369, and H 440 and ordered them returned to the House.

March 11, 2016

Dear Mr. President:

I return herewith Enrolled S 1214, S 1250, S 1251, S 1281, S 1221, S 1286, S 1235, S 1244, S 1363, and S 1364, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1214, S 1250, S 1251, S 1281, S 1221, S 1286, S 1235, S 1244, S 1363, and S 1364 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that SCR 151 was before the Senate for final consideration.

Moved by Senator Burgoyne, seconded by Senator Rice, that SCR 151 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS—None.

Absent and excused—Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared SCR 151 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that HCR 35 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

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

On motion by Senator Johnson, seconded by Senator Schmidt, HCR 35 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that HCR 43 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Ward-Engelking, HCR 43 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that HJM 13 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Mortimer, HJM 13 was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

Senator Hagedorn was recorded present at this order of business.

The President announced that HCR 49 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Burgoyne, HCR 49 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.
On request by Senator Martin, granted by unanimous consent, HCR 48 retained its place on the calendar for Friday, March 18, 2016.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Jay Kunze was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Lacey, the Gubernatorial reappointment of Jay Kunze as a member of the Hazardous Waste Facility Siting License Application Review Panel was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1404

BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO THE IDAHO UNBORN INFANTS DIGNITY ACT; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR FINAL DISPOSITION OF CERTAIN REMAINS, TO PROVIDE FOR MISCARRIAGE CERTIFICATES, TO PROVIDE PROHIBITIONS, TO REQUIRE INFORMED CONSENT FOR EXPERIMENTATION UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH CRIMINAL PENALTIES, TO PROVIDE DUTIES OF THE ATTORNEY GENERAL AND PROSECUTING ATTORNEYS, TO PROVIDE FOR CERTAIN CIVIL AND ADMINISTRATIVE ACTIONS AND TO PROVIDE FOR STATUTORY CONSTRUCTION; AND PROVIDING SEVERABILITY.

S 1404 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 574 and H 566, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 554, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 406, as amended, and H 443, as amended, by Local Government Committee, were read the second time at length and filed for third reading.

H 540, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 523 and H 533, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 513, as amended, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

Senator Davis, requested unanimous consent that the Senate advance to the Fourteenth Order of Business.

Senator Schmidt objected.

Moved by Senator Davis, seconded by Senator Bair, that the Senate advance to the Fourteenth Order of Business.


Total - 35.

More than two-thirds having voted in the affirmative the President declared the Senate advance to the Fourteenth Order of Business.

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1388, without recommendation, amended as follows:

SENEATE AMENDMENT TO S 1388
AMENDMENT TO SECTION 6
On page 8 of the printed bill, in line 34, following "recorded" insert: "purchase contract"; and in line 36, delete "64-1009" and insert: "63-1009".

The Committee also has S 1357, S 1317, H 382, and H 371 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

S 1388, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 14, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1388 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.
March 14, 2016

The JUDICIARY AND RULES Committee reports that S 1388, as amended, has been correctly engrossed.

LODGE, Chairman

S 1388, as amended, was filed for first reading.

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

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

S 1388, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 3 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senators Bair, Buckner-Webb, Den Hartog, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Thayn, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 14, 2016

The JUDICIARY AND RULES Committee reports that S 1288, S 1222, S 1223, S 1224, S 1225, S 1237, S 1340, S 1344, S 1370, S 1371, S 1372, S 1295, S 1296, and S 1326 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1288, S 1222, S 1223, S 1224, S 1225, S 1237, S 1340, S 1344, S 1370, S 1371, S 1372, S 1295, S 1296, and S 1326 and ordered them transmitted to the House for the signature of the Speaker.

March 14, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1214, S 1250, S 1251, S 1281, S 1221, S 1286, S 1235, S 1244, S 1363, and S 1364 were delivered to the Office of the Governor at 10:40 a.m., March 14, 2016.

LODGE, Chairman

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

March 14, 2016

The STATE AFFAIRS Committee reports out H 478 and S 1389 with the recommendation that they do pass.

MCKENZIE, Chairman

H 478 and S 1389 were filed for second reading.

March 14, 2016

The FINANCE Committee reports out H 566, H 574, S 1398, S 1399, S 1400, S 1401, S 1402, and S 1403 with the recommendation that they do pass.

KEOUGH, Chairman

H 566, H 574, S 1398, S 1399, S 1400, S 1401, S 1402, and S 1403 were filed for second reading.

March 14, 2016

The JUDICIARY AND RULES Committee reports out H 508 and H 558 with the recommendation that they do pass.

LODGE, Chairman

H 508 and H 558 were filed for second reading.

March 14, 2016

The JUDICIARY AND RULES Committee reports it has had under consideration the Idaho State Bar appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Reed W. Larsen to the Idaho Judicial Council, term to expire June 30, 2021.

LODGE, Chairman

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

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

Third Reading of Bills

S 1387 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1387 passed, title was approved, and the bill ordered transmitted to the House.

S 1382 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator
Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1382 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1315, as amended, as amended, retained its place on the third reading calendar.

S 1395 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1395 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1315, as amended, as amended, was placed before the Senate for consideration at this time.

S 1315, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1315, as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1396 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1396 passed, title was approved, and the bill ordered transmitted to the House.

S 1397 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1397 passed, title was approved, and the bill ordered returned to the House.
H 441 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared H 441 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, H 389 retained its place on the third reading calendar.

H 390 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared H 390 passed, title was approved, and the bill ordered returned to the House.

H 429 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 429 passed, title was approved, and the bill ordered returned to the House.

Senior Schmidt called for S 1205 to be reported forthwith from the Health and Welfare Committee, pursuant to Senate Rule 14(E).

Moved by Senator Davis, seconded by Senator Heider, that the Health and Welfare Committee be excused from reporting out S 1205. The question being, "Shall the motion prevail?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared that the motion had prevailed and declared that the Health and Welfare Committee was excused from reporting out S 1205. The President further declared that the bill could not be called for again pursuant to Senate Rule 14(E).

H 491, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 491, as amended, passed, title was approved, and the bill ordered returned to the House.

H 451 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 451 passed, title was approved, and the bill ordered returned to the House.

H 456 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Martin, Mortimer, Thayn. Total - 3.

Total - 35.
Whereupon the President declared **H 456** passed, title was approved, and the bill ordered returned to the House.

**H 499** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 499** passed, title was approved, and the bill ordered returned to the House.

**H 343** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 343** passed, title was approved, and the bill ordered returned to the House.

**H 366** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 366** passed, title was approved, and the bill ordered returned to the House.

**H 486** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared **H 486** passed, title was approved, and the bill ordered returned to the House.

**H 519** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 519** passed, title was approved, and the bill ordered returned to the House.

**H 496** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 496** passed, title was approved, and the bill ordered returned to the House.

**H 481** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Schmidt. Total - 1.

Total - 35.
Whereupon the President declared **H 481** passed, title was approved, and the bill ordered returned to the House.

**H 500** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 500** passed, title was approved, and the bill ordered returned to the House.

**H 426** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 426** passed, title was approved, and the bill ordered returned to the House.

**H 427** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 427** passed, title was approved, and the bill ordered returned to the House.

**H 436** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 436** passed, title was approved, and the bill ordered returned to the House.

**H 464** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS—Burgoyne, Schmidt, Stennett. Total - 3.

Total - 35.

Whereupon the President declared **H 464** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, all Senate bills were placed at the head of the third reading calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

**Miscellaneous Business**

On motion by Senator Lakey, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:50 p.m. until the hour of 9:30 a.m., Tuesday, March 15, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Grant A. Brackebusch of Silverton, Idaho, was appointed to serve as a member of the Idaho Lottery Commission to serve a term commencing March 11, 2016, and expiring January 1, 2021.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

President Little assumed the Chair.

March 14, 2016

Dear Mr. President:

I transmit herewith H 570, H 571, H 557, H 573, H 569, H 487, H 587, H 588, H 589, H 595, and HJR 5, which have passed the House.

TAYLOR, Acting Chief Clerk

March 14, 2016

Dear Mr. President:

I return herewith S 1318, S 1212, S 1238, S 1239, S 1269, and S 1260, as amended, which have passed the House.

TAYLOR, Acting Chief Clerk

March 14, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk

Senator Lee was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, HCR 41 retained its place on the calendar.

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

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

Senators McKenzie, Lodge, Den Hartog, and Lakey were recorded present at this order of business.

H 570 and H 571, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 557, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 573, by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 569, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 487, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 587, H 588, and H 589, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 595, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

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

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 516, by State Affairs Committee, was read the second time at length and filed for third reading.

H 575, H 576, H 577, H 578, and H 579, by Appropriations Committee, were read the second time at length and filed for third reading.

H 503 and H 521, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

S 1388, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 478, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1389, by State Affairs Committee, was read the second time at length and filed for third reading.

H 566 and H 574, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1398, S 1399, S 1400, S 1401, S 1402, and S 1403, by Finance Committee, were read the second time at length and filed for third reading.

H 508 and H 558, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

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

Motions and Resolutions

The President announced that HCR 41 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lodge, seconded by Senator Ward-Engelking, HCR 41 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Judiciary and Rules Committee report relative to the Idaho State Bar appointment of Reed W. Larsen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lacey, seconded by Senator Guthrie, the Idaho State Bar appointment of Reed W. Larsen as a member of the Idaho Judicial Council was confirmed by voice vote.

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

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

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, H 513, as amended, as amended in the Senate, retained its place on the third reading calendar.

H 389 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS--None.

Absent and excused--Schmidt. Total - 1.

Total - 35.
Whereupon the President declared H 389 passed, title was approved, and the bill ordered returned to the House.

H 495 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Harris. Total - 1.

Total - 35.

Whereupon the President declared H 495 passed, title was approved, and the bill ordered returned to the House.

H 350 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 350 passed, title was approved, and the bill ordered returned to the House.

H 378 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 378 passed, title was approved, and the bill ordered returned to the House.

H 509 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 509 passed, title was approved, and the bill ordered returned to the House.

H 528 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 528 passed, title was approved, and the bill ordered returned to the House.

H 515 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 515 passed, title was approved, and the bill ordered returned to the House.

H 469 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 469 passed, title was approved, and the bill ordered returned to the House.

H 524 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bair, Nuxoll, Siddoway, Thayn. Total - 4.

Total - 35.

Whereupon the President declared H 524 passed, title was approved, and the bill ordered returned to the House.
On request by Senator Winder, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

At this time Senator Winder arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senator Thayn, Chairman, and Senators Souza and Jordan to escort the Consul General of Canada, James Hill, into the Senate Chamber where he addressed the members of the Senate.

The President thanked Consul General Hill for his remarks and Senators Thayn, Souza and Jordan escorted the Consul from the Chamber, and the Committee was discharged.

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

Third Reading of Bills

H 356, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 356, as amended, passed, title was approved, and the bill ordered returned to the House.

H 526 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 526 passed, title was approved, and the bill ordered returned to the House.

H 511 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lacey and Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Absent and excused–Winder. Total - 1.

Total - 35.

Whereupon the President declared H 511 passed, title was approved, and the bill ordered returned to the House.

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

Reading of Communications

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Anthon, Bair, Den Hartog, Lodge, Mortimer, Nonini, Patrick, Siddoway, Souza, Thayn, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fourth Order of Business, Reading of Communications.

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

Reports of Standing Committees

March 15, 2016

The JUDICIARY AND RULES Committee reports that S 1318, S 1212, S 1238, S 1239, S 1269, and S 1260, as amended, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1318, S 1212, S 1238, S 1239, S 1269, and S 1260, as amended, and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2016

The FINANCE Committee reports out H 587, H 588, and H 589 with the recommendation that they do pass.

KEOUGH, Chairman

H 587, H 588, and H 589 were filed for second reading.

March 15, 2016

The TRANSPORTATION Committee reports out H 536 and H 553 with the recommendation that they do pass.

BRACKETT, Chairman
H 536 and H 553 were filed for second reading.

March 15, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 554 with the recommendation that it do pass.

PATRICK, Chairman

H 554 was filed for second reading.

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

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

**S 1405**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE COMMISSION FOR PARDONS AND PAROLE FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1406**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2017; MAKING A CASH TRANSFER; PROVIDING REAPPROPRIATION AUTHORITY FOR DEDICATED FUNDS; AND PROVIDING LEGISLATIVE INTENT.

**S 1407**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2017 THROUGH FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1408**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENT PROGRAM FOR FISCAL YEAR 2017.

**S 1409**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1410**

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS, DISTRIBUTIONS AND TRANSFERS OF IDAHO MILLENNIUM FUNDS; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE AMERICAN LUNG ASSOCIATION OF IDAHO FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO ASSOCIATION OF COUNTIES FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE PEER WELLNESS CENTER FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE CANYON COUNTY COMMUNITY CLINIC FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO RECOVERY IDAHO FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE SOJOURNERS’ ALLIANCE FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE IDAHO PUBLIC HEALTH DISTRICTS FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE AMERICAN CANCER SOCIETY CANCER ACTION NETWORK FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO PREVENTION PROJECT FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO YOUTH RANCH FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO JANNUS, INC., FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE SAINT ALPHONSUS REGIONAL MEDICAL CENTER FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE BOYS AND GIRLS CLUB OF IDAHO FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS FOR THE YOUTH PREVENTION AND CESSATION PROGRAMS FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR TOBACCO PERMITTEE COMPLIANCE INSPECTIONS FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF TRANSPORTATION FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PROJECT FILTER IN THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE COMMUNITY COALITIONS OF IDAHO FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO ACADEMY OF FAMILY PHYSICIANS FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR AN AWARENESS PROGRAM ON ELECTRONIC DEVICES USED TO INGEST NICOTINE AND THC BY YOUTH FOR FISCAL YEAR 2017; PROVIDING THAT CERTAIN UNEXPENDED AND UNENCUMBERED BALANCE OF MONEYS SHALL REVERT TO THE IDAHO MILLENNIUM INCOME FUND AT THE END OF FISCAL YEAR 2017; AND TRANSFERRING ANY REMAINING UNEXPENDED AND UNENCUMBERED BALANCE OF MONEYS IN THE
IDAHO MILLENIUM INCOME FUND TO THE IDAHO MILLENIUM PERMANENT ENDOWMENT FUND AT THE END OF FISCAL YEAR 2017.

S 1411
BY FINANCE COMMITTEE
AN ACT
RELATING TO APPROPRIATIONS FOR THE LEGISLATIVE BRANCH; APPROPRIATING MONEYS TO THE LEGISLATIVE SERVICES OFFICE FOR FISCAL YEAR 2017; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES TO THE LEGISLATIVE SERVICES OFFICE; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE LEGISLATIVE SERVICES OFFICE; APPROPRIATING MONEYS TO THE OFFICE OF PERFORMANCE EVALUATIONS FOR FISCAL YEAR 2017; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE OFFICE OF PERFORMANCE EVALUATIONS.

S 1412
BY FINANCE COMMITTEE
AN ACT

S 1413
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF INDEPENDENT COUNCILS, INDIRECT SUPPORT SERVICES, HEALTHCARE POLICY INITIATIVES AND LICENSING AND CERTIFICATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPEDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING A REPORT ON THE USE OF VOCA FUNDS; DIRECTING MONTHLY MEDICAID TRACKING REPORTS; REQUIRING BIANNUAL REPORTS FOR THE MEDICAID PROGRAM INTEGRITY UNIT COLLECTIONS; DIRECTING PROGRAM TRANSFER REPORTS; REQUIRING A MONTHLY REPORT ON DEPARTMENT VACANCIES; REPORTING ON IMPLEMENTATION OF THE SHIP GRANT; AND REQUIRING QUARTERLY REPORTS ON FACILITY LICENSING AND CERTIFICATION.

S 1405, S 1406, S 1407, S 1408, S 1409, S 1410, S 1411, S 1412, and S 1413 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Nonini, Thayn, and Patrick were recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senators Mortimer, Lodge, Souza, Ward-Engelking, Siddoway, Bair, Anthon, and Den Hartog were recorded present at this order of business.

H 513, as amended, as amended in the Senate, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Harris, Nonini, Nuxoll, Souza, Thayn, Vick. Total - 7.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 513, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 512 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne, Jordan. Total - 2.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 512 passed, title was approved, and the bill ordered returned to the House.

H 439 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 439 passed, title was approved, and the bill ordered returned to the House.
H 504 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 504 passed, title was approved, and the bill ordered returned to the House.

H 351 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 351 passed, title was approved, and the bill ordered returned to the House.

H 514 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 514 passed, title was approved, and the bill ordered returned to the House.

H 483 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Anthon, Nonini. Total - 2.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 483 passed, title was approved, and the bill ordered returned to the House.

H 372 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Mortimer and Anthon disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Paired and voting included in roll call:

AYE - Winder NAY - Buckner-Webb

Total - 35.

Whereupon the President declared H 372 passed, title was approved, and the bill ordered returned to the House.

H 534 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared H 534 passed, title was approved, and the bill ordered returned to the House.

H 535 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 535 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the third reading calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:40 p.m. until the hour of 10 a.m., Wednesday, March 16, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL OF THE IDAHO LEGISLATURE
SECOND REGULAR SESSION SIXTY-THIRD LEGISLATURE

SIXTY-SIXTH LEGISLATIVE DAY WEDNESDAY, MARCH 16, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Logan Snell, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 15, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

Senator Keough was recorded present at this order of business.

March 16, 2016

The JUDICIARY AND RULES Committee reports that S 1405, S 1406, S 1407, S 1408, S 1409, S 1410, S 1411, S 1412, and S 1413 have been correctly printed.

LODGE, Chairman

S 1405, S 1406, S 1407, S 1408, S 1409, S 1410, S 1411, S 1412, and S 1413 were referred to the Finance Committee.

March 15, 2016

The EDUCATION Committee reports out H 477, as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, H 477, as amended, was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

March 15, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1219, S 1229, S 1249, S 1259, S 1270, and S 1271

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 15, 2016

Dear Mr. President:

I transmit herewith H 598, H 600, and H 601, which have passed the House.

TAYLOR, Acting Chief Clerk

H 598, H 600, and H 601 were filed for first reading.

March 15, 2016

Dear Mr. President:

I return herewith S 1279, S 1255, S 1327, S 1352, S 1240, S 1241, S 1242, S 1278, S 1304, S 1285, as amended, S 1379, S 1380, S 1381, S 1272, S 1293, as amended, S 1274, S 1275, and S 1283, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1279, S 1255, S 1327, S 1352, S 1240, S 1241, S 1242, S 1278, S 1304, S 1285, as amended, S 1379, S 1380, S 1381, S 1272, S 1293, as amended, S 1274, S 1275, and S 1283 were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2016

Dear Mr. President:

I transmit herewith Enrolled H 396 for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled H 396 and ordered it returned to the House.
March 15, 2016

Dear Mr. President:

I return herewith Enrolled S 1365, S 1366, S 1367, S 1369, S 1280, as amended, S 1320, S 1336, S 1288, S 1222, S 1223, S 1224, S 1225, S 1237, S 1340, S 1344, S 1370, S 1371, S 1372, S 1295, S 1296, and S 1326, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1365, S 1366, S 1367, S 1369, S 1280, as amended, S 1320, S 1336, S 1288, S 1222, S 1223, S 1224, S 1225, S 1237, S 1340, S 1344, S 1370, S 1371, S 1372, S 1295, S 1296, and S 1326 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

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

H 598, H 600, and H 601, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 537 and H 560, by Education Committee, were read the second time at length and filed for third reading.

H 587, H 588, and H 589, by Appropriations Committee, were read the second time at length and filed for third reading.

H 536 and H 553, by State Affairs Committee, were read the second time at length and filed for third reading.

H 554, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 382, without recommendation, amended as follows:

SENATE AMENDMENT TO H 382

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 41, following "discretion," insert: "after consultation with and approval of the board president or vice president if the president is unavailable."

On page 2, in line 1, following "plme." insert: "To further the purposes of an alternative to discipline, it will be offered only by or through the liaison officer and, unless the person violates its terms, the full board will not be informed of the alternative to discipline or have to expressly approve its terms."; in line 4, following "(j)" insert: "Within the preceding five (5) years,"; also in line 4, delete "The" and insert: "The"; in line 5, delete "within the past five (5) years" and insert: "within the past five (5) years or been the subject of an alternative to discipline under this subsection"; in line 11, delete "or"; in line 18, delete "and" and insert: "or"; following line 18, insert: \( \frac{(v)}{v} \) The act or omission committed by the person:

1. Caused significant harm to an animal;
2. Created a substantial risk likely to cause significant harm to an animal; or
3. Involved fraud or deception.

in line 21, delete "board's"; also in line 21, following "instructions" insert: "of the board's liaison officer"; in line 23, delete "including reasonable paralegal"; and in line 24, delete "and attorney's fees" and insert: "associated with the file".

The Committee also has S 1357, S 1317, H 371, and H 555 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

H 382, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

Senator Nuxoll was recorded present at this order of business.

S 1388, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


Total - 34.

NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1388, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1389 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Paired and voting included in roll call:
AYE - Lakey  NAY - Buckner-Webb
Total - 35.

Whereupon the President Pro Tempore declared S 1399 passed, title was approved, and the bill ordered transmitted to the House.

S 1398 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Absent and excused–Buckner-Webb. Total - 1.
Total - 35.

Whereupon the President Pro Tempore declared S 1398 passed, title was approved, and the bill ordered transmitted to the House.

S 1399 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–None.
Absent and excused–Buckner-Webb. Total - 1.
Total - 35.

Whereupon the President Pro Tempore declared S 1401 passed, title was approved, and the bill ordered transmitted to the House.

S 1402 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–None.
Absent and excused–Buckner-Webb. Total - 1.
Total - 35.

Whereupon the President Pro Tempore declared S 1402 passed, title was approved, and the bill ordered transmitted to the House.

S 1403 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1403 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, H 525, as amended, retained its place on the third reading calendar.

H 531 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 531 passed, title was approved, and the bill ordered returned to the House.

H 527 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 527 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, H 398 and H 454 retained their place on the third reading calendar.

H 480 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 480 passed, title was approved, and the bill ordered returned to the House.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m. President Little assumed the Chair.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Anthon, Bair, Den Hartog, Mortimer, Nonini, Patrick, Souza, Stennett, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 16, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to H 382 have been correctly printed.

LODGE, Chairman

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

March 16, 2016

The JUDICIARY AND RULES Committee reports that S 1279, S 1255, S 1327, S 1352, S 1240, S 1241, S 1242, S 1278, S 1304, S 1285, as amended, S 1379, S 1380, S 1381, S 1272, S 1293, as amended, S 1274, S 1275, and S 1283 have been correctly enrolled.

LODGE, Chairman
The President signed Enrolled S 1279, S 1255, S 1327, S 1352, S 1240, S 1241, S 1242, S 1278, S 1304, S 1285, as amended, S 1379, S 1380, S 1381, S 1272, S 1293, as amended, S 1274, S 1275, and S 1283 and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1365, S 1366, S 1367, S 1369, S 1280, as amended, S 1320, S 1336, S 1288, S 1222, S 1223, S 1224, S 1225, S 1237, S 1240, S 1344, S 1370, S 1371, S 1372, S 1295, S 1296, and S 1326 were delivered to the Office of the Governor at 11 a.m., March 16, 2016.

LODGE, Chairman

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

March 16, 2016

The STATE AFFAIRS Committee reports out HCR 38 and HCR 46 with the recommendation that they do pass.

MCKENZIE, Chairman

HCR 38 and HCR 46 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

March 16, 2016

The FINANCE Committee reports out H 598, H 600, H 601, S 1405, S 1406, S 1407, S 1408, S 1409, S 1410, S 1411, S 1412, and S 1413 with the recommendation that they do pass.

KEOUGH, Chairman

H 598, H 600, H 601, S 1405, S 1406, S 1407, S 1408, S 1409, S 1410, S 1411, S 1412, and S 1413 were filed for second reading.

Senator Stennett was recorded present at this order of business.

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

Messages from the Governor

March 16, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed within the time limited by law, and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1232, S 1267, S 1268, S 1290, and S 1314

As Always - Idaho, Esto Perpetua

/s/ C.L. "Butch" Otter
Governor of Idaho

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

March 16, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1218 and S 1339

As Always - Idaho, Esto Perpetua

/s/ C.L. "Butch" Otter
Governor of Idaho

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

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported:

The Committee has S 1357, S 1317, H 371, and H 555 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

On request by Senator McKenzie, granted by unanimous consent, S 1357 was referred to the State Affairs Committee.

Senators Anthon, Bair, Mortimer, Patrick, Siddoway, Souza, and Ward-Engelking were recorded present at this order of business.

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

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

H 382, as amended in the Senate, by Agricultural Affairs Committee, was read the first time a t length and filed for second reading.

Senators Den Hartog and Nonini were recorded present at this order of business.

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

Third Reading of Bills

H 525, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration.
Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 525 as amended, passed, title was approved, and the bill ordered returned to the House.

H 398 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Anthon, Harris, Nonini, Nuxoll, Souza, Thayn, Vick. Total - 7.


Total - 35.

Whereupon the President declared H 398 passed, title was approved, and the bill ordered returned to the House.

H 454 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bair, Bayer, Nonini, Nuxoll, Souza, Vick. Total - 6.


Total - 35.

Whereupon the President declared H 454 passed, title was approved, and the bill ordered returned to the House.

H 482 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne. Total - 1.


Total - 35.

Whereupon the President declared H 482 passed, title was approved, and the bill ordered returned to the House.

H 485 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne, Jordan. Total - 2.


Total - 35.

Whereupon the President declared H 485 passed, title was approved, and the bill ordered returned to the House.

H 501 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared H 501 passed, title was approved, and the bill ordered returned to the House.

H 406, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 406**, as amended, passed, title was approved, and the bill ordered returned to the House.

**H 443**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 443**, as amended, passed, title was approved, and the bill ordered returned to the House.

**H 540** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 540** passed, title was approved, and the bill ordered returned to the House.

**H 523** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Linda Mitchell to the Lake Pend Oreille Basin Commission, term to expire July 24, 2018.

BAIR, Chairman

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

March 16, 2016

The EDUCATION Committee reports out H 570 and H 571 with the recommendation that they do pass.

MORTIMER, Chairman

H 570 and H 571 were filed for second reading.

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

Messages from the Governor

March 16, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1214, S 1221, S 1235, S 1244, S 1246, S 1248, S 1250, S 1251, S 1258, S 1261, S 1262, S 1281, S 1286, S 1294, S 1298, S 1353, S 1363, and S 1364

As Always - Idaho, Esto Perpetua

/s/ C.L. "Butch" Otter
Governor of Idaho

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

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

Messages from the House

March 16, 2016

Dear Mr. President:

I transmit herewith HCR 57 and HCR 54, which have passed the House.

TAYLOR, Acting Chief Clerk

HCR 57 and HCR 54 were filed for first reading.

March 16, 2016

Dear Mr. President:

I return herewith S 1333, S 1334, S 1390, S 1391, S 1392, S 1393, S 1394, S 1330, S 1356, S 1234, SCR 134, and SCR 148, which have passed the House.

TAYLOR, Acting Chief Clerk
Dear Mr. President:


TAYLOR, Acting Chief Clerk

March 16, 2016

Dear Mr. President:

I return herewith Enrolled S 1318, S 1212, S 1238, S 1239, S 1269, and S 1260, as amended, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

March 16, 2016

S 1333, S 1334, S 1390, S 1391, S 1392, S 1393, S 1394, S 1330, S 1356, S 1234, SCR 134, and SCR 148 were referred to the Judiciary and Rules Committee for enrolling.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 371, H 555, and H 477, as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 371
AMENDMENT TO SECTION 5

On page 4 of the printed bill, in line 1, following "board" insert: "shall serve at the pleasure of the governor and"; and in line 8, following "years" insert: "and shall serve at the pleasure of the governor".

CORRECTION TO TITLE

On page 1, in line 14, following the first "BOARD" insert: ", TO SPECIFY THAT THE BOARD SHALL SERVE AT THE PLEASURE OF THE GOVERNOR".

SENATE AMENDMENT TO H 555
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "without" insert: "being induced by"; in line 17, following "and" insert: "knowingly and willfully"; in line 18, delete "minor" and insert: "person or persons"; and delete lines 20 through 41, and insert: "guilty of a misdemeanor provided that the image was communicated in a form that there was a single recipient.

(2) A minor child who, without being induced by coercion, manipulation or fraud, creates or causes to be created any photographic, electronic or video content of said minor child that would be characterized under any of the classifications defined in section 18-1507(1)(c) through (j), Idaho Code, and knowingly and willfully distributes it in such a way and through such a medium that the minor intended or had reason to believe that multiple parties would receive or have access to the image:
(a) Is guilty of a misdemeanor on the first adjudicated offense; and
(b) Is guilty of a felony on the second or subsequent adjudicated offense.
(3) A minor who is found to be in knowing and willful possession of the content created and sent as described in subsection (1) or (2) of this section is guilty of a misdemeanor if the content depicts a minor who is not greater than three (3) years younger than the minor who is found to be in possession.
A minor who is found to be in knowing and willful possession of content described in this subsection that depicts a minor greater than three (3) years younger than themselves is guilty of a violation of section 18-1507(2)(a), Idaho Code.
(4) A minor who is found to be in possession of content described in subsection (1) or (2) of this section who knowingly and willfully transmits or displays the image to one (1) or more third parties:
(a) Is guilty of a misdemeanor on the first adjudicated offense; and

Second Reading of Bills

Senators McKenzie, Mortimer, and Keough were recorded present at this order of business.

H 598, H 600, and H 601, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1405, S 1406, S 1407, S 1408, S 1409, S 1410, S 1411, S 1412, and S 1413, by Finance Committee, were read the second time at length and filed for third reading.

H 382, as amended in the Senate, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.
(b) Is guilty of a felony on any second or subsequent adjudicated offense.
(5) A minor who receives content under circumstances described in subsection (1) or (2) of this section and distributes or threatens to distribute the image for the purposes of coercing any action, causing any embarrassment or otherwise controlling or manipulating the sender is guilty of a felony.

6 A minor who receives content under circumstances described in subsection (1) or (2) of this section and distributes the image to a parent, guardian, one having custody of the minor or a law enforcement official for the purpose of reporting the activity is not guilty of a crime under the provisions of this section.

On page 2, in line 1, delete “4” and insert: “7”.

AMENDMENT TO THE BILL
On page 2, following line 3, insert:

"SECTION 2. That Section 18-1507, Idaho Code, be, and the same is hereby amended to read as follows:

18-1507. DEFINITIONS – SEXUAL EXPLOITATION OF A CHILD – PENALTIES. (1) As used in this section, unless the context otherwise requires:
(a) "Bestiality" means a sexual connection in any manner between a human being and any animal.
(b) "Child" means a person who is less than eighteen (18) years of age.
(c) "Erotic fondling" means touching a person's clothed or unclothed genitals or pubic area, developing or undeveloped genitals or pubic area (if the person is a child), buttocks, breasts (if the person is a female), or developing or undeveloped breast area (if the person is a female child), for the purpose of real or simulated overt sexual gratification or stimulation of one (1) or more of the persons involved. "Erotic fondling" shall not be construed to include physical contact, even if affectionate, which is not for the purpose of real or simulated overt sexual gratification or stimulation of one (1) or more of the persons involved.
(d) "Erotic nudity" means the display of the human male or female genitals or pubic area, the undeveloped or developing genitals or pubic area of the human male or female child, the human female breasts, or the undeveloped or developing breast area of the human female child, for the purpose of real or simulated overt sexual gratification or stimulation of one (1) or more of the persons involved.
(e) "Explicit sexual conduct" means sexual intercourse, erotic fondling, erotic nudity, masturbation, sadomasochism, sexual excitement, or bestiality.
(f) "Masturbation" means the real or simulated touching, rubbing, or otherwise stimulating of a person's own clothed or unclothed genitals or pubic area, developing or undeveloped genitals or pubic area (if the person is a child), buttocks, breasts (if the person is a female), or developing or undeveloped breast area (if the person is a female child), by manual manipulation or self-induced or with an artificial instrument, for the purpose of real or simulated overt sexual gratification or arousal of the person.
(g) "Sadomasochism" means:
(i) Real or simulatedflagellation or torture for the purpose of real or simulated sexual stimulation or gratification; or
(ii) The real or simulated condition of being fettered, bound, or otherwise physically restrained for sexual stimulation or gratification of a person.
(h) "Sexual excitement" means the real or simulated condition of human male or female genitals when in a state of real or simulated overt sexual stimulation or arousal.
(i) "Sexual intercourse" means real or simulated intercourse, whether genital-genital, oral-genital, anal-genital, or oral-anal, between persons of the same or opposite sex, or between a human and an animal, or with an artificial genital.
(j) "Sexually exploitative material" means any image, photograph, motion picture, video, print, negative, slide, or other mechanically, electronically, digitally or chemically produced or reproduced visual material which shows a child engaged in, participating in, observing, or being used for explicit sexual conduct, or showing a child engaging in, participating in, observing or being used for explicit sexual conduct, in actual time, including, but not limited to, video chat, webcam sessions or video calling.

(2) A person commits sexual exploitation of a child if he knowingly and willfully:
(a) Possesses or accesses through any means including, but not limited to, the internet, any sexually exploitative material; or
(b) Causes, induces or permits a child to engage in, or be used for, any explicit sexual conduct for the purpose of producing or making sexually exploitative material; or
(c) Promotes, prepares, publishes, produces, makes, finances, offers, exhibits or advertises any sexually exploitative material; or
(d) Distributes through any means including, but not limited to, mail, physical delivery or exchange, use of a computer or any other electronic or digital method, any sexually exploitative material. Distribution of sexually exploitative material does not require a pecuniary transaction or exchange of interests in order to complete the offense.

(3) The sexual exploitation of a child pursuant to subsection (2)(a) of this section is a felony and shall be punishable by imprisonment in the state prison for a period not to exceed ten (10) years or by a fine not to exceed ten thousand dollars ($10,000), or by both such imprisonment and fine.

(4) The sexual exploitation of a child pursuant to subsections (2)(b), (c) and (d) of this section is a felony and shall be punishable by imprisonment in the state prison for a term not to exceed thirty (30) years or by a fine not to exceed fifty thousand dollars ($50,000) or by both such fine and imprisonment.

(5) Notwithstanding any other provisions of this section, a person eighteen (18) years of age or older who is found to be in knowing and willful possession of content created and distributed under circumstances defined in section 18-1507A(1) or (2), Idaho Code, is guilty of a misdemeanor provided that:
(a) The minor depicted in the content distributed the content in such a way that the minor intended the person found to be in possession to receive it;
(b) The minor depicted in the content is not greater than three (3) years younger than the person found to be in possession; and
(c) The person found to be in possession of the content did not use coercion, manipulation or fraud to obtain possession of the content.

(6) If any provision of this section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.
SECTION 3. That Section 18-8304, Idaho Code, be, and the same is hereby amended to read as follows:

18-8304. APPLICATION OF CHAPTER RULEMAKING AUTHORITY. (1) The provisions of this chapter shall apply to any person who:
   (a) On or after July 1, 1993, is convicted of the crime, or an attempt, a solicitation, or a conspiracy to commit a crime provided for in section 18-909 (assault with intent to commit rape, infamous crime against nature, or lewd and lascivious conduct with a minor, but excluding mayhem, murder or robbery), 18-911 (battery with intent to commit rape, infamous crime against nature, or lewd and lascivious conduct with a minor, but excluding mayhem, murder or robbery), 18-919 (sexual exploitation by a medical care provider), 18-1505B (sexual abuse and exploitation of a vulnerable adult), 18-1506 (sexual abuse of a child under sixteen years of age), 18-1506A (ritualized abuse of a child), felony violations of 18-1507 (sexual exploitation of a child), 18-1508 (lewd conduct with a minor child), 18-1508A (sexual battery of a minor child sixteen or seventeen years of age), 18-1509A (enticing a child over the internet), 18-4003(d) (murder committed in perpetration of rape), 18-4116 (indecent exposure, but excluding a misdemeanor conviction), 18-4502 (first degree kidnapping committed for the purpose of rape, committing the infamous crime against nature or for committing any lewd and lascivious act upon any child under the age of sixteen, or for purposes of sexual gratification or arousal), 18-4503 (second degree kidnapping where the victim is an unrelated minor child), 18-5605 (detention for prostitution), 18-5609 (inducing person under eighteen years of age into prostitution), 18-5610 (utilizing a person under eighteen years of age for prostitution), 18-5611 (inducing person under eighteen years of age to patronize a prostitute), 18-6101 (rape, but excluding 18-6101(1) where the defendant is eighteen years of age), 18-6108 (male rape, but excluding 18-6108(1) where the defendant is eighteen years of age), 18-6110 (sexual contact with a prisoner), 18-6602 (incest), 18-6605 (crime against nature), 18-6608 (forcible sexual penetration by use of a foreign object), 18-6609 (video voyeurism where the victim is a minor or upon a second or subsequent conviction), 18-7804 (if the racketeering act involves kidnapping of a minor) or 18-7802(1), Idaho Code, (sex trafficking).
   (b) On or after July 1, 1993, has been convicted of any crime, an attempt, a solicitation or a conspiracy to commit a crime in another jurisdiction or who has a foreign conviction that is substantially equivalent to the offenses listed in subsection (1)(a) of this section and enters this state to establish residence or for employment purposes or to attend, on a full-time or part-time basis, any public or private educational institution including any secondary school, trade or professional institution or institution of higher education.
   (c) Has been convicted of any crime, an attempt, a solicitation or a conspiracy to commit a crime in another jurisdiction, including military courts, that is substantially equivalent to the offenses listed in subsection (1)(a) of this section and was required to register as a sex offender in any other state or jurisdiction when he established residency in Idaho.
   (d) Pleads guilty to or has been found guilty of a crime covered in this chapter prior to July 1, 1993, and the person, as a result of the offense, is incarcerated in a county jail facility or a penal facility or is under probation or parole supervision, on or after July 1, 1993.
   (e) Is a nonresident regularly employed or working in Idaho or is a student in the state of Idaho and was convicted, found guilty or pleaded guilty to a crime covered by this chapter and, as a result of such conviction, finding or plea, is required to register in his state of residence.
   (2) An offender shall not be required to comply with the registration provisions of this chapter while incarcerated in a correctional institution of the department of correction, a county jail facility, committed to the department of juvenile corrections or committed to a mental health institution of the department of health and welfare.
   (3) A conviction for purposes of this chapter means that the person has pled guilty, or has been found guilty, notwithstanding the form of the judgment or withheld judgment.
   (4) The department shall have authority to promulgate rules to implement the provisions of this chapter.

CORRECTION TO TITLE
On page 1, in line 7, following "INSTANCES" insert: ", TO PROVIDE THAT A MINOR WHO RECEIVES CONTENT AND REPORTS IT TO CERTAIN PERSONS SHALL NOT BE GUILTY OF A CRIME"; and in line 8, following "ACT" insert: ", AMENDING SECTION 18-1507, IDAHO CODE, TO PROVIDE THAT SEXUAL EXPLOITATION OF A CHILD BY CERTAIN ELECTRONIC MEANS SHALL BE A MISDEMEANOR IN CERTAIN INSTANCES; AND AMENDING SECTION 18-8304, IDAHO CODE, TO PROVIDE FOR FELONY SEXUAL EXPLOITATION OF A CHILD".

SENEATE AMENDMENT TO H 477, as Amended
AMENDMENT TO SECTION 3
On page 2 of the engrossed bill, in line 4, delete "an amount equal to the tuition and fees charged by the" and insert: "the amount of eight thousand dollars ($8,000) that shall be used for tuition and fees at any"; in line 5, delete "where the scholarship is to be applied. The awards shall" and insert: ", delete lines 6 through 8; in line 11, delete "The" and insert: "For subsection (1)(a) through (c) of this section, the"; in line 12, delete ". One-quarter" and insert: "and one-quarter"; in line 19, following "year" insert: ", provided that the match funds for each scholarship must come from a business or industry, or entities representing business or industry, and may not be from a foundation affiliated with the postsecondary institution or from appropriated or nonappropriated funds of the postsecondary institution"; and delete lines 27 through 29.

On page 3, following line 5, insert:
"(11) As used in this section, "merit-based scholarship" means a scholarship in which academic achievement at the high school level is a minimum eligibility requirement and awards are made based on the achievement of the student."

The Committee also has S 1317 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

H 371, as amended in the Senate, H 555, as amended in the Senate, and H 477, as amended, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.
On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 17, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to H 371, H 555, and H 477, as amended, have been correctly printed.

LODGE, Chairman

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

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

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

H 371, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

H 555, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

H 477, as amended, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

President Pro Tempore Hill and Senator Davis were recorded present at this order of business.

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

Third Reading of Bills

On request by Senator Lodge, granted by unanimous consent, H 521 and H 508 were referred to the Fourteenth Order of Business, General Calendar.

H 516 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 503 passed, title was approved, and the bill ordered returned to the House.

H 478 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 478 passed, title was approved, and the bill ordered returned to the House.

H 558 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 558 passed, title was approved, and the bill ordered returned to the House.

H 537 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 537 passed, title was approved, and the bill ordered returned to the House.

H 560 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Whereupon the President declared H 560 passed, title was approved, and the bill ordered returned to the House.

H 536 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 536 passed, title was approved, and the bill ordered returned to the House.

H 553 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 553 passed, title was approved, and the bill ordered returned to the House.

On request by Senator McKenzie, granted by unanimous consent, H 554 retained its place on the third reading calendar.

H 532 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 532 passed, title was approved, and the bill ordered returned to the House.

H 546 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


Whereupon the President declared H 546 passed, title was approved, and the bill ordered returned to the House.

H 547 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared H 547 passed, title was approved, and the bill ordered returned to the House.

H 548 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 548 passed, title was approved, and the bill ordered returned to the House.

H 549 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Whereupon the President declared H 549 passed, title was approved, and the bill ordered returned to the House.

H 550 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 550 passed, title was approved, and the bill ordered returned to the House.

H 551 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 551 passed, title was approved, and the bill ordered returned to the House.

H 552 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 552 passed, title was approved, and the bill ordered returned to the House.

President Little called President Pro Tempore Hill to the Chair.

Having voted on the prevailing side by which H 536 passed the Senate, Senator Davis served notice that he may on this or the next legislative day move for reconsideration of the vote.

H 536 was ordered held at the Secretary's desk.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3:30 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 3:30 p.m. President Little returned to the Chair.

Roll call showed all members present except Senators Anthon, Burgoyne, Mortimer, Nuxoll, and Rice, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

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

Senator Burgoyne was recorded present at this order of business.

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1317 and H 521, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1317

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 38 through 41, and insert:

"(3) Attorney's fees and costs shall not accrue and shall not be assessed or collected by the homeowner's association until the homeowner's association has complied with the requirements of subsection (2) of this section and the member has failed to address the violation as prescribed in subsection (2)(c) of this section. A court of competent jurisdiction may determine the reasonableness of attorney's fees and costs assessed against a member. In an action to determine the reasonableness of attorney's fees and costs assessed by the homeowner's association against a member, the court may award reasonable attorney's fees and costs to the prevailing party."

CORRECTION TO TITLE

On page 1, delete lines 3 through 6, and insert: "TO PROVIDE CONDITIONS WHEN ATTORNEY'S FEES AND COSTS MAY ACCRUE AND MAY BE ASSESSED OR COLLECTED."

SENATE AMENDMENT TO H 521

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 28, insert: "SECTION 2. The provisions of Section 1 of this act shall be null, void and of no force and effect on and after June 30, 2019."

CORRECTION TO TITLE

On page 1, in line 5, following "CHARGES" insert: "; AND PROVIDING A SUNSET CLAUSE"
The Committee also has **H 508** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

**S 1317**, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

**H 521**, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

**Reports of Standing Committees**

March 17, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1317** and **H 521** have been correctly printed.

LODGE, Chairman

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

March 17, 2016

The JUDICIARY AND RULES Committee reports that **S 1317**, as amended, has been correctly engrossed.

LODGE, Chairman

**S 1317**, as amended, was filed for first reading.

March 17, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 487**, **H 538**, and **H 541** with the recommendation that they pass.

PATRICK, Chairman

**H 487**, **H 538**, and **H 541** were filed for second reading.

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

**Motions and Resolutions**

**H 536** having been held at the desk for possible reconsideration of the vote by which it passed the Senate, and no motion for reconsideration having been received, **H 536** was ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **HCR 50** was referred to the Education Committee.

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

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

**S 1414**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING AND TRANSFERRING MONEYS TO THE WOLF CONTROL FUND FOR FISCAL YEAR 2017.

**S 1415**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS TO THE ENVIRONMENTAL REMEDIATION BASIN FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION BASIN FUND AND REQUIRING AN ANNUAL REPORT; AND EXPRESSING LEGISLATIVE INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND.

**S 1416**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT REGARDING DISTRIBUTIONS TO THE CONSERVATION DISTRICTS; AND PROVIDING LEGISLATIVE INTENT REGARDING MONEYS PROVIDED FOR NORTH CENTRAL IDAHO WILDFIRE RESTORATION.

**S 1417**

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND DECLARING AN EMERGENCY.

**S 1414, S 1415, S 1416**, and **S 1417** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 521**, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

**S 1317**, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

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

**Third Reading of Bills**

**H 554** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


NAYS–None.

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

Total - 35.

Whereupon the President declared H 554 passed, title was approved, and the bill ordered returned to the House.

H 561 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Schmidt. Total - 1.

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

Total - 35.

Whereupon the President declared H 561 passed, title was approved, and the bill ordered returned to the House.

H 562 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Lacey. Total - 1.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared H 562 passed, title was approved, and the bill ordered returned to the House.

H 563 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared H 563 passed, title was approved, and the bill ordered returned to the House.

H 564 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared H 564 passed, title was approved, and the bill ordered returned to the House.

H 567 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared H 565 passed, title was approved, and the bill ordered returned to the House.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 575** passed, title was approved, and the bill ordered returned to the House.

**H 576** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 576** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 577** retained its place on the third reading calendar for Wednesday, March 23, 2016.

**H 578** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 578** passed, title was approved, and the bill ordered returned to the House.

**H 579** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 579** passed, title was approved, and the bill ordered returned to the House.

**H 566** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 566** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 382**, as amended in the Senate, was placed at the head of the third reading calendar, **H 577** was placed at the bottom of the third reading calendar.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:05 p.m. until the hour of 10:30 a.m., Friday, March 18, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 18, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Cardston Stanford, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 17, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

March 18, 2016

The JUDICIARY AND RULES Committee reports that S 1414, S 1415, S 1416, and S 1417 have been correctly printed.

LODGE, Chairman

S 1414, S 1415, S 1416, and S 1417 were referred to the Finance Committee.

March 17, 2016

The JUDICIARY AND RULES Committee reports that S 1333, S 1343, S 1380, S 1391, S 1392, S 1393, S 1394, S 1395, S 1396, S 1397, SCR 134, S 1330, S 1336, S 1234, SCR 134, and SCR 148 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1333, S 1334, S 1390, S 1391, S 1392, S 1393, S 1394, S 1330, S 1336, S 1234, SCR 134, and SCR 148 and ordered them transmitted to the House for the signature of the Speaker.

March 17, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1318, S 1212, S 1238, S 1239, S 1209, and S 1260, as amended, were delivered to the Office of the Governor at 10:35 a.m., March 17, 2016.

LODGE, Chairman

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

HEIDER, Chairman

H 557 was filed for second reading.

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

Messages from the House

March 17, 2016

Dear Mr. President:

I transmit herewith H 597, H 582, and HCR 55, which have passed the House.

TAYLOR, Acting Chief Clerk

H 597, H 582, and HCR 55 were filed for first reading.

March 17, 2016

Dear Mr. President:

I return herewith S 1323, S 1341, as amended, S 1395, S 1396, S 1397, SCR 136, SCR 137, and SCR 138, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1323, S 1341, as amended, S 1395, S 1396, S 1397, SCR 136, SCR 137, and SCR 138 were referred to the Judiciary and Rules Committee for enrolling.

March 17, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk

Dear Mr. President:

I return herewith Enrolled S 1279, S 1255, S 1327, S 1352, S 1240, S 1241, S 1242, S 1278, S 1304, S 1285, as amended, S 1379, S 1380, S 1381, S 1372, S 1293, as amended, S 1274, S 1275, and S 1283, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1279, S 1255, S 1327, S 1352, S 1240, S 1241, S 1242, S 1278, S 1304, S 1285, as amended, S 1379, S 1380, S 1381, S 1272, S 1293, as amended, S 1274, S 1275, and S 1283 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

On request by Senator Martin, granted by unanimous consent, **HCR 48** retained its place on the calendar for Tuesday, March 22, 2016.

Senator Stennett was recorded present at this order of business.

The President announced that **SCR 152** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Burgoyne, **SCR 152** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **HCR 38** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Harris, seconded by Senator Stennett, **HCR 38** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 46** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, **HCR 46** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

On motion by Senator Keough, seconded by Senator Lacey, the Gubernatorial reappointment of Linda Mitchell as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

**H 597**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 582**, by State Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

**HCR 55**, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 569**, by Ways and Means Committee, was read the second time at length and filed for third reading.

**H 595**, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

**H 570** and **H 571**, by Education Committee, were read the second time at length and filed for third reading.

**H 371**, as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

**H 555**, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

**H 477**, as amended, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

**H 487**, by Business Committee, was read the second time at length and filed for third reading.

**H 538**, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

**H 541**, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

**H 521**, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

**S 1317**, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.
Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, S 1317, as amended, was placed at the head of the third reading calendar, followed by H 382, as amended in the Senate, followed by H 521, as amended in the Senate, followed by H 477, as amended, as amended in the Senate, followed by H 555, as amended in the Senate, followed by H 371, as amended in the Senate, followed by remaining bills, H 577 was placed at the bottom of the third reading calendar.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:15 a.m. until the hour of 9:30 a.m., Monday, March 21, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 21, 2016

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Anthon, Bayer, Keough, Nuxoll, Rice, Thayn, and Vick, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nellie Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 18, 2016, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

March 18, 2016

The JUDICIARY AND RULES Committee reports that S 1323, S 1341, as amended, S 1395, S 1396, S 1397, SCR 136, SCR 137, and SCR 138 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1323, S 1341, as amended, S 1395, S 1396, S 1397, SCR 136, SCR 137, and SCR 138 and ordered them transmitted to the House for the signature of the Speaker.

Senators Bayer, Vick, and Nuxoll were recorded present at this order of business.

March 18, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1279, S 1255, S 1327, S 1352, S 1240, S 1241, S 1242, S 1278, S 1304, S 1285, as amended, S 1379, S 1380, S 1381, S 1272, S 1293, as amended, S 1274, S 1275, and S 1283 were delivered to the Office of the Governor at 11:50 a.m., March 18, 2016.

LODGE, Chairman

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

Senator Thayn was recorded present at this order of business.

March 18, 2016

The STATE AFFAIRS Committee reports out H 544 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, H 544 was referred to the Fourteenth Order of Business, General Calendar.

March 18, 2016

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

Paul J. Schneider to the Idaho State Racing Commission, term to expire January 15, 2022.

MCKENZIE, Chairman

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

March 18, 2016

The FINANCE Committee reports out S 1414, S 1415, S 1416, and S 1417 with the recommendation that they do pass.

KEOUGH, Chairman

S 1414, S 1415, S 1416, and S 1417 were filed for second reading.

March 18, 2016

The JUDICIARY AND RULES Committee reports out H 494 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, H 494 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

Senator Keough was recorded present at this order of business.
March 18, 2016

Dear Mr. President:

I transmit herewith H 580, HCR 53, H 608, H 609, H 610, H 611, and H 612, which have passed the House.

TAYLOR, Acting Chief Clerk

H 580, HCR 53, H 608, H 609, H 610, H 611, and H 612 were filed for first reading.

March 18, 2016

Dear Mr. President:

I return herewith S 1402, S 1325, S 1359, S 1351, S 1361, S 1338, S 1347, as amended, S 1398, S 1399, S 1400, S 1401, S 1402, S 1359, S 1361, S 1338, S 1347, and S 1389, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1402, S 1325, S 1359, S 1351, S 1361, S 1338, S 1347, as amended, S 1398, S 1399, S 1400, S 1401, S 1403, and S 1389 were referred to the Judiciary and Rules Committee for enrolling.

March 18, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk


Senator Rice was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2016

The JUDICIARY AND RULES Committee reports that S 1402 and S 1389 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1402 and S 1389 and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 580, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

HCR 53, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 608, H 609, H 610, H 611, and H 612, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 557, by Health and Welfare Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1418

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2016; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; AND DECLARING AN EMERGENCY.

S 1419

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING AND TRANSFERRING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING A DEDICATED FUND CASH TRANSFER; PROVIDING FOR NOTIFICATION OF CONTRACT RENEWALS OR EXTENSIONS; DIRECTING CONTINUATION OF THE HEALTH INSURANCE PREMIUM FOR STATE EMPLOYEES; PROVIDING LEGISLATIVE INTENT REGARDING THE EMPLOYEE GROUP INSURANCE PLAN STRUCTURE; AND DECLARING AN EMERGENCY.

S 1420

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO SALARIES OF JUDGES; AMENDING SECTION 59-502, IDAHO CODE, TO REVISE THE SALARIES OF DISTRICT JUDGES.

S 1421

BY FINANCE COMMITTEE

AN ACT

RELATING TO LEGAL COSTS OF THE STATE OF IDAHO; APPROPRIATING AND TRANSFERRING MONEYS TO THE CONSTITUTIONAL DEFENSE FUND FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE PURCHASING PROGRAM FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1418, S 1419, S 1420, and S 1421 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.
On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2016

The JUDICIARY AND RULES Committee reports that S 1418, S 1419, S 1420, and S 1421 have been correctly printed.

LODGE, Chairman

S 1418 and S 1419 were referred to the Finance Committee.

S 1420 was referred to the Judiciary and Rules Committee.

S 1421 was referred to the Finance Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1317, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Rice, Mortimer, and Lacey disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President declared S 1317, as amended, passed, title was approved, and the bill ordered returned to the House.

H 382, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 382, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 521, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 521, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 477, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 477, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 555, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 555, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 371, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

H 574 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 574 passed, title was approved, and the bill ordered returned to the House.

H 587 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 587 passed, title was approved, and the bill ordered returned to the House.

H 588 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 588 passed, title was approved, and the bill ordered returned to the House.

H 589 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Schmidt disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Whereupon the President declared H 589 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:30 a.m. until the hour of 2 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Thayn, absent and formally excused by the Chair, and Senator Lodge, absent and excused.

Prior to recess the Senate was at the Fourth Order of Business, Reading of Communications.

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 153
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULE DOCKETS THAT ARE NOT APPROVED.

Be it resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho State Police, Alcohol Beverage Control Bureau, Rules Governing Alcohol Beverage Control, is not consistent with legislative intent; and
WHEREAS, it is the finding of the Legislature that a
certain rule docket of the Department of Health and Welfare,
Rules Governing Certified Family Homes, is not consistent with
legislative intent; and
WHEREAS, the Legislature finds that it is in the public
interest to adopt this resolution.
NOW, THEREFORE, BE IT RESOLVED by the members of
the Second Regular Session of the Sixty-third Idaho Legislature,
the Senate and the House of Representatives concurring therein,
that all pending administrative rules or portions of pending
administrative rules adopted by state agencies pursuant to the
Administrative Procedure Act during the prior calendar year,
and submitted through the Office of the Administrative Rules
Coordinator to the Legislature for review during the 2016
legislative session, which impose a fee or charge, be, and
the same are approved, with the exception of the following enumerated pending fee rules:

IDAPA 11.05.01, the Idaho State Police,
Alcohol Beverage Control Bureau, Rules
Governing Alcohol Beverage Control, adopted
as a pending fee rule under Docket Number
11-0501-1501, the entire rulemaking docket.

IDAPA 16.03.19, the Department of
Health and Welfare, Rules Governing Certified
Family Homes, adopted as a pending fee rule
under Docket Number 16-0319-1502, the entire
rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 11.05.01, the
Idaho State Police, Alcohol Beverage Control Bureau, Rules
Governing Alcohol Beverage Control, adopted as a pending fee
rule under Docket Number 11-0501-1501, the entire rulemaking
docket, and IDAPA 16.03.19, the Department of Health and
Welfare, Rules Governing Certified Family Homes, adopted as a
pending fee rule under Docket Number 16-0319-1502, the entire
rulemaking docket, are hereby rejected and not approved, and
thereby pursuant to Section 67-5291 and Section 67-5224, Idaho
Code, are declared null, void and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing
fees or charges that were not submitted through the Office of
the Administrative Rules Coordinator for legislative review or
that otherwise are not included and approved in this concurrent
resolution shall be null, void and of no force and effect unless
approved by adoption of a separate concurrent resolution by both
houses of the Legislature as provided in Section 67-5224, Idaho
Code.

SCR 154
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND APPROVING
AND EXTENDING TEMPORARY RULES REVIEWED BY
THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve
temporary rules by adoption of a concurrent resolution approving
the rule if the temporary rule is to remain in effect beyond the
end of the current legislative session; and

WHEREAS, the expiration of temporary rules would
occasion additional expense to state agencies in readopting and
republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public
interest to adopt this resolution.
NOW, THEREFORE, BE IT RESOLVED by the members of
the Second Regular Session of the Sixty-third Idaho Legislature,
the Senate and the House of Representatives concurring therein,
that all temporary rules adopted by state agencies pursuant to the
Administrative Procedure Act and submitted to the Legislature at
the Legislature's request through the Office of the Administrative
Rules Coordinator for review during the 2016 legislative session,
be, and the same are approved.

BE IT FURTHER RESOLVED that a temporary rule or
partial temporary rule approved by this concurrent resolution
shall remain in effect until it expires by its own terms or by
operation of law or until it is replaced by a final rule, but in
no event shall a temporary rule remain in effect beyond the
conclusion of the First Regular Session of the Sixty-fourth
Idaho Legislature unless it is further extended by adoption
of a concurrent resolution by both houses of the Legislature.
Temporary rules or sections of temporary rules which are
excepted from approval hereunder or which were not submitted
to the Legislature for review during the 2016 legislative session
shall expire by operation of statute upon adjournment of the
Second Regular Session of the Sixty-third Idaho Legislature,
unless approved by adoption of a separate concurrent resolution
by both houses of the Legislature.

SCR 153 and SCR 154 were introduced, read at length, and
referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2016

The JUDICIARY AND RULES Committee reports that
S 1325, S 1359, S 1351, S 1361, S 1338, S 1347,
as amended, S 1398, S 1399, S 1400, S 1401, and S 1403
have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1325, S 1359, S 1351,
S 1361, S 1338, S 1347, as amended, S 1398, S 1399, S 1400,
S 1401, and S 1403 and ordered them transmitted to the House
for the signature of the Speaker.

March 21, 2016

The STATE AFFAIRS Committee reports out H 542,
H 331, as amended, HJR 5, HCR 51, and HCR 57
with the recommendation that they do pass.

MCKENZIE, Chairman

H 542, H 331, as amended, and HJR 5
were filed for second reading.

HCR 51 and HCR 57 were referred to the Tenth Order
of Business, Motions and Resolutions, and ordered held at the
Secretary's desk for one legislative day.

March 21, 2016

The STATE AFFAIRS Committee reports out H 497
and H 597 with the recommendation that they be referred to
the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, H 497 and H 597
were referred to the Fourteenth Order of Business, General Calendar.
The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Bud Tracy to the State Building Authority, term to expire January 1, 2021.

Shelly Jo Enderud to the State Building Authority, term to expire January 1, 2021.

Grant A. Brackebusch to the Idaho Lottery Commission, term to expire January 1, 2021.

L. Daniel Cravens to the Idaho Commission on Human Rights, term to expire July 1, 2017.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Lodge was recorded present at this order of business.

March 21, 2016

The FINANCE Committee reports out H 608, H 609, H 610, H 611, H 612, S 1418, S 1419, and S 1421 with the recommendation that they do pass.

KEOUGH, Chairman

H 608, H 609, H 610, H 611, H 612, S 1418, S 1419, and S 1421 were filed for second reading.

March 21, 2016

The RESOURCES AND ENVIRONMENT Committee reports out HCR 55 with the recommendation that it do pass.

BAIR, Chairman

HCR 55 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

On request by Senator Davis, granted by unanimous consent, H 544 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 21, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk

The President signed Enrolled H 516, H 503, H 478, H 558, H 537, H 560, H 553, H 532, H 546, H 547, H 548, H 549, H 550, H 551, and H 552 and ordered them returned to the House.

March 21, 2016

Dear Mr. President:

I return herewith Enrolled S 1389, S 1402, S 1333, S 1334, S 1390, S 1391, S 1392, S 1393, S 1394, S 1330, S 1356, and S 1234, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1389, S 1402, S 1333, S 1334, S 1390, S 1391, S 1392, S 1393, S 1394, S 1330, S 1356, and S 1234 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 21, 2016

Dear Mr. President:

I return herewith Enrolled SCR 134 and SCR 148, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled SCR 134 and SCR 148 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1404, H 494, H 497, and H 597, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1404
AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 29, insert:
"(c) It is contrary to the public policy of the state of Idaho for an individual to become pregnant for the purpose of aborting an unborn infant and thereafter selling, transferring, distributing or donating the unborn infant's body remains for experimentation or other use.".

On page 2, in line 46, delete ", regardless of the duration of the pregnancy" and insert: "involving miscarriage or stillbirth"; and in line 48, following "extracted" insert: ", or the individual's designee, ".

On page 3, in line 1, delete "receive and dispose" and insert: "direct the receipt and disposition"; in line 35, delete "chapter" and insert: "section"; and in line 36, delete "to a medical waste disposal facility".

SENATE AMENDMENT TO H 494
AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 7, delete "shall, in its discretion," and insert: "shall"; in line 8, delete "may"; in line 31, delete ", except that" and insert: "; and"; delete lines 32
through 35; in line 36, following "A" insert: "first"; and in line 38, delete "Subsequent violations under this subsection" and insert: "Violations under this subsection that occur following the effective date of this act".

AMENDMENT TO SECTION 4
On page 5, in line 12, following "upon" insert: "a"; and in line 13, delete "conviction and" and insert: "violation and".

SENATE AMENDMENT TO H 497
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 9, delete "department" and insert: "agency"; in line 11, delete "branch" and insert: "department"; and in line 14, delete "department" and insert: "agency".

SENATE AMENDMENT TO H 597
AMENDMENT TO THE BILL
On page 1 of the printed bill, following line 6, insert: "SECTION 1. That Section 23-902, Idaho Code, be, and the same is hereby amended to read as follows:

23-902. DEFINITIONS. The following words and phrases used in this chapter shall be given the following interpretation:

(1) "Club" includes any of the following organizations where the sale of spirituous liquor for consumption on the premises is made to members and to bona fide guests of members only:

(a) A post, chapter, camp or other local unit composed solely of veterans and their duly recognized auxiliary, and which is a post, chapter, camp or other local unit composed solely of veterans which has been chartered by the congress of the United States for patriotic, fraternal or benevolent purposes, and which has, as the owner, lessee or occupant, operated an establishment for that purpose in this state; or

(b) A chapter, aerie, parlor, lodge or other local unit of an American national fraternal organization, which has as the owner, lessee or occupant, operated an establishment for fraternal purposes in this state and actively operates in not less than thirty-six (36) states or has been in continuous existence for not less than twenty (20) years; and which has not less than fifty (50) bona fide members in each unit, and which owns, maintains or operates club quarters, and is authorized and incorporated to operate as a nonprofit club under the laws of this state, and which has recognized tax exempt status under section 501(c)(8) or 501(c)(10) of the Internal Revenue Code, and has been continuously incorporated and operating for a period of not less than one (1) year. The club shall have had during that period of one (1) year, a bona fide membership with regular meetings conducted at least once each month, and the membership shall be and shall have been actively engaged in carrying out the objects of the club. The club membership shall consist of bona fide dues paying members, recorded by the secretary of the club, paying at least six dollars ($6.00) per year in dues, payable monthly, quarterly or annually; and the members at the time of application for a club license shall be in good standing, having paid dues for at least one (1) full year.

(2) "Convention" means a formal meeting of members, representatives, or delegates, as of a political party, fraternal society, profession or industry.

(3) "Director" means the director of the Idaho state police.

(4) "Gaming" means any and all gambling or games of chance defined in chapters 38 and 49, title 18, Idaho Code, or any section or sections thereof, whether those games are licensed or unlicensed.

(5) "Interdicted person" means a person to whom the sale of liquor is prohibited under law.

(6) "License" means a license issued by the director to a qualified person, under which it shall be lawful for the licensee to sell and dispense liquor by the drink at retail, as provided by law.

(7) "Licenssee" means the person to whom a license is issued under the provisions of law.

(8) "Liquor" means all kinds of liquor sold by and in a state liquor store of the state of Idaho.

(9) "Live performance" means a performance occurring in a theater and not otherwise in violation of any provision of Idaho law.

(10) "Municipal license" means a license issued by a municipality of the state of Idaho under the provisions of law.

(11) "Party" means a social gathering especially for pleasure or amusement and includes, but is not limited to, such social events as weddings, birthdays, and special holiday celebrations to include, but not be limited to, New Year's celebrations, Super Bowl Sunday, St. Patrick's Day, the Fourth of July and Labor Day.

(12) "Person" means every individual, partnership, corporation, organization, or association holding a retail liquor license, whether conducting the business singularly or collectively.

(13) "Premises" means the building and contiguous property owned, or leased or used under a government permit by a licensee as part of the business establishment in the business of sale of liquor by the drink at retail, which property is improved to include decks, docks, boardwalks, lawns, gardens, golf courses, ski resorts, courtyards, patios, poolside areas or similar improved appurtenances in which the sale of liquor by the drink at retail is authorized under the provisions of law.

(14) "Rules" means rules promulgated by the director in accordance with the provisions of law.

(15) "State liquor store" means a liquor store or distributor established under and pursuant to the laws of the state of Idaho for the package sale of liquor at retail.

(16) "Theater" means a room, place or outside structure for performances or readings of dramatic literature, plays or dramatic representations of an art form not in violation of any provision of Idaho law.

(17) "Brewery" means a place, premises or establishment within the state of Idaho for the manufacture, bottling or canning of beer for sale.

(18) "Winery" means a place, premises or establishment within the state of Idaho for the manufacture or bottling of table wine or dessert wine for sale. Two (2) or more wineries may use the same premises and the same equipment to manufacture their respective wines, to the extent permitted by federal law.

(129) All other words and phrases used in this chapter, the definitions of which are not herein given, shall be given their ordinary and commonly understood and acceptable meanings; in line 7, delete "1" and insert: "2".

CORRECTION TO TITLE
On page 1, in line 2, following "BREWERIES;" insert: "AMENDING SECTION 23-902, IDAHO CODE, TO DEFINE "BREWERY" AND "WINERY"; AND".

The Committee also has H 508 under consideration, reports progress, and begs leave to sit again.

WINNER, Chairman
On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

S 1404, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 494, as amended in the Senate, H 497, as amended in the Senate, and H 597, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

H 600 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared H 600 passed, title was approved, and the bill ordered transmitted to the House.

H 601 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Schmidt. Total - 1.


Total - 35.

Whereupon the President declared H 601 passed, title was approved, and the bill ordered returned to the House.

The President announced that Senator Thayn requested and has received an excused absence for the remainder of the day.

S 1405 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1405 passed, title was approved, and the bill ordered transmitted to the House.

S 1406 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1406 passed, title was approved, and the bill ordered transmitted to the House.

S 1407 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1407 passed, title was approved, and the bill ordered transmitted to the House.

S 1408 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–None.

NAYs–None.

NAYs–None.


Whereupon the President declared S 1408 passed, title was approved, and the bill ordered transmitted to the House.

S 1409 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.


Whereupon the President declared S 1409 passed, title was approved, and the bill ordered transmitted to the House.

S 1410 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1410 passed, title was approved, and the bill ordered transmitted to the House.

S 1411 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

NAYs–None.

NAYs–None.


Whereupon the President declared S 1411 passed, title was approved, and the bill ordered transmitted to the House.

S 1412 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Thayn. Total - 1.

Total - 35.

Whereupon the President declared S 1412 passed, title was approved, and the bill ordered transmitted to the House.

S 1413 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Thayn. Total - 1.

Total - 35.

Whereupon the President declared S 1413 passed, title was approved, and the bill ordered transmitted to the House.

H 569 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Thayn. Total - 1.

Total - 35.
Whereupon the President declared **H 569** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **H 595** retained its place on the third reading calendar for one legislative day.

**H 570** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


**NAYS**–None.

Absent and excused–Thayn. Total - 1.

Total - 35.

Whereupon the President declared **H 570** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 487** retained its place on the third reading calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, **H 538** retained its place on the third reading calendar for Wednesday, March 23, 2016.

**H 571** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


**NAYS**–None.

Absent and excused–Thayn. Total - 1.

Total - 35.

Whereupon the President declared **H 571** passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **H 557** 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 557** be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


**NAYS**–None.

Absent and excused–Thayn. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

**H 557** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


**NAYS**–None.

Absent and excused–Thayn. Total - 1.

Total - 35.

Whereupon the President declared **H 557** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 21, 2016

Dear Mr. President:

I transmit herewith **H 617, H 618, H 619, H 620, H 621, H 622, H 623, and H 603**, which have passed the House.

TAYLOR, Acting Chief Clerk
H 617, H 618, H 619, H 620, H 621, H 622, H 623, and H 603 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1404, H 494, H 497, and H 597 have been correctly printed.

Lodge, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 21, 2016

The JUDICIARY AND RULES Committee reports that S 1404, as amended, has been correctly engrossed.

Lodge, Chairman

S 1404, as amended, was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1422

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2016; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2017; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS FOR FISCAL YEAR 2017; PROVIDING LEGISLATIVE INTENT RELATING TO UTILIZATION OF MATCHING FUNDS; EXEMPTING THE APPROPRIATION FROM THE PROVISIONS OF CHAPTER 36, TITLE 67, IDAHO CODE, AND FROM THE PROVISIONS OF SECTION 67-3516, IDAHO CODE; PROVIDING LEGISLATIVE INTENT RELATING TO REALLOCATION OF PROJECT SAVINGS; AND DECLARING AN EMERGENCY.

S 1423

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CERTAIN MONEYS BEING CONTINUOUSLY APPROPRIATED; AUTHORIZING THE TRANSFER OF HIGHWAY FUNDS TO THE TOURISM AND PROMOTION FUND; PROVIDING REAPPROPRIATION FOR CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION AND THE STRATEGIC INITIATIVES PROGRAM FUND; PROVIDING REAPPROPRIATION FOR AIRPORT DEVELOPMENT GRANTS; AUTHORIZING A TRANSFER OF FUNDS FOR DEBT SERVICE; PROVIDING A CASH TRANSFER TO THE GARVEE DEBT SERVICE FUND; PROVIDING A CASH TRANSFER TO THE LOCAL HIGHWAY TRUST FUND; AND DECLARING AN EMERGENCY.

S 1424

BY FINANCE COMMITTEE

AN ACT

REDUCING THE APPROPRIATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT RELATED TO SCHOOL DISTRICT BROADBAND SERVICES; AND DECLARING AN EMERGENCY.

S 1425

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1422, S 1423, S 1424, and S 1425 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 494, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

H 497, as amended in the Senate, and H 597, as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

S 1404, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

H 617, H 618, H 619, H 620, H 621, H 622, and H 623, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 603, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2016

The JUDICIARY AND RULES Committee reports that S 1422, S 1423, S 1424, and S 1425 have been correctly printed.

Lodge, Chairman

S 1422, S 1423, and S 1425 were referred to the Finance Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.
Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:30 p.m. until the hour of 10 a.m., Tuesday, March 22, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE
_____________________

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 22, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Davis, Lodge, McKenzie, and Stennett, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Alaire Chambers, Page.

President Little assumed the Chair.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 21, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Stennett was recorded present at this order of business.

March 22, 2016

The JUDICIARY AND RULES Committee reports that SCR 153 and SCR 154 have been correctly printed.

LODGE, Chairman

SCR 153 and SCR 154 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 21, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1389, S 1402, S 1333, S 1334, S 1390, S 1391, S 1392, S 1393, S 1394, S 1330, S 1356, and S 1234 were delivered to the Office of the Governor at 2:40 p.m., March 21, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 21, 2016

The JUDICIARY AND RULES Committee reports that Enrolled SCR 134 and SCR 148 were delivered to the Office of the Secretary of State at 2:52 p.m., March 21, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senator McKenzie was recorded present at this order of business.

March 21, 2016

The FINANCE Committee reports out H 617, H 618, H 619, H 620, H 621, H 622, H 623, S 1422, S 1423, S 1424, and S 1425 with the recommendation that they do pass.

KEOUGH, Chairman

H 617, H 618, H 619, H 620, H 621, H 622, H 623, S 1422, S 1423, S 1424, and S 1425 were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 21, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Troy Rohn of Boise, Idaho, to be Acting State Senator for Legislative District 19, Ada County, State of Idaho.

This appointment commences on March 22, 2016, through Friday, March 25, 2016.

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Present, that pursuant to the provisions of Section 59-917, Idaho Code, Cherie Buckner-Webb, State Senator, District 19, Ada County, State of Idaho, has nominated Troy Rohn to perform the duties of this office temporarily as Acting State Senator District 19, Ada County, State of Idaho.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Troy Rohn, of Boise, Idaho, to the office of State Senator District 19, for a term commencing Tuesday March 22, 2016, through Friday, March 25, 2016

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.
Done at Boise, the Capital of Idaho, this Twenty-first day of March, in the year of our Lord two thousand and sixteen and of the Independence of the United States of America, the two hundred and fortieth year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Rohn, and he was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 21, 2016

Dear Mr. President:

I return herewith S 1332, as amended, S 1376, S 1382, and S 1342, as amended, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1332, as amended, S 1376, S 1382, and S 1342, as amended, were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Martin, granted by unanimous consent, HCR 48 retained its place on the calendar for Wednesday, March 23, 2016.

The President announced that HCR 51 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, HCR 51 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that HCR 57 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Lacey, HCR 57 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that HCR 55 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Vick, seconded by Senator Stennett, HCR 55 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Lodge was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Paul J. Schneider retained its place on the calendar.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Bud Tracy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Stennett, the Gubernatorial reappointment of Bud Tracy as a member of the State Building Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Davis was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Shelly Jo Enderud was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Burgoyne, the Gubernatorial reappointment of Shelly Jo Enderud as a member of the State Building Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Grant A. Brackebusch was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Stennett, the Gubernatorial appointment of Grant A. Brackebusch as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of L. Daniel Cravens was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Lacey, the Gubernatorial appointment of L. Daniel Cravens as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Paul J. Schneider was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial reappointment of Paul J. Schneider as a member of the Idaho State Racing Commission was confirmed by voice vote.
The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 22, 2016

The JUDICIARY AND RULES Committee reports out H 556 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, H 556 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 556, without recommendation, amended as follows:

SENATE AMENDMENT TO H 556
AMENDMENT TO THE BILL
On page 1 of the printed bill, delete lines 23 through 41; and delete pages 2 through 15; and insert:
"SECTION 1. That Section 16-1506, Idaho Code, be, and the same is hereby amended to read as follows:

16-1506. PROCEEDINGS ON ADOPTION. (1) Proceedings to adopt a child shall be commenced by the filing of a petition together with a copy thereof. The petition shall be initiated by the person or persons proposing to adopt the child and shall be filed with the district court of the county in which said person or persons reside. If the adoption arises from a child protective act case, the petition shall be filed in the court having jurisdiction over the child protective act case unless that court relinquishes jurisdiction over the adoption proceeding. The petitioners shall have resided and maintained a dwelling within the state of Idaho for at least six (6) consecutive months prior to the filing of a petition. The petition shall set forth the name and address of the petitioner or petitioners, the name of the child proposed to be adopted and the name by which the person to be adopted shall be known if and when adopted, the degree of relationship of the child, if any, to the petitioner or petitioners and the names of any person or agency whose consent to said adoption is necessary. At the time fixed for hearing such petition the person adopting a child, and the child adopted, and the spouse of the petitioner if a natural parent of the child, must appear before the court of the county wherein the petition was filed. The petitioner shall at such time execute an agreement to the effect that the child shall be adopted and treated in all respects as his own lawful child should be treated.

(2) If the adoption arises from a child protective act case, then, in addition to the petition filed pursuant to subsection (1) of this section, the department of health and welfare shall file the permanency plan prepared pursuant to section 16-1620 or 16-1622, Idaho Code, associated with the child protective act case. If the court determines that the person proposing to adopt the child is not the proposed adoptive parent named in the permanency plan, then the judge shall stay the proceeding pending the department preparing and filing an amended permanency plan pursuant to section 16-1620 or 16-1622, Idaho Code, and the approval of the amended permanency plan by the judge presiding over the child protective act proceeding.

(3) Any person or persons whose consent is required shall execute such consent in writing, in a form consistent with the provisions of section 16-2005(4), Idaho Code, which consent being filed in the court where the application is made, shall be deemed a sufficient appearance on the part of such person or persons. If any adoptive parent, or a person not a minor being adopted by a resident adult under the provisions of section 16-1501, Idaho Code, is a member of the armed services and is unable to attend the hearing, his appearance and testimony shall be received by means of deposition, which shall be filed in the court at the time of the hearing.

(4) Prior to the placement for adoption of any child in the home of prospective adoptive parents, it shall be required that a thorough social investigation of the prospective adoptive family and all of its members, consistent with the rules regarding such investigations promulgated by the department of health and welfare, shall be completed and that a positive recommendation for adoptive placement shall have been made. The social investigation may be performed by any individual who meets the requirements of the law. A copy of the study must be submitted to the department and the department may impose a reasonable fee, not to exceed fifty dollars ($50.00), for oversight of such privately conducted studies. If the prospective adoptive parent has a disability as defined in this chapter, the prospective adoptive parent shall have the right, as a part of the social study, to provide information regarding the manner in which the use of adaptive equipment or supportive services will enable the parent to carry out the responsibilities of parenting the child. The person performing the social investigation shall advise the prospective adoptive parent of such right and shall consider all such information in any findings or recommendations. The social investigation of any prospective adoptive parent with a disability shall be conducted by, or with the assistance of, an individual with expertise in the use of such equipment and services. Nothing in this chapter shall be construed to create any new or additional obligation on state or local governments to purchase or provide adaptive equipment or supportive services for parents with disabilities. In those instances where the prospective adoptive parent is married to the birth parent or is the grandparent of the child to be adopted, such social investigation shall be completed with regard to the prospective adoptive parent only upon order of the court. In exigent circumstances where the prospective adoptive parents are determined by the court to have been unable to complete a social investigation of the family with a positive recommendation prior to the time the child is placed in the home, the child shall remain in the home unless the court determines the best interests of the child are served by other placement. If exigent circumstances exist, a social investigation shall be initiated within five (5) days of placement. Once initiated, all studies shall be completed within sixty (60) days. Upon the
filing of a petition to adopt a minor child by a person unrelated to the child or unmarried to a natural parent of the child and at the discretion of the court upon the filing of any other petition for adoption, a copy of such petition, together with a statement containing the full names and permanent addresses of the child and the petitioners, shall be served by the court receiving the petition within five (5) days on the director of the department of health and welfare by registered mail or personal service. If no private investigation is conducted, it shall then be the duty of the said director, through the personnel of the department or through such qualified child-placing children's adoption agency incorporated under chapter 3, title 30, Idaho Code, as the director may designate, to verify the allegations of the petition, and as soon as possible not exceeding thirty (30) days after service of the petition on the director to make a thorough investigation of the matter to include in all cases information as to the alleged date and place of birth and as to parentage of the child to be adopted as well as the source of all such information and report his findings in writing to the court. The investigative report shall include reasonably known or available medical and genetic information regarding both natural parents and sources of such information as well as reasonably known or available providers of medical care and services to the natural parents. A copy of all medical and genetic information compiled in the investigation shall be made available to the adopting family by the department or other investigating children's adoption agency prior to entry of the final order of adoption. The petition, statement and all other papers, records or files relating to the adoption, including the preplacement investigation and recommendation, shall be returned to the court with the investigative report. The department of health and welfare or other children's adoption agency may require the petitioner to pay all or any part of the costs of the investigation. If the report disapproves of the adoption of the child, motion may be made to the court to dismiss the petition.

(45) Proceedings for termination of parent-child relationship in accordance with chapter 20, title 16, Idaho Code, and proceedings for adoption may be consolidated and determined at one (1) hearing provided that all of the requirements of this chapter as well as chapter 20, title 16, Idaho Code, be fully complied with. Nothing in either chapter shall be construed as limiting the initiation of any petition for approval of a verified financial plan for adoption expenses pursuant to section 18-1511, Idaho Code, prior to the birth of the child which is the subject of any adoption proceeding. In all disputed matters under this chapter or chapter 20, title 16, Idaho Code, the paramount criterion for consideration and determination by the court shall be the best interests of the child.

(56) Proceedings for the adoption of an adult shall be as provided in subsection (1) of this section and any consents required shall be executed as provided in subsection (23) of this section. Upon a finding by the court that the consent of all persons for whom consent is required has been given and that the requirements of section 16-1501, Idaho Code, have been proven to the satisfaction of the court, the court shall enter an order granting the adoption. In cases where the adult proposed to be adopted is incapacitated or disabled, the court may require that an investigation be performed. The form and extent of the investigation to be undertaken may be as provided in subsection (24) of this section, or as otherwise ordered by the court. If an investigation is performed, the court must review and approve the findings of the investigation before issuing an order approving the adoption.

SECTION 2. That Section 16-1619, Idaho Code, be, and the same is hereby amended to read as follows:

16-1619. ADJUDICATORY HEARING — CONDUCT OF HEARING — CONSOLIDATION. (1) When a petition has been filed, the court shall set an adjudicatory hearing to be held no later than thirty (30) days after the filing of the petition.

(2) A pretrial conference shall be held outside the presence of the court within three (3) to five (5) days before the adjudicatory hearing. Investigative reports required under section 16-1616, Idaho Code, shall be delivered to the court with copies to each of the parents and other legal custodians, guardian ad litem and attorney for the child prior to the pretrial conference.

(3) At the adjudicatory hearing, parents or guardians with disabilities shall have the right to introduce admissible evidence regarding how use of adaptive equipment or supportive services may enable the parent or guardian to carry out the responsibilities of parenting the child by addressing the reason for the removal of the child.

(4) If a preponderance of the evidence at the adjudicatory hearing shows that the child comes within the court's jurisdiction under this chapter upon the grounds set forth in section 16-1603, Idaho Code, the court shall so decree and in its decree shall make a finding on the record of the facts and conclusions of law upon which it exercises jurisdiction over the child.

(5) Upon entering its decree the court shall consider any information relevant to the disposition of the child but in any event shall:

(a) Place the child under the protective supervision of the department for an indeterminate period not to exceed the child's eighteenth birthday; or

(b) Vest legal custody in the department or other authorized agency subject to residual parental rights and subject to full judicial review by the court and, when contested by any party, judicial approval of all matters relating to the custody of the child by the department or other authorized agency.

(6) If the court vests legal custody in the department or other authorized agency, the court shall make detailed written findings based on facts in the record, that, in addition to the findings required in subsection (4) of this section, continuation of residence in the home would be contrary to the welfare of the child and that vesting legal custody with the department or other authorized agency would be in the best interests of the child. In addition the court shall make detailed written findings based on facts as to whether the department made reasonable efforts to prevent the placement of the child in foster care, including findings, when appropriate, that:

(a) Reasonable efforts were made but were not successful in eliminating the need for foster care placement of the child;

(b) The department made reasonable efforts to prevent removal but was not able to safely provide preventive services;

(c) Reasonable efforts to temporarily place the child with related persons were made but were not successful; or

(d) Reasonable efforts to reunify the child with one (1) or both parents were not required because aggravated circumstances were present. If aggravated circumstances are found, a permanency hearing for the child shall be held within thirty (30) days of the determination of aggravated circumstances.

(7) A decree vesting legal custody in the department shall be binding upon the department and may continue until the child's eighteenth birthday.

(8) A decree vesting legal custody in an authorized agency other than the department shall be for a period of time not to exceed the child's eighteenth birthday, and on such other terms as the court shall state in its decree to be in the best interests
of the child and which the court finds to be acceptable to such authorized agency.

(9) In order to preserve the unity of the family system and to ensure the best interests of the child whether issuing an order of protective supervision or an order of legal custody, the court may consider extending or initiating a protective order as part of the decree. The protective order shall be determined as in the best interests of the child and upon a showing of continuing danger to the child. The conditions and terms of the protective order shall be clearly stated in the decree.

(10) If the court does not find that the child comes within the jurisdiction of this chapter pursuant to subsection (4) of this section it shall dismiss the petition.

SECTION 3. That Section 16-1620, Idaho Code, be, and the same is hereby amended to read as follows:

16-1620. FINDING OF AGGRAVED CIRCUMSTANCES – PERMANENCY PLAN – HEARING. (1) After a judicial determination that reasonable efforts to return the child to his home are not required because aggravated circumstances were found to be present, the court shall hold a permanency hearing within thirty (30) days after the finding. The department shall prepare a permanency plan and file the permanency plan with the court at least five (5) days prior to the permanency hearing. If the permanency plan has a goal of termination of parental rights and adoption, the department shall file the petition to terminate as required in section 16-1624(2), Idaho Code. Copies of the permanency plan shall be delivered to the parents and other legal guardians, prosecuting attorney or deputy attorney general, the guardian ad litem and attorney for the child.

(2) The permanency plan shall have a permanency goal of termination of parental rights and adoption, guardianship or another planned permanent living arrangement and shall set forth the reasonable efforts necessary to finalize the permanency goal.

(3) The permanency plan shall also:

(a) Identify the services to be provided to the child, including services to identify and meet any special educational, emotional, physical or developmental needs the child may have, to assist the child in adjusting to the placement or to ensure the stability of the placement;

(b) Address all options for permanent placement of the child, including consideration of options for in-state and out-of-state placement of the child;

(c) Address the advantages and disadvantages of each option and include a recommendation as to which option is in the child's best interest;

(d) Specifically identify the actions necessary to implement the recommended option;

(e) Specifically set forth a schedule for accomplishing the actions necessary to implement the permanency goal;

(f) Consider the options for maintaining the child's connection to the community, including individuals with a significant relationship to the child, and organizations or community activities with which the child has a significant connection; and

(g) In the case of a child who has attained the age of sixteen (16) years, identify the services needed to assist the child to make the transition from foster care to independent living; and

(h) Identify the prospective adoptive parents, if known; if the prospective adoptive parents are not known, the department shall amend the plan to name the proposed adoptive parents as soon as such persons become known.

(4) The court shall hold a permanency hearing to determine whether the best interest of the child is served by adopting, rejecting or modifying the permanency plan proposed by the department.

(5) Notice of the permanency hearing shall be provided to the parents and other legal guardians, prosecuting attorney or deputy attorney general, guardian ad litem, attorney for the child, the department and foster parents; provided however, that foster parents are not thereby made parties to the child protective act action.

(6) The permanency plan as approved by the court shall be entered into the record as an order of the court. The order may include interim and final deadlines for implementing the permanency plan and finalizing the permanency goal.

(7) If the permanency goal is not termination of parental rights and adoption or guardianship, the court may approve a permanency plan with a permanency goal of another planned permanent living arrangement only upon written case-specific findings that specify why a more permanent plan is not in the best interest of the child.

(8) The court may authorize the department to suspend further efforts to reunify the child with the child's parent, pending further order of the court, when a petition or other motion is filed in a child protection proceeding seeking a determination of the court that aggravated circumstances were present.

SECTION 4. That Section 16-1621, Idaho Code, be, and the same is hereby amended to read as follows:

16-1621. CASE PLAN HEARING – NO FINDING OF AGGRAVED CIRCUMSTANCES. (1) In every case in which the child is determined to be within the jurisdiction of the court, and there is no judicial determination that aggravated circumstances were present, the department shall prepare a written case plan, including cases in which the parent(s) is incarcerated. The court shall schedule a case plan hearing to be held within thirty (30) days after the adjudicatory hearing. The case plan shall be filed with the court no later than five (5) days prior to the case plan hearing. Copies of the case plan shall be delivered to the parents and other legal guardians, the prosecuting attorney or deputy attorney general, the guardian ad litem and attorney for the child. The court shall hold a case plan hearing to determine whether the best interest of the child is served by adopting, rejecting or modifying the case plan proposed by the department.

(2) Notice of the case plan hearing shall be provided to the parents, and other legal guardians, the prosecuting attorney or deputing attorney general, guardian ad litem, attorney for the child, the department and foster parents. Although foster parents are provided notice of this hearing, they are not parties to the child protective act action.

(3) If the child is placed in the legal custody of the department, the case plan filed by the department shall set forth reasonable efforts that will be made to make it possible for the child to return home. The case plan shall also:

(a) Identify the services to be provided to the child, including services to identify and meet any special educational, emotional, physical or developmental needs the child may have, to assist the child in adjusting to the placement or to ensure the stability of the placement;

(b) Address options for maintaining the child's connection to the community, including individuals with a significant relationship to the child, and organizations or community activities with which the child has a significant connection.

(c) Include a goal of reunification and a plan for achieving that goal. The reunification plan shall identify all issues
that need to be addressed before the child can safely be returned home without department supervision. The court may specifically identify issues to be addressed by the plan. The reunification plan shall specifically identify the tasks to be completed by the department, each parent or others to address each issue, including services to be made available by the department to the parents and in which the parents are required to participate, and deadlines for completion of each task. The plan shall state with specificity the role of the department toward each parent.

(5) The case plan, as approved by the court, shall be entered into the record as an order of the court. The order may include interim and final deadlines for implementing the case plan and finalizing the permanency goal. The court's order shall provide that reasonable efforts shall be made to reunify the family in a timely manner in accordance with the case plan. Unless the child has been placed under the protective supervision of the department, the court's order shall also require the department to simultaneously take steps to accomplish the goal of reunification and the concurrent permanency goal.

SECTION 5. That Section 16-1622, Idaho Code, be, and the same is hereby amended to read as follows:

16-1622. REVIEW HEARINGS — ANNUAL PERMANENCY HEARINGS. (1) Review hearing.

(a) A hearing for review of the child's case and permanency plan shall be held no later than six (6) months after entry of the court's order taking jurisdiction under this act and every six (6) months thereafter. The purpose of the review hearing is to determine:

(i) The safety of the child;
(ii) The continuing necessity for and appropriateness of the placement;
(iii) The extent of compliance with the case plan;
(iv) The extent of progress that has been made toward alleviating or mitigating the causes necessitating placement in foster care; and
(v) When reasonable, to project a likely date by which the child may be safely returned to and maintained in the home or placed in another permanent placement.

(b) A motion for revocation or modification of an order issued under section 16-1619, Idaho Code, may be filed by the department or any party; provided that no motion may be filed by the respondents under this section within three (3) months of a prior hearing on case and placement of the child. Notice of a motion for review of a child's case shall be provided to the parents and other legal guardians, the prosecuting attorney or deputy attorney general, guardian ad litem, attorney for the child, the department and foster parents.

(c) If the motion filed under paragraph (b) of this subsection alleges that the child's best interests are no longer served by keeping the child at home, the court shall consider the motion.

(d) The department or authorized agency may move the court at any time to vacate any order placing a child in its custody or under its protective supervision.

(2) Permanency plan and hearing.

(a) The permanency plan shall include a permanency goal. The permanency goal may be one (1) of the following: continued efforts at reunification, in the absence of a judicial determination of aggravated circumstances; or termination of parental rights and adoption, guardianship or another planned permanent living arrangement. Every permanency plan shall include the information set forth in section 16-1621(3)(a), Idaho Code. If the permanency plan has reunification as a permanency goal, the plan shall include information set forth in section 16-1621(3)(c), Idaho Code. If the permanency plan has a permanency goal other than reunification, the plan shall include the information set forth in section 16-1621(3)(d), Idaho Code, and, if
the permanency goal is termination of parental rights and adoption, then in addition to the information set forth in section 16-1620(3), Idaho Code, the permanency plan shall also name the proposed adoptive parents when known. If the adoptive parents are not known at the time the permanency plan is prepared, then the department shall amend the plan to name the proposed adoptive parents as soon as such person or persons become known. The court may approve a permanency plan which includes a primary goal and a concurrent goal.

(b) A permanency hearing shall be held no later than twelve (12) months from the date the child is removed from the home or the date of the court's order taking jurisdiction under this chapter, whichever occurs first, and at least every twelve (12) months thereafter, so long as the court has jurisdiction over the child. The court shall approve, reject or modify the permanency plan of the department and review progress in accomplishing the permanency goal. A permanency hearing may be held at any time and may be combined with the review hearing required under subsection (1) of this section.

(c) The court shall make written case-specific findings whether the department made reasonable efforts to finalize the primary permanency goal in effect for the child. Lack of reasonable efforts to reunify may be a basis for an order approving a permanency plan with a permanency goal of reunification.

(d) Where the permanency goal is not reunification, the hearing shall include a review of the department's consideration of options for in-state and out-of-state placement of the child. In the case of a child in an out-of-state placement, the court shall determine whether the out-of-state placement continues to be appropriate and in the best interest of the child.

(e) In the case of a child who has attained the age of sixteen (16) years, the hearing shall include a determination of the services needed to assist the child to make the transition from foster care to independent living.

(f) The court may approve a primary permanency goal of another planned permanent living arrangement only upon written, case-specific findings that there are compelling reasons why a more permanent goal is not in the best interests of the child.

(g) If the child has been in the temporary or legal custody of the department for fifteen (15) of the most recent twenty-two (22) months, the department shall file, prior to the last day of the fifteenth month, a petition to terminate parental rights, unless the court finds that:

(i) The child is placed permanently with a relative;

(ii) There are compelling reasons why termination of parental rights is not in the best interests of the child; or

(iii) The department has failed to provide reasonable efforts to reunify the child with his family.

(b) The court may authorize the department to suspend further efforts to reunify the child with the child's parent, pending further order of the court, when a permanency plan is approved by the court and the permanency plan does not include a permanency goal of reunification.

SECTION 6. That Section 16-1629, Idaho Code, be, and the same is hereby amended to read as follows:

16-1629. POWERS AND DUTIES OF THE DEPARTMENT. The department, working in conjunction with the court and other public and private agencies and persons, shall have the primary responsibility to implement the purpose of this chapter. To this end, the department is empowered and shall have the duty to do all things reasonably necessary to carry out the purpose of this chapter, including, but not limited to, the following:

(1) The department shall administer treatment programs for the protection and care of neglected, abused and abandoned children, and in so doing may place in foster care, shelter care, or other diagnostic, treatment, or care centers or facilities, children of whom it has been given custody. The department is to be governed by the standards found in chapter 12, title 39, Idaho Code.

(2) On December 1, the department shall make an annual statistical report to the governor covering the preceding fiscal year showing the number and status of persons in its custody and including such other data as will provide sufficient facts for sound planning in the conservation of children and youth. All officials and employees of the state and of every county and city shall furnish the department, upon request, such information within their knowledge and control as the department deems necessary. Local agencies shall report in such uniform format as may be required by the department.

(3) The department shall be required to maintain a central registry for the reporting of child neglect, abuse and abandonment information. Provided however, that the department shall not retain any information for this purpose relating to a child, or parent of a child, abandoned pursuant to chapter 82, title 39, Idaho Code.

(4) The department shall make periodic evaluation of all persons in its custody or under its protective supervision for the purpose of determining whether existing orders and dispositions in individual cases shall be modified or continued in force. Evaluations may be made as frequently as the department considers desirable and shall be made with respect to every person at intervals not exceeding six (6) months. Reports of evaluation made pursuant to this section shall be filed with the court that has jurisdiction. Reports of evaluation shall be provided to persons having full or partial legal or physical custody of a child. Failure of the department to evaluate a person or to reevaluate him within six (6) months of a previous examination shall not of itself entitle the person to a change in disposition but shall entitle him, his parent, guardian or custodian to have his counsel to petition the court pursuant to section 16-1622, Idaho Code.

(5) In a consultative capacity, the department shall assist communities in the development of constructive programs for the protection, prevention and care of children and youth.

(6) The department shall keep written records of investigations, evaluations, prognoses and all orders concerning disposition or treatment of every person over whom it has legal custody or under its protective supervision. Department records shall be subject to disclosure according to chapter 1, title 74, Idaho Code, unless otherwise ordered by the court, the person consents to the disclosure, or disclosure is necessary for the delivery of services to the person. Notwithstanding the provisions restricting disclosure or the exemptions from disclosure provided in chapter 1, title 74, Idaho Code, all records pertaining to investigations, the rehabilitation of youth, the protection of children, evaluation, treatment and or disposition records pertaining to the statutory responsibilities of the department shall be disclosed to any duly elected state official carrying out his official functions.

(7) The department shall establish appropriate administrative procedures for the processing of complaints of child neglect, abuse and abandonment received and for the implementation of the protection, treatment and care of children formally or informally placed in the custody of the department
or under its protective supervision under this chapter including, but not limited to:

(a) Department employees whose job duties are related to the child protective services system under this chapter shall first be trained as to their obligations under this chapter regarding the protection of children whose health and safety may be endangered. The curriculum shall include information regarding their legal duties, how to conduct their work in conformity with the requirements of this chapter, information regarding applicable federal and state laws with regard to the rights of the child, parent and others who may be under investigation under the child protective services system, and the applicable legal and constitutional parameters within which they are to conduct their work.

(b) Department employees whose job duties are related to the child protective services system shall advise the individual of the complaints or allegations made against the individual at the time of the initial contact, consistent with protecting the identity of the referent.

(8) The department having been granted legal custody of a child, subject to the judicial review provisions of this subsection, shall have the right to determine where and with whom the child shall live, provided that the child shall not be placed outside the state without the court's consent. Provided, however, that the court shall retain jurisdiction over the child, which jurisdiction shall be entered on any order or petition granting legal custody to the department, and the court shall have jurisdiction over all matters relating to the child. The department shall not place the child in the home from which the court ordered the child removed without first obtaining the approval of the court. Notwithstanding the provisions of this subsection, all other determinations relating to where and with whom the child shall live shall be subject to judicial review by the court and, when contested by any party, judicial approval.

(9) The department shall give to the court any information concerning the child that the court may at any time require, but in any event shall report the progress of the child under its custody or under its protective supervision at intervals of not to exceed six (6) months. The department shall file with the court at least five (5) days prior to the permanency hearing either under section 16-1622, Idaho Code, or, in the case of a finding of aggravated circumstances, section 16-1620, Idaho Code, the permanency plan and recommendations of the department.

(10) The department shall establish appropriate administrative procedures for the conduct of administrative reviews and hearings as required by federal statute for all children committed to the department and placed in out of the home care.

(11) At any time the department is considering a placement pursuant to this chapter, the department shall make a reasonable effort to place the child in the least restrictive environment to the child and in so doing shall consider, consistent with the best interest and special needs of the child, placement priority of the child in the following order:

(a) A fit and willing relative.
(b) A fit and willing nonrelative with a significant relationship with the child.
(c) Foster parents and other persons licensed in accordance with chapter 12, title 39, Idaho Code, with a significant relationship with the child.
(d) Foster parents and other persons licensed in accordance with chapter 12, title 39, Idaho Code.

(12) If the caseworker assigned to a foster care case recommends removing the child from a foster home in which the child has been placed for sixty (60) or more days, for placement in another foster home, then the case worker's supervisor shall conduct a review of the foster care case and must approve such recommendation before a change in foster home placement occurs. The supervisor shall consider the best interests and special needs of the child, including:

(a) The clearly stated reasons for the recommended change in placement;
(b) The number of times the child's placement has been changed since removal from their home and the reasons for each change;
(c) Whether the child will change schools as a result of the change in placement; and
(d) Whether the child in placement will separate or reunite siblings or affect sibling visitation.

(13) If the supervisor determines that the recommended change in foster care placement is in the best interests of the child, then the department may change the placement of the child; provided that, the department shall give the foster parents written notice of the planned change at least seven (7) days before the change in placement.

(14) If the caseworker determines that there is abuse or neglect or a substantial risk of abuse or neglect in the foster home, then the department may change the placement of the child without a supervisor's review; provided that, the department shall give the foster parents written notice of the unplanned change within seven (7) days after the change in placement.

(15) In its written notice of a planned or unplanned change required under this section, the department shall clearly state the reasons for the change in placement of the child.

SECTION 7. That Chapter 16, Title 16, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 16-1644, Idaho Code, and to read as follows:


CORRECTION TO TITLE
On page 1, delete lines 2 through 21; and insert:
"RELATING TO JUVENILE PROCEEDINGS; AMENDING SECTION 16-1506, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS REGARDING PROCEEDINGS ON ADOPTION; AMENDING SECTION 16-1619, IDAHO CODE, TO PROVIDE FOR JUDICIAL APPROVAL; AMENDING SECTION 16-1620, IDAHO CODE, TO PROVIDE THAT THE PERMANENCY PLAN SHALL INCLUDE CERTAIN INFORMATION; AMENDING SECTION 16-1621, IDAHO CODE, TO PROVIDE THAT THE CONCURRENT PLAN SHALL INCLUDE CERTAIN INFORMATION; AMENDING SECTION 16-1622, IDAHO CODE, TO PROVIDE THAT THE PERMANENCY PLAN SHALL INCLUDE CERTAIN INFORMATION; AMENDING SECTION 16-1629, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND WELFARE, TO PROVIDE FOR JUDICIAL APPROVAL, TO ESTABLISH ADDITIONAL PROVISIONS REGARDING THE PLACEMENT PRIORITY OF CERTAIN CHILDREN, TO PROVIDE FOR A REVIEW PROCESS WHEN A CHANGE IN FOSTER HOME PLACEMENT IS RECOMMENDED AND TO PROVIDE NOTICE REQUIREMENTS; AND
AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1644, IDAHO CODE, TO PROVIDE AN EXEMPTION."

The Committee also has H 508 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

H 556, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

March 22, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to H 556 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

S 1426

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2017; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

S 1426 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 556, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

S 1414, S 1415, S 1416, and S 1417, by Finance Committee, were read the second time at length and filed for third reading.

H 542 and H 331, as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

HJR 5, by State Affairs Committee, was read the second time at length and filed for third reading.

H 608, H 609, H 610, H 611, and H 612, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1418, S 1419, and S 1421, by Finance Committee, were read the second time at length and filed for third reading.

H 544, by State Affairs Committee, was read the second time at length and filed for third reading.

H 494, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

H 497, as amended in the Senate, and H 597, as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

S 1404, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

H 595 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared H 595 passed, title was approved, and the bill ordered returned to the House.

H 487 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:


Total - 35.

Whereupon the President Pro Tempore declared H 487 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

**Reports of Standing Committees**

March 22, 2016

The JUDICIARY AND RULES Committee reports out H 580 and S 1420 with the recommendation that they do pass.

LODGE, Chairman
H 580 and S 1420 were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 2 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 2 p.m. President Little returned to the Chair.

Roll call showed all members present except President Pro Tempore Hill and Senators Burgyone, Lee, Rice, Siddoway, and Stennett, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 22, 2016

The JUDICIARY AND RULES Committee reports that S 1332, as amended, S 1376, S 1382, and S 1342, as amended, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1332, as amended, S 1376, S 1382, and S 1342, as amended, and ordered them transmitted to the House for the signature of the Speaker.

Senator Lee was recorded present at this order of business.

March 22, 2016

The EDUCATION Committee reports out H 603 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, H 603 was referred to the Fourteenth Order of Business, General Calendar.

Senator Siddoway was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 22, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1370, S 1369, S 1326, S 1336, S 1365, S 1366, S 1371, S 1372, S 1344, S 1340, S 1288, S 1295, S 1296, S 1320, S 1222, S 1223, S 1237, S 1234, S 1225, and S 1280, as amended

As Always - Idaho, Estro Perpetua

/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 22, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am transmitting today to the Office of the Secretary of State the following Senate Bill, which will be allowed to become law without my signature within the time limited by law:

S 1367

As Always - Idaho, Estro Perpetua

/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 494, 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 494, as amended in the Senate, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Hill, Mortimer, Vick. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.
H 494, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared H 494, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 497, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Patrick. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 597, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Patrick. Total - 1.

Total - 35.

Whereupon the President declared H 597, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1420 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Patrick. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.
S 1420 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Burgoyne, Lee, and Lodge disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–None.

Absent and excused–Hagedorn, Lakey. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 542 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Rohn (Buckner-Webb), Burgoyne, Johnson, Jordan, Lacey, Martin, Nonini, Schmidt, Stennett, Winder. Total - 10.

Absent and excused–Hagedorn, Lakey. Total - 2.

Total - 35.

Whereupon the President declared H 542 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of H 331, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Hagedorn, Lakey. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 331, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:
AYES–Bair, Brackett, Rohn (Buckner-Webb), Davis, Hagedorn, Harris, Heider, Hill, Jordan, Lacey, Martin, McKenzie, Mortimer, Siddoway, Souza, Stennett, Windy. Total - 17.


Total - 35.

Whereupon the President declared H 331, as amended, passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 544 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None. 

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 544 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Windy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Martin. Total - 1.

Absent and excused–Anthon, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared H 544 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Winder, that all rules of the Senate interfering with the immediate passage of S 1404, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1404, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared S 1404, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1414 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None. 

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1414 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Siddoway disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

NAYS–Rohn (Buckner-Webb), Burgoyne, Jordan, Schmidt, Stennett. Total - 5.
Absent and excused–Anthon. Total - 1.
Total - 35.

Whereupon the President declared S 1414 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1415 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:
NAYS–None.
Absent and excused–Anthon. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1416 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:
NAYS–None.
Absent and excused–Anthon. Total - 1.
Total - 35.

Whereupon the President declared S 1416 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1417 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:
NAYS–None.
Absent and excused–Anthon. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1417 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:
NAYS–None.
Absent and excused–Anthon. Total - 1.
Total - 35.
Whereupon the President declared S 1417 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of H 608 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 608 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 609 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of H 610 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 609 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared H 610 passed, title was approved, and the bill ordered returned to the House.

H 610 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.
Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of H 611 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 611 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 611 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.
Total - 35.

Whereupon the President declared H 612 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1418 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1418 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1419 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

**S 1419** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared **S 1419** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **S 1425** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

**S 1421** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared **S 1421** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

### Second Reading of Bills

#### Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **S 1425** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

**S 1425** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Anthon, Hill. Total - 2.

Total - 35.

Whereupon the President declared **S 1425** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **S 1424** be suspended. The question being, "Shall the rules be suspended?"
Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1424 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared S 1424 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1422 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1422 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration, Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared S 1422 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 22, 2016

Dear Mr. President:

I transmit herewith HCR 58, HJM 14, H 625, H 626, H 604, H 606, as amended, and HCR 59, which have passed the House.

TAYLOR, Acting Chief Clerk

HCR 58, HJM 14, H 625, H 626, H 604, H 606, as amended, and HCR 59 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1427

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE DISTRICT COURTS PROGRAM FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE MAGISTRATES DIVISION PROGRAM FOR FISCAL YEAR 2017; AND EXEMPTING APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1427 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 58, by Health and Welfare Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

HJM 14, by State Affairs Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 625 and H 626, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 604, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 606, as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.
HCR 59, by Ways and Means Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:20 p.m. until the hour of 9:30 a.m., Wednesday, March 23, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 23, 2016

Senate Chamber
President Little called the Senate to order at 9:30 a.m.
Roll call showed all members present except Senator
Burgoyne, absent and excused.
Prayer was offered by Father John Worster.
The Pledge of Allegiance was led by Anna Daley Laursen,
Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal
The JUDICIARY AND RULES Committee reports that
the Senate Journal of the proceedings of March 22, 2016, was read
and approved as corrected.

LODGE, Chairman
There being no objection, the report was adopted and ordered
filed in the office of the Secretary of the Senate.
Senator Burgoyne was recorded present at this order of
business.
The Senate advanced to the Fourth Order of Business.

Reading of Communications
March 22, 2016

PETITION TO WAIVE JOINT RULE 20

We, the majority and minority leadership of the Senate,
petition the President to waive the provisions of Joint Rule 20.
HJR 5 was transmitted from the House of Representatives to the
Senate on March 15, 2016, after the fifty-fifth legislative day. No
leadership petition waiver was submitted to the President at the
time of the introduction of HJR 5 in the Senate. This disregard
or omission constitutes a suspension or temporary repeal of JR
20, pursuant to Mason's Manual Section 15 (2010). Regardless,
the joint leadership of the Senate petition the President to
additionally waive, nunc pro tunc, JR 20 to the first call of the
ninth order of business on March 15, 2016 in order to permit and
ratify the consideration of HJR 5. This joint resolution proposes
to add a new Section 29 to Article III, to preserve legislative
review (approve or reject) of administrative rules.

/s/ Todd Lakey, Majority Caucus Chair
/s/ Michelle Stenett, Senate Minority
Leader
/s/ Grant Burgoyne, Minority Caucus
Chair

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 155
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND
AUTHORIZING THE LEGISLATIVE COUNCIL TO
APPOINT A COMMITTEE TO UNDERTAKE AND
COMPLETE A STUDY OF THE INCOME TAX STRUCTURE
IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho's income tax policy is vitally important
to all Idahoans as well as to Idaho's businesses, commerce and
economy; and
WHEREAS, Idaho's income tax policy has not been studied
in a comprehensive manner in a number of years; and
WHEREAS, taxes play an integral role in our state's success
regionally, nationally and globally; and
WHEREAS, it is the belief of the Legislature that a tax
structure should encourage economic development and not
hinder it; and
WHEREAS, it is the desire of the Legislature to make a
comprehensive review of income tax policy in Idaho, with the
goal of restructuring the income tax system to achieve lower
individual and corporate income tax rates.

NOW, THEREFORE, BE IT RESOLVED by the members of
the Second Regular Session of the Sixty-third Idaho Legislature,
the Senate and the House of Representatives concurring therein,
that the Legislative Council is authorized to appoint a committee
to undertake and complete a study of state income tax policy
in Idaho and to make recommendations for improvement and
to achieve lower corporate and individual income tax rates.
The Legislative Council shall determine the membership from
each house appointed to the committee and shall authorize the
committee to receive input, advice and assistance from interested
and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED the committee is also
authorized to retain the services of a consultant or analyst, with
the prior approval of the President Pro Tempore of the Senate
and the Speaker of the House of Representatives, who is familiar
with tax policy and who can provide necessary economic or
other research that can assist the committee and the Legislature
in making an informed decision on this important topic. Other
nonlegislative members of the committee may be appointed
by the cochairs of the committee who are appointed by the
Legislative Council. The nonlegislative members shall act in an
advisory capacity and shall not have voting privileges regarding
the committee's recommendations or proposed legislation. With
the exception of a consultant approved by the Pro Tempore
of the Senate and the Speaker of the House of Representatives,
nonlegislative members shall not be reimbursed from legislative
funds for per diem, mileage or other expenses.

BE IT FURTHER RESOLVED that the committee shall
report its findings, recommendations and proposed legislation to
the First Regular Session of the Sixty-fourth Legislature.

SCR 155 was introduced, read at length, and referred to the
Judiciary and Rules Committee for printing.
The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 23, 2016

The JUDICIARY AND RULES Committee reports that S 1426 and S 1427 have been correctly printed.

Lodge, Chairman

S 1426 and S 1427 were referred to the Finance Committee.

March 23, 2016

The FINANCE Committee reports out H 625 and H 626 with the recommendation that they do pass.

KEOUGH, Chairman

H 625 and H 626 were filed for second reading.

March 23, 2016

The JUDICIARY AND RULES Committee reports out HCR 59 with the recommendation that it do pass.

Lodge, Chairman

HCR 59 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 22, 2016

Dear Mr. President:

I return herewith S 1257, as amended in the House, S 1322, as amended in the House, S 1265, as amended in the House, and S 1354, as amended in the House, which have passed the House.

TAYLOR, Acting Chief Clerk

On request by Senator Davis, granted by unanimous consent, S 1257, as amended in the House, S 1322, as amended in the House, S 1265, as amended in the House, and S 1354, as amended in the House, were referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

March 22, 2016

Dear Mr. President:

I return herewith S 1377, S 1302, S 1303, as amended, S 1328, as amended, S 1343, S 1362, S 1373, SCR 141, SCR 140, SCR 139, SCR 146, SCR 147, SCR 149, SCR 143, SCR 144, SCR 150, and S 1388, as amended, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1377, S 1302, S 1303, as amended, S 1328, as amended, S 1343, S 1362, S 1373, SCR 141, SCR 140, SCR 139, SCR 146, SCR 147, SCR 149, SCR 143, SCR 144, SCR 150, and S 1388, as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 22, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk


March 22, 2016

Dear Mr. President:

I return herewith Enrolled S 1323, S 1341, as amended, S 1395, S 1396, S 1397, S 1325, S 1359, S 1351, S 1361, S 1338, S 1347, as amended, S 1398, S 1399, S 1400, S 1401, and S 1403, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1323, S 1341, as amended, S 1395, S 1396, S 1397, S 1325, S 1359, S 1351, S 1361, S 1338, S 1347, as amended, S 1398, S 1399, S 1400, S 1401, and S 1403 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 22, 2016

Dear Mr. President:

I return herewith Enrolled SCR 136, SCR 137, and SCR 138, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled SCR 136, SCR 137, and SCR 138 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1322, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1322, as amended in the House?"

On request by Senator Heider, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1322, as amended in the House.

S 1322, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to S 1265, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1265, as amended in the House?"
On request by Senator Martin, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1265, as amended in the House.

S 1265, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to S 1354, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1354, as amended in the House?"

On request by Senator Sten nett, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1354, as amended in the House.

S 1354, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to S 1257, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1257, as amended in the House?"

On request by Senator Brackett, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1257, as amended in the House.

S 1257, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Davis, granted by unanimous consent, HCR 48 retained its place on the calendar.

The President announced that SCR 153 was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Sten nett, that SCR 153 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Whereupon the President declared SCR 153 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 154 was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Sten nett, that SCR 154 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Whereupon the President declared SCR 154 adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

S 1428

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING AND TRANSFERRING MONEYS TO THE LEGISLATIVE LEGAL DEFENSE FUND FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1428 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

H 617, H 618, H 619, H 620, H 621, H 622, and H 623, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1423, by Finance Committee, was read the second time at length and filed for third reading.

H 580, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, H 538, H 577, and HJR 5 retained their place on the third reading calendar.

**Motion to Suspend Rules**

Moved by Senator Davis, seconded by Senator Sten nett, that all rules of the Senate interfering with the immediate passage of H 580 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 580 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 580 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:

Whereupon the President declared H 580 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 617 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 617 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Whereupon the President declared H 617 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 619 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 619 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Whereupon the President declared H 619 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 620 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 620 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Whereupon the President declared H 620 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 623 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 621 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 621 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 623 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


Whereupon the President declared H 623 passed, title was approved, and the bill ordered returned to the House.

H 623 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1423 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended.
whereupon the president declared S 1423 passed, title was approved, and the bill ordered transmitted to the House.

on request by senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

moved by senator Davis, seconded by senator Stennett, that all rules of the Senate interfering with the immediate consideration of HCR 59 be suspended. The question being, “Shall the rules be suspended?”

roll call resulted as follows:


NAYS—None.

Absent and excused—Nuxoll. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that HCR 59 was before the Senate for final consideration.

moved by senator Lodge, seconded by senator Burgoyne, that HCR 59 be adopted. The question being, “Shall the resolution be adopted?”

roll call resulted as follows:


NAYS—None.

Absent and excused—Nuxoll. Total - 1.

Total - 35.

Whereupon the President declared HCR 59 adopted, title was approved, and the resolution ordered returned to the House.

On request by senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 23, 2016

The JUDICIARY AND RULES Committee reports that SCR 155 and S 1428 have been correctly printed.

Lodge, Chairman

SCR 155 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by senator Davis, granted by unanimous consent, S 1428 was referred to the Twelfth Order of Business, Second reading of bills.

March 23, 2016

The JUDICIARY AND RULES Committee reports that S 1257, as amended in the House, S 1322, as amended in the House, S 1265, as amended in the House, and S 1354, as amended in the House, have been correctly engrossed.

Lodge, Chairman

S 1257, as amended in the House, S 1322, as amended in the House, S 1265, as amended in the House, and S 1354, as amended in the House, were filed for first reading.

March 23, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1323, S 1341, as amended, S 1395, S 1396, S 1397, S 1325, S 1359, S 1351, S 1361, S 1338, S 1347, as amended, S 1398, S 1399, S 1400, S 1401, and S 1403 were delivered to the Office of the Governor at 11 a.m., March 23, 2016.

Lodge, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 23, 2016

The JUDICIARY AND RULES Committee reports that Enrolled SCR 136, SCR 137, and SCR 138 were delivered to the Office of the Secretary of State at 11:23 a.m., March 23, 2016.

Lodge, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 23, 2016

The JUDICIARY AND RULES Committee reports that S 1377, S 1302, S 1303, as amended, S 1328, as amended, S 1343, S 1362, S 1373, SCR 141, SCR 140, SCR 139, SCR 146, SCR 147, SCR 149, SCR 143, SCR 144, SCR 150, and S 1388, as amended, have been correctly enrolled.

Lodge, Chairman

The President signed Enrolled S 1377, S 1302, S 1303, as amended, S 1328, as amended, S 1343, S 1362, S 1373, SCR 141, SCR 140, SCR 139, SCR 146, SCR 147, SCR 149, SCR 143, SCR 144, SCR 150, and S 1388, as amended, and ordered them transmitted to the House for the signature of the Speaker.

On request by senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1257, as amended in the House, by Education Committee, was read the first time at length and filed for second reading.

S 1322, as amended in the House, by Health and Welfare Committee, was read the first time at length and filed for second reading.

S 1265, as amended in the House, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

S 1354, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.
On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 2 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Bayer, Burgoyne, Guthrie, Jordan, McKenzie, Rice, Siddoway, Souza, Stennett, and Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 23, 2016

The FINANCE Committee reports out S 1426 and S 1427 with the recommendation that they do pass.

KEOUGH, Chairman

S 1426 and S 1427 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 23, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1240, S 1241, S 1242, S 1255, S 1272, S 1274, S 1275, S 1278, S 1279, S 1283, S 1285, as amended, S 1293, as amended, S 1304, S 1327, S 1352, S 1379, S 1380, and S 1381

As Always - Idaho, Esto Perpetua
/is/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 23, 2016

The Honorable Brent Hill
President Pro Tem of the Senate
Idaho Legislature

Dear Mr. President Pro Tem:

I hereby advise you that I have transmitted today to the Secretary of State, the following Senate Bill, which was allowed to become law without my signature:

S 1238

as prescribed by the Constitution.

I applaud the efforts of the Idaho Department of Environmental Quality, in collaboration with industry, to achieve primacy over permitting the safe use of Idaho's water by developing the Idaho Pollution Discharge Elimination System (IPDES) and its subsequent water-quality records oversight.

However, I am allowing this bill to become law without my signature. My intention is to remind the U.S. Environmental Protection Agency and the federal government more generally that changing the rules of custodial recordkeeping amounts only to forcing states to jump through extra hoops to achieve primacy.

Mandating this kind of bureaucratic paper-shuffling exercise as we continue working to assume the extensive protection processes under the federal Clean Water Act is exactly why we need regulations focused at the state level—not driven by priorities in Washington, D.C.

As Always - Idaho, Esto Perpetua
/is/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1429
BY FINANCE COMMITTEE
AN ACT
RELATING TO EDUCATIONAL APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2017;
Providing legislative intent that services shall be compliant with law; appropriating moneys and providing a cash transfer to the higher education stabilization fund; appropriating additional moneys to the office of the state board of education for fiscal year 2017; appropriating moneys and providing a cash transfer to the broadband infrastructure improvement grant fund; appropriating additional moneys to the superintendent of public instruction for fiscal year 2017; appropriating moneys and providing a cash transfer to the stem education fund; appropriating additional moneys to the stem action center for fiscal year 2017; and authorizing one additional full-time equivalent position.

S 1430
By Finance Committee
An Act
Appropriating and transferring moneys from the economic recovery reserve fund to the charter school debt reserve fund.

S 1429 and S 1430 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Bayer, Burgoyne, Guthrie, Jordan, McKenzie, Rice, Siddoway, Stennett, Vick, and Souza were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees
March 23, 2016

The Judiciary and Rules Committee reports that S 1429 and S 1430 have been correctly printed.

Lodge, Chairman

On request by Senator Davis, granted by unanimous consent, S 1429 and S 1430 were referred to the Twelfth Order of Business, Second reading of bills.

March 23, 2016

The Local Government and Taxation Committee reports out H 606, as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

Siddoway, Chairman

There being no objection, H 606, as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

President Pro Tempore Hill was recorded present at this order of business.

H 538 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Johnson, Rice, Siddoway. Total - 3.

Total - 35.

Whereupon the President declared H 538 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

The President announced that HCR 48 was before the Senate for final consideration.

Moved by Senator Martin, seconded by Senator Jordan, that HCR 48 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Winder. Total - 1.

Total - 35.

Whereupon the President declared HCR 48 adopted, title was approved, and the resolution ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of SCR 155 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Winder. Total - 1.
moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1257, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


S 1257, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1322, as amended in the House, was before the Senate for final consideration.

S 1322, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Whereupon the President declared S 1322, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1265, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1265, as amended in the House, was before the Senate for final consideration.

S 1265, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Acting Senator Rohn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bair, Martin, Siddoway. Total - 3.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1354, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1427 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1427 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Burgoyne, Lee, McKenzie, and Lodge disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Whereupon the President declared S 1427 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1428 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1428 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1428 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

On request by Senator Winder, granted by unanimous consent, H 603 was filed for second reading.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 606, as amended, without recommendation, amended as follows:

**SENEATE AMENDMENT TO H 606, As Amended**

AMENDMENT TO SECTION 4

On page 9 of the engrossed bill, in line 44, delete ";" and insert: " or"; and following line 44, insert:

"(v) There is a plan amendment to develop publicly owned infrastructure including streets or other public rights-of-way, sewer or water facilities, sidewalks, curbs, gutters, public utilities, or fiber-optic cable or for site remediation or demolition.".

The Committee also has H 508 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

H 606, as amended, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

**Reports of Standing Committees**

March 23, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to H 606, as amended, have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

**Messages from the House**

March 23, 2016

Dear Mr. President:

I transmit herewith H 628, H 629, HCR 60, H 630, H 627, HCR 63, and H 644, which have passed the House.

TAYLOR, Acting Chief Clerk

H 628, H 629, HCR 60, H 630, H 627, HCR 63, and H 644 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

H 606, as amended, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

H 628 and H 629, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 634, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 60, by Environment, Energy, and Technology Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 630 and H 627, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

HCR 63, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 644, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.
Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:45 p.m. until the hour of 9:30 a.m., Thursday, March 24, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary
The EDUCATION Committee reports out H 627, H 629, and H 630 with the recommendation that they do pass.

MORTIMER, Chairman

H 627, H 629, and H 630 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 23, 2016

Dear Mr. President:

I return herewith S 1405, S 1406, S 1407, S 1408, S 1410, S 1411, S 1412, and S 1413, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1405, S 1406, S 1407, S 1408, S 1410, S 1411, S 1412, and S 1413 were referred to the Judiciary and Rules Committee for enrolling.

March 23, 2016

Dear Mr. President:

I transmit herewith Enrolled HCR 51, HCR 57, HCR 55, H 595, H 487, H 542, H 331, as amended, H 544, H 608, H 609, H 610, H 611, and H 612 for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled HCR 51, HCR 57, HCR 55, H 595, H 487, H 542, H 331, as amended, H 544, H 608, H 609, H 610, H 611, and H 612 and ordered them returned to the House.

March 23, 2016

Dear Mr. President:

I return herewith Enrolled S 1332, as amended, S 1376, S 1382, S 1342, as amended, S 1377, S 1302, S 1303, as amended, S 1328, as amended, S 1343, S 1362, S 1373, and S 1388, as amended, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1332, as amended, S 1376, S 1382, S 1342, as amended, S 1377, S 1302, S 1303, as amended, S 1328, as amended, S 1343, S 1362, S 1373, and S 1388, as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 23, 2016

Dear Mr. President:

I return herewith Enrolled SCR 141, SCR 140, SCR 139, SCR 146, SCR 147, SCR 149, SCR 143, SCR 144, and SCR 150, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled SCR 141, SCR 140, SCR 139, SCR 146, SCR 147, SCR 149, SCR 143, SCR 144, and SCR 150 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.
On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Rice, granted by unanimous consent, H 606, as amended, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

H 625 and H 626, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1429 and S 1430, by Finance Committee, were read the second time at length and filed for third reading.

H 603, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 603 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 603 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Hill, Johnson, Siddoway. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 603 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared H 603 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 625 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 625 was before the Senate for final consideration.

H 625 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 625 passed, title was approved, and the bill ordered returned to the House.
Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1429 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1429 was before the Senate for final consideration.

S 1429 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1429 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1430 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1430 was before the Senate for final consideration.

S 1430 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1430 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

On request by Senator Davis, granted by unanimous consent, H 508 was referred to Judiciary and Rules Committee.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 644 and H 606, as amended, as amended in the Senate, without recommendation, amended as follows:

SENATE AMENDMENT TO H 644

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 9, insert: "SECTION 1. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 56-267, Idaho Code, and to read as follows:

56-267. IDAHO ACCOUNTABLE CARE WAIVER ACT. (1) This section shall be known and may be cited as the "Idaho Accountable Care Waiver Act."

(2) The definitions provided in section 56-252, Idaho Code, shall apply to this section.

(3) The director is authorized to apply for a waiver from the federal centers for medicare and medicaid services that conforms to the provisions of this section. Upon receipt of approval of the waiver from the centers for medicare and medicaid services, the waiver shall be approved by the legislature before the director initiates enrollment pursuant to this section.

(a) The waiver shall clearly articulate best practices for community-based coordinated care that emphasizes outcomes and elimination of the fee-for-service model and Idaho-based evidence for population management. Specifically, the department shall look to the outcome-based models for primary care medical homes as currently being demonstrated to improve utilization patterns and outcomes. The department shall use the best aggregate data available for Idaho's gap population from Idaho's community health centers, current health and welfare data, and data available from the state health innovation plan.

(b) The waiver shall clearly articulate accountability for benefit recipients and providers. Using Idaho-based best practices, the waiver application shall clearly articulate risk-bearing, outcome-based incentives for community care organizations to ensure that every effort is made to link Idahoans with primary care providers and reduce inefficient care.

(c) The waiver shall clearly articulate best practices for population management being employed in Idaho community health centers and in coordination with the findings of the state health innovation plan. Care shall be coordinated between primary medical, specialty medical and mental health resources through an outcome-based primary care medical home.
(4) Upon receipt of approval from the centers for medicare and medicaid services and upon approval of the legislature by concurrent resolution pursuant to subsection (3) of this section, the state shall provide for managed medicaid services to those persons under sixty-five (65) years of age whose modified adjusted gross income is below one hundred percent (100%) of the federal poverty level and who are not otherwise eligible for any other coverage under the state plan, in accordance with sections 1902(a)(10)(A)(i)(VIII) and 1902(e)(14) of the social security act. If at any time the federal financial participation rate falls below the ninety percent (90%) commitment described in 42 U.S.C. 1396d(y), then the provisions of this section shall be null and void.

(5) The director is required and authorized to take the actions necessary to implement the provisions of this act.

(6) In addition to the responsibilities assigned to the director by subsection (3) of this section, the director shall provide a monthly report on the progress of the creation of the application for waiver. The report shall be made to a committee appointed by the speaker of the house of representatives and the president pro tempore of the senate. The committee shall consist of three (3) members of the majority party from each house and one (1) member of the minority party from each house and shall consult with the director on the progress of the application. The monthly report shall be made in person or telephonically and shall be open to the public. After the waiver has been approved by the legislature, the committee shall disband. Expenses incurred by members of the committee shall be paid from moneys in the legislative account.

and in line 10, following "SECTION" delete "1" and insert: "2".

On page 2, in line 49, delete "2" and insert: "3"; and following line 50, insert:

"SECTION 4. LEGISLATIVE INTENT – BENEFIT RECIPIENTS. It is the intent of the Legislature that the provisions of this act will promote self-sufficiency among any benefit recipients. The Legislature recognizes that those impacted by this act do not have the ability to change circumstances leading to their eligibility for any benefit, but in no way intends that the benefits derived from this shall impede job-creation or wage-increasing initiatives that might change the eligibility status of benefit recipients.

SECTION 5. LEGISLATIVE INTENT – UNSUCCESSFUL WAIVER APPLICATION. If, after a waiver application is submitted in accordance with this act, the application is unsuccessful, the enabling language in Section 1 of this act shall be null and void.

SECTION 6. LEGISLATIVE INTENT – FUTURE LEGISLATURES NOT BOUND. If, after a waiver application is submitted in accordance with this act, the application is successful, future legislatures shall have the power to reject the successful waiver.

SECTION 7. LEGISLATIVE INTENT. It is the intent of the Legislature that should a successful waiver under Section 1 of this act be accepted by the Legislature and implemented, then the state will work with hospitals and community care organizations to eliminate the use of county medical indigent and CAT fund programs as safety nets.

SECTION 8. 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 2, following "CARE;" insert: "AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-267, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO CLARIFY THE APPLICATION OF CERTAIN DEFINITIONS, TO AUTHORIZE THE DIRECTOR OF THE STATE DEPARTMENT OF HEALTH AND WELFARE TO APPLY FOR A CERTAIN WAIVER FROM THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES, TO PROVIDE THAT THE STATE SHALL PROVIDE MANAGED MEDICAID SERVICES TO CERTAIN PERSONS, TO PROVIDE THAT THE DIRECTOR IS REQUIRED AND AUTHORIZED TO TAKE CERTAIN ACTIONS AND TO PROVIDE THAT THE DIRECTOR SHALL MAKE CERTAIN REPORTS TO A LEGISLATIVE COMMITTEE"; in line 7, following "INTENT;" delete "AND"; and in line 8, following "DATE" insert: "PROVIDING LEGISLATIVE INTENT REGARDING SELF-SUFFICIENCY OF MEDICAID BENEFIT RECIPIENTS; PROVIDING LEGISLATIVE INTENT REGARDING AN UNSUCCESSFUL WAIVER APPLICATION; PROVIDING LEGISLATIVE INTENT REGARDING A SUCCESSFUL WAIVER APPLICATION; PROVIDING LEGISLATIVE INTENT REGARDING IMPLEMENTATION; AND DECLARING AN EMERGENCY".

SENATE AMENDMENT TO the SENATE AMENDMENT TO H 606, As Amended

AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 1 through 7.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

H 644, as amended in the Senate, and H 606, as amended, as amended in the Senate, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 24, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to H 644 and H 606, as amended, as amended in the Senate, have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 24, 2016

The JUDICIARY AND RULES Committee reports that Enrolled SCR 141, SCR 140, SCR 139, SCR 146, SCR 147, SCR 149, SCR 143, SCR 144, and SCR 150 were delivered to the Office of the Secretary of State at 10:38 a.m., March 24, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.
March 24, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1332, as amended, S 1376, S 1382, S 1342, as amended, S 1377, S 1302, S 1303, as amended, S 1328, as amended, S 1343, S 1362, S 1373, and S 1388, as amended, were delivered to the Office of the Governor at 10:45 a.m., March 24, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 644, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

H 606, as amended, as amended in the Senate, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 627 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 627 be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 627 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 627 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 629 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 629 was before the Senate for final consideration.

H 629 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 630 was before the Senate for final consideration.

H 630 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 630 passed, title was approved, and the bill ordered returned to the House.
On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 1:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Bayer, Harris, Lee, Lodge, Nonini, and Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 24, 2016

The JUDICIARY AND RULES Committee reports that S 1405, S 1406, S 1407, S 1408, S 1410, S 1411, S 1412, and S 1413 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1405, S 1406, S 1407, S 1408, S 1410, S 1411, S 1412, and S 1413 and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 606, as amended, as amended in the Senate, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bayer, Vick. Total - 2.

Total - 35.

Pursuant to Senate Rule 39(H), Senators Lakey and Anthon disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 606, as amended, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 644, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 644, as amended in the Senate, was before the Senate for final consideration.

H 644, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon and Lee disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Paired and voting included in roll call:

AYE - Johnson  NAY - Nonini

Total - 35.

Whereupon the President declared H 644, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.
Messages from the House

March 24, 2016

Dear Mr. President:

I transmit herewith HCR 61, H 635, H 636, H 637, H 638, H 643, H 640, H 641, H 642, and H 645, which have passed the House.

TAYLOR, Acting Chief Clerk

HCR 61, H 635, H 636, H 637, H 638, H 643, H 640, H 641, H 642, and H 645 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

HCR 61, by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

H 635, H 636, H 637, H 638, H 640, H 641, H 642, and H 645, by Appropriations Committee, were introduced and read the first time at length.

On request by Senator Davis, granted by unanimous consent, the House bills were filed for second reading.

H 643, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 24, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out H 643 and HCR 61 with the recommendation that they do pass.

PATRICK, Chairman

H 643 was filed for second reading.

HCR 61 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 24, 2016

Dear Mr. President:

I transmit herewith H 646, H 647, and H 639, which have passed the House.

TAYLOR, Acting Chief Clerk

H 646, H 647, and H 639 were filed for first reading.

March 24, 2016

Dear Mr. President:

I return herewith S 1414, S 1415, S 1416, S 1417, S 1418, S 1419, and S 1421, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1414, S 1415, S 1416, S 1417, S 1418, S 1419, and S 1421 were referred to the Judiciary and Rules Committee for enrolling.

March 24, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk

The President signed Enrolled H 580, H 617, H 618, H 619, H 620, H 621, H 622, H 623, HCR 59, H 513, as amended, as amended in the Senate, H 538, and HCR 48 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate consideration of HCR 61 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that HCR 61 was before the Senate for final consideration.

Moved by Senator Patrick, seconded by Senator Schmidt, that HCR 61 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS–None.


Total - 35.
Whereupon the President declared HCR 61 adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

H 646 and H 647, by Appropriations Committee, were introduced, read the first time at length and filed for second reading.

H 639, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate consideration of H 635 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis, Hill, Stennett. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 635 was before the Senate for final consideration.

H 635 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 635 was before the Senate for final consideration.

H 636 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon, Davis, Stennett. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 636 was before the Senate for final consideration.

H 636 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared H 636 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 637 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 637 was before the Senate for final consideration.

H 637 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Rohn disclosed a possible conflict of interest under applicable law.
Roll call resulted as follows:


NAYS–Nuxoll. Total - 1.

Whereupon the President declared H 637 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 638 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 638 was before the Senate for final consideration.

H 638 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Nuxoll. Total - 1.

Total - 35.

Whereupon the President declared H 638 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 640 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 640 was before the Senate for final consideration.

H 640 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 640 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 641 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 641 was before the Senate for final consideration.

H 641 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Harris, Siddoway, Vick. Total - 3.

Total - 35.

Whereupon the President declared H 641 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 24, 2016

Dear Mr. President:

I transmit herewith H 649, which has passed the House.

TAYLOR, Acting Chief Clerk
H 649 was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 649, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 24, 2016

The JUDICIARY AND RULES Committee reports that S 1414, S 1415, S 1416, S 1417, S 1418, S 1419, and S 1421 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1414, S 1415, S 1416, S 1417, S 1418, S 1419, and S 1421 and ordered them transmitted to the House for the signature of the Speaker.

March 24, 2016

The STATE AFFAIRS Committee reports out H 639, H 649, and HCR 60 with the recommendation that they do pass.

MCKENZIE, Chairman

H 639 and H 649 were filed for second reading.

HCR 60 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 24, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1234, S 1330, S 1333, S 1334, S 1356,
S 1390, S 1391, S 1392, S 1394, and S 1402

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Call of the Senate was requested by Senator Keough.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senators Bair, Harris, Lakey, McKenzie, Rice, and Vick, absent and excused.

The President directed the Sergeant at Arms to find and present Senators Bair, Harris, Lakey, McKenzie, Rice, and Vick to the Senate.

Senators Bair, Harris, Lakey, McKenzie, Rice, and Vick were recorded present.

On request by Senator Keough, granted by unanimous consent, the Call was lifted.

H 577 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS—Den Hartog, Hagedorn, Harris, Rice, Siddoway, Vick. Total - 6.

Total - 35.

Whereupon the President declared H 577 passed, title was approved, and the bill ordered returned to the House.

HJR 5 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared HJR 5 adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.
Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 642 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 642 was before the Senate for final consideration.

H 642 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 642 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 645 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 645 was before the Senate for final consideration.

H 645 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 646 was before the Senate for final consideration.

H 646 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Keough disclosed a possible conflict of interest under applicable law.
Roll call resulted as follows:


NAYS–Anthon, Bayer, Den Hartog, Guthrie, Hagedorn, Harris, Mortimer, Nuxoll, Rice, Siddoway, Thayn. Total - 11.

Absent and excused–Heider, Hill. Total - 2.

Total - 35.

Whereupon the President declared H 646 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 647 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 647 was before the Senate for final consideration.

H 647 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 647 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 649 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 649 was before the Senate for final consideration.

H 649 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Hill, Martin, Siddoway. Total - 3.


Total - 35.

Whereupon the President declared H 649 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

**Motions and Resolutions**

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of HCR 60 be suspended. The question being, "Shall the rules be suspended?"
Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that HCR 60 was before the Senate for final consideration.

On motion by Senator Mortimer, seconded by Senator McKenzie, HCR 60 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 24, 2016

Dear Mr. President:

I transmit herewith H 624, HCR 62, and H 650, which have passed the House.

TAYLOR, Acting Chief Clerk

H 624, HCR 62, and H 650 were filed for first reading.

March 24, 2016

Dear Mr. President:

I return herewith S 1297, as amended, as amended, as amended in the House, which has passed the House.

TAYLOR, Acting Chief Clerk

On request by Senator Davis, granted by unanimous consent, S 1297, as amended, as amended, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1297, as amended, as amended, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1297, as amended, as amended, as amended in the House?"

On request by Senator McKenzie, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1297, as amended, as amended, as amended in the House.

S 1297, as amended, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 24, 2016

The JUDICIARY AND RULES Committee reports that S 1297, as amended, as amended, as amended in the House, has been correctly engrossed.

LODGE, Chairman

S 1297, as amended, as amended, as amended in the House, was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 624, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 62, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 650, by Appropriations Committee, was introduced and read the first time at length.

On request by Senator Davis, granted by unanimous consent, the bill was filed for second reading.

S 1297, as amended, as amended, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 650 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 650 was before the Senate for final consideration.
The Second Regular Session of the Sixty-third Legislature of the State of Idaho

President Pro Tempore Hill ordered the Sergeant at Arms to retrieve the Idaho State Flag that had been raised over the Senate Chamber during the Second Regular Session of the Sixty-third Legislature of the State of Idaho. The flag was presented to Senator Mortimer in honor of his exemplary service to the Senate.


BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

*****

[Note: The following is action recorded after Senate Sine Die:]

March 24, 2016

Dear Mr. President:

I return herewith Enrolled S 1257, as amended in the House, S 1322, as amended in the House, S 1265, as amended in the House, and S 1354, as amended in the House, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk
Enrolled S 1257, as amended in the House, S 1322, as amended in the House, S 1265, as amended in the House, and S 1354, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1257, as amended in the House, S 1265, as amended in the House, and S 1354, as amended in the House, were delivered to the Office of the Governor at 1:16 p.m., March 28, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 24, 2016

Dear Mr. President:

I transmit herewith Enrolled H 556, as amended in the Senate, H 603, H 625, H 626, H 627, H 629, and H 630 for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled H 556, as amended in the Senate, H 603, H 625, H 626, H 627, H 629, and H 630 and ordered them returned to the House.

March 24, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I have transmitted to the Office of the Secretary of State, signed with my approval, the following Senate Bill, to wit:

S 1389

I'm a gun owner, a hunter and a lifetime member of the National Rifle Association. I have consistently championed our citizens' gun rights throughout my years in public office, and I do so again today in signing Senate Bill 1389 into law.

However, in considering the implications of this measure I am reminded of the plain language of the Second Amendment: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

While S 1389 is consistent with the U.S. Constitution, Idaho values and our commitment to upholding our constitutional protections from government overreach, I am concerned about its lack of any provision for education and training of individuals who choose to exercise the right to concealed carry. Such a safeguard would seem to be part of the Second Amendment's "well-regulated" standard. What's more, the addition of a simple training requirement in this bill could have addressed the concerns of our valued law enforcement leaders and others who cherish both the shooting culture and the safety of shooters and non-shooters alike.

In the absence of such a provision, I encourage anyone considering concealed carry to take advantage of gun safety training opportunities available from many reputable sources throughout Idaho. I also encourage the Legislature to monitor the exercise of this new law and respond appropriately when and if the lack of statutory education and training requirement undermines public safety.

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 25, 2016

Dear Mr. President:


TAYLOR, Acting Chief Clerk


March 28, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1323, S 1325, S 1341, as amended, S 1347, as amended, S 1351, S 1359, S 1361, S 1382, S 1395, S 1396, S 1397, S 1398, S 1399, S 1400, S 1401, and S 1403

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 25, 2016

Dear Mr. President:

I return herewith Enrolled S 1405, S 1406, S 1407, S 1408, S 1410, S 1411, S 1412, S 1413, S 1414, S 1415, S 1416, S 1417, S 1418, S 1419, and S 1421, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk
Enrolled S 1405, S 1406, S 1407, S 1408, S 1410, S 1411, S 1412, S 1413, S 1414, S 1415, S 1416, S 1417, S 1418, S 1419, and S 1421 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1405, S 1406, S 1407, S 1408, S 1410, S 1411, S 1412, S 1413, S 1414, S 1415, S 1416, S 1417, S 1418, S 1419, and S 1421 were delivered to the Office of the Governor at 2:25 p.m., March 28, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 25, 2016

The JUDICIARY AND RULES Committee reports that S 1297, as amended, as amended, as amended in the House, has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1297, as amended, as amended, as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

March 25, 2016

Dear Mr. President:

I return herewith Enrolled S 1297, which has been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1297, as amended, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1297, as amended, as amended, as amended in the House, was delivered to the Office of the Governor at 2:25 p.m., March 28, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 25, 2016

Dear Mr. President:

I return herewith S 1317, as amended, S 1253, S 1420, S 1426, S 1427, SCR 153, SCR 154, S 1404, as amended, S 1429, S 1430, S 1425, S 1427, S 1424, S 1427, S 1427, S 1315, as amended, as amended, as amended, S 1300, as amended, S 1301, S 1306, S 1409, SCR 151, SJM 104, SJM 105, and S 1201, which have passed the House.

TAYLOR, Acting Chief Clerk

S 1317, as amended, S 1253, S 1420, S 1426, S 1427, SCR 153, SCR 154, S 1404, as amended, S 1429, S 1430, S 1425, S 1427, S 1422, S 1422, S 1423, S 1315, as amended, as amended, S 1300, as amended, S 1301, S 1306, S 1409, SCR 151, SJM 104, SJM 105, and S 1201 were referred to the Judiciary and Rules Committee for enrolling.

March 25, 2016

The JUDICIARY AND RULES Committee reports that S 1317, as amended, S 1253, S 1420, S 1426, S 1427, SCR 153, SCR 154, S 1404, as amended, S 1429, S 1430, S 1425, S 1422, S 1422, S 1423, S 1315, as amended, as amended, S 1300, as amended, S 1301, S 1306, S 1409, SCR 151, SJM 104, SJM 105, and S 1201 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1317, as amended, S 1253, S 1420, S 1426, S 1427, SCR 153, SCR 154, S 1404, as amended, S 1429, S 1430, S 1425, S 1424, S 1422, S 1423, S 1315, as amended, as amended, S 1300, as amended, S 1301, S 1306.
S 1409, SCR 151, SJM 104, SJM 105, and S 1201 and ordered them transmitted to the House for the signature of the Speaker.

March 25, 2016

Dear Mr. President:

I return herewith Enrolled S 1317, as amended, S 1253, S 1420, S 1426, S 1427, S 1404, as amended, S 1429, S 1430, S 1425, S 1424, S 1422, S 1423, S 1315, as amended, as amended, S 1300, as amended, S 1301, S 1360, S 1409, and S 1201, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled S 1317, as amended, S 1253, S 1420, S 1426, S 1427, S 1404, as amended, S 1429, S 1430, S 1425, S 1424, S 1422, S 1423, S 1315, as amended, as amended, S 1300, as amended, S 1301, S 1360, S 1409, and S 1201 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled S 1317, as amended, S 1253, S 1420, S 1426, S 1427, S 1404, as amended, S 1429, S 1430, S 1425, S 1424, S 1422, S 1423, S 1315, as amended, as amended, S 1300, as amended, S 1301, S 1360, S 1409, and S 1201 were delivered to the Office of the Governor at 2:25 p.m., March 28, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 25, 2016

Dear Mr. President:

I return herewith Enrolled SCR 153, SCR 154, SCR 151, SJM 104, and SJM 105, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled SCR 153, SCR 154, SCR 151, SJM 104, and SJM 105 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled SCR 153, SCR 154, SCR 151, SJM 104, and SJM 105 were delivered to the Office of the Secretary of State at 2:25 p.m., March 28, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 25, 2016

Dear Mr. President:

I transmit herewith Enrolled H 606, as amended, as amended in the Senate, as amended in the Senate, for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled H 606, as amended, as amended in the Senate, as amended in the Senate, and ordered it returned to the House.

March 31, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed yesterday, March 30, and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1201 and S 1393
As Always - Idaho, Este Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 31, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed yesterday, March 30, and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1257, as amended in the House, S 1302, S 1303, as amended, S 1322, as amended in the House, S 1328, as amended, S 1332, as amended, S 1343, S 1354, as amended in the House, S 1362, S 1373, S 1376, S 1377, S 1388, as amended, and S 1428
As Always - Idaho, Este Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 4, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed on March 31, and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1406, S 1407, S 1408, S 1412, S 1413, S 1414, S 1417, S 1418, S 1419, S 1421, S 1423, S 1424, S 1425, S 1426, S 1427, and S 1429
As Always - Idaho, Este Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho
The correspondence was ordered filed in the office of the Secretary of the Senate.

April 4, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed on March 31, and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1409, S 1415, S 1416, and S 1430

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 5, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1253, S 1265, as amended in the House,
S 1297, as amended, as amended, as amended in the House, S 1300, as amended, S 1301,
S 1315, as amended, as amended, S 1317,
as amended, S 1338, S 1360, S 1404, as amended,
S 1405, S 1410, S 1420, and S 1422

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 18, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I allowed the following bills to become law without signature:

S 1411

Please also be advised that I vetoed the following bill within the time allowed by law:

S 1342, as amended

Letters explaining the actions taken on the aforementioned bills reside in the Secretary of State's office. Please feel free to contact my office with any questions.

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

CERTIFICATE

State of Idaho

Senator Chamber, Boise, Idaho

We, BRAD LITTLE, President of the Senate, and JENNIFER NOVAK, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of March 24th, 2016, the seventy-fourth Legislative Day, has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 18th day of April, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

*****
The following correspondence was filed in the office of the Secretary of the State.

April 5, 2016

The Honorable Lawerence Denney
Secretary of State
State Capitol

Dear Mr. Secretary,

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following Senate Bill, to wit:

S 1342, as amended

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 10:45 a.m. on March 24, 2016.

S1342 violates the Idaho Constitution, art. IX, sec. 6 which states:

Section 6. RELIGIOUS TEST AND TEACHING IN SCHOOL PROHIBITED. No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the state, either as teacher or student; and no teacher or student of any such institution shall ever be required to attend or participate in any religious service whatever. No sectarian or religious tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color. No books, papers, tracts or documents of a political, sectarian or denominational character shall be used or introduced in any schools established under the provisions of this article, nor shall any teacher or any district receive any of the public school moneys in which the schools have not been taught in accordance with the provisions of this article.

I have deep respect and appreciation for the Bible as religious doctrine as well as a piece of historic literature. However, allowing S1342 to become law is in direct contravention to the Idaho Constitution, and it could result in a loss of funding and costly litigation for Idaho public schools.

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

The Honorable Lawerence Denney
Secretary of State
Idaho Capitol

Dear Mr. Secretary,

I hereby advice you that I am transmitting today the following Senate Bill, which was allowed to become law without my signature:

S 1411

as prescribed by the Constitution the same having arrived in my office on March 28, 2016 at 2:25 PM.

While I have great respect for the separation of powers and the authority of the legislative branch to manage its employees, I cannot, in good conscience, sign this appropriation into law.

For the second consecutive year, the Legislature has chosen to appropriate additional personnel dollars for its employees. While I have no doubt that the hard working staff of the legislative branch merit compensation increases, the dedicated employees of the executive and judicial branches are no less deserving.

Further, my ability to act upon appropriation bills, particularly those that arrive on my desk after the legislature has adjourned, is limited by the manner in which bills are drafted. Section 11 of the Idaho Constitution gives the Governor the power to disapprove "...any item...of any bill making appropriations of money embracing distinct items." The Legislature currently "rolls up" all items in an appropriation by fund for each program. This leaves little room for the exercise of the power given the Governor in the Constitution, and provides little transparency. I want to work with the Legislature prior to the next session to a new appropriation bill format with greater detail so that I can exercise my constitutional authority.

As Always - Idaho, Esto Perpetua
/s/ C.L. "Butch" Otter
Governor of Idaho

*****
### SENATE JOURNAL INDEX

- SECOND REGULAR SESSION -

SIXTY-THIRD IDAHO LEGISLATURE - 2016

<table>
<thead>
<tr>
<th>SECOND REGULAR SESSION:</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SECTION I</td>
<td>Officers and Administration for the Second Regular Session, January 11</td>
</tr>
<tr>
<td>SECTION II</td>
<td>Elected Members and Committee Assignments</td>
</tr>
<tr>
<td>SECTION III</td>
<td>Senate Attaches</td>
</tr>
<tr>
<td>SECTION IV</td>
<td>Topic Index, Alphabetically arranged, of ALL Senate introductions, including ONLY House Legislation received by the Senate, and Senate action on that legislation.</td>
</tr>
<tr>
<td>SECTION V</td>
<td>Numerical Index of Senate Bills</td>
</tr>
<tr>
<td>SECTION VI</td>
<td>Numerical Index of Senate Joint Resolutions</td>
</tr>
<tr>
<td>SECTION VII</td>
<td>Numerical Index of Senate Joint Memorials</td>
</tr>
<tr>
<td>SECTION VIII</td>
<td>Numerical Index of Senate Resolutions</td>
</tr>
<tr>
<td>SECTION IX</td>
<td>Numerical Index of Senate Concurrent Resolutions</td>
</tr>
<tr>
<td>SECTION X</td>
<td>Actions of the Governor on Senate Bills which passed both the Senate and House, with effective dates and Session Law Chapter Numbers cited</td>
</tr>
<tr>
<td>SECTION XI</td>
<td>Numerical Index of House Bills received by the Senate</td>
</tr>
<tr>
<td>SECTION XII</td>
<td>Numerical Index of House Joint Resolutions received by the Senate</td>
</tr>
<tr>
<td>SECTION XIII</td>
<td>Numerical Index of House Joint Memorials received by the Senate</td>
</tr>
<tr>
<td>SECTION XIV</td>
<td>Numerical Index of House Concurrent Resolutions received by the Senate</td>
</tr>
<tr>
<td>SECTION XV</td>
<td>Senate Sponsors of Senate Legislation voted on in the Senate</td>
</tr>
<tr>
<td>SECTION XVI</td>
<td>Senate Sponsors of House Legislation voted on in the Senate</td>
</tr>
</tbody>
</table>
## SECTION I

### SIXTY-THIRD LEGISLATURE - SECOND REGULAR SESSION - 2016
OFFICERS AND ADMINISTRATION OF THE SENATE

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>LITTLE, BRAD</td>
<td>Emmett</td>
</tr>
<tr>
<td></td>
<td>Lieutenant Governor/President of the Senate</td>
</tr>
<tr>
<td>HILL, BRENT</td>
<td>Rexburg</td>
</tr>
<tr>
<td></td>
<td>President Pro Tempore</td>
</tr>
<tr>
<td>DAVIS, BART M.</td>
<td>Idaho Falls</td>
</tr>
<tr>
<td></td>
<td>Majority Leader</td>
</tr>
<tr>
<td>WINDER, CHUCK</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>Assistant Majority Leader</td>
</tr>
<tr>
<td>LAKEY, TODD M.</td>
<td>Nampa</td>
</tr>
<tr>
<td></td>
<td>Majority Caucus Chairman</td>
</tr>
<tr>
<td>STENNETT, MICHELLE</td>
<td>Ketchum</td>
</tr>
<tr>
<td></td>
<td>Minority Leader</td>
</tr>
<tr>
<td>BUCKNER-WEBB, CHERIE</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
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WORSTER, FATHER JOHN .................................................................................................................................................. Boise
Chaplain
### SECTION II

#### 2016 MEMBERS OF THE SENATE AND ASSIGNMENTS

*(Certificate of Election - Second Regular Session)*

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### SENATE COMMITTEE ASSIGNMENTS
#### 2016 LEGISLATURE

#### SECTION II - Continued

**Agricultural Affairs (9)**
- Rice, Chairman
- Bayer, Vice Chairman
- Patrick
- Ward-Engelking
- Burgoyne
- Souza
- Lee
- Den Hartog
- Harris

**Commerce and Human Resources (9)**
- Patrick, Chairman
- Martin, Vice Chairman
- Lakey
- Schmidt
- Ward-Engelking
- Guthrie
- Heider
- Rice
- Thayn

**Education (9)**
- Mortimer, Chairman
- Thayn, Vice Chairman
- Nonini
- Buckner-Webb
- Ward-Engelking
- Patrick
- Souza
- Den Hartog
- Anthon

**Finance (10)**
- Keough, Chairman
- Johnson, Vice Chairman
- Bair
- Schmidt
- Lacey
- Mortimer
- Brackett
- Nuxoll
- Thayn
- Guthrie

**Health and Welfare (9)**
- Heider, Chairman
- Nuxoll, Vice Chairman
- Lodge
- Hagedorn
- Jordan
- Martin
- Lee
- Harris

**Judiciary and Rules (9)**
- Lodge, Chairman
- Nonini, Vice Chairman
- Davis
- Johnson
- Souza
- Lee
- Anthon
- Burgoyne
- Jordan

**Local Government and Taxation (9)**
- Siddoway, Chairman
- Guthrie, Vice Chairman
- McKenzie
- Johnson
- Rice
- Vick
- Bayer
- Stennett
- Burgoyne

**Resources and Environment (9)**
- Bair, Chairman
- Vick, Vice Chairman
- Siddoway
- Heider
- Nuxoll
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- Hagedorn
- Stennett
- Lacey

**State Affairs (9)**
- McKenzie, Chairman
- Lodge, Vice Chairman
- Davis
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- Siddoway
- Lakey
- Stennett
- Buckner-Webb

**Transportation (9)**
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<td>Position</td>
</tr>
<tr>
<td>--------------------------</td>
<td>----------------------------------------------------</td>
</tr>
<tr>
<td>PENNINGTON, SHARON</td>
<td>Assistant to the Majority Caucus Chairman</td>
</tr>
<tr>
<td>RICHARDSON, CALEB</td>
<td>Page</td>
</tr>
<tr>
<td>RICHARDSON, JAYMOND</td>
<td>*Page</td>
</tr>
<tr>
<td>RICHE, CHRISTY</td>
<td>Majority Staff Assistant</td>
</tr>
<tr>
<td>ROGERS, HAYDEN</td>
<td>Page</td>
</tr>
<tr>
<td>ROSER, ANNA</td>
<td>Majority Staff Assistant</td>
</tr>
<tr>
<td>SCHUPACK, SEAN</td>
<td>Majority Staff Assistant</td>
</tr>
<tr>
<td>SMITH, MARIAN</td>
<td>Assistant to the Majority Leader</td>
</tr>
<tr>
<td>SNELL, LOGAN</td>
<td>*Page</td>
</tr>
<tr>
<td>SOLBERG, JESSICA</td>
<td>Assistant Clerk</td>
</tr>
<tr>
<td>STANFORD, CARDSTON</td>
<td>*Page</td>
</tr>
<tr>
<td>STOKES, LIBERTY</td>
<td>Page</td>
</tr>
<tr>
<td>STURTEVANT, HANNAH</td>
<td>Page</td>
</tr>
<tr>
<td>TORYANSKI, MARSHALL</td>
<td>Page</td>
</tr>
<tr>
<td>WESTBROOK, KAREN</td>
<td>Health and Welfare Committee Secretary</td>
</tr>
</tbody>
</table>

Attache sworn in January 14, 2016

* Attache sworn in February 24, 2016

** Permanent Employees
SECTION IV

TOPICAL INDEX
[ALPHABETICALLY ARRANGED]

This Topical Index alphabetically lists subject matter for ALL Senate bills, and ONLY those House bills introduced in the Senate. Nonlegislative subject matter is included and referred to by page number only.

Since the Senate Journal only covers the actions of House bills transmitted to the Senate, this topical index does not refer to every House bill introduced in the House. Separate indices in this volume list, in numerical order, all House bills, memorials, resolutions, and proclamations received by the Senate and show action taken by the Senate thereon. If a particular subject matter does not appear in this index, refer to the House Journal Alphabetic Index. Session law numbers for legislation passing both Senate and House, and becoming law, are included for all Senate bills within the Numerical Index Section V.

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
</table>

- A -

ABORTION
Idaho Unborn Infants Dignity Act ................................................................. S 1349 104 -
Idaho Unborn Infants Dignity Act ................................................................. S 1404 194/233 252
Ultrasound availability information prior to abortion....................................... H 516 143 219
Unborn Child Protection from Dismemberment Abortion Act .................................. S 1386 156 -

ACCIDENTS
See also EMERGENCIES
Motor vehicles, proof of financial responsibility.................................................. S 1385 156 -
Public Utilities Commission safety, accident reporting rules rejected ...................... HCR 51 177 241
Unfair practices by insurers, auto body repair ..................................................... S 1313 82 -
Youth athletes, permission, post-concussion protocol ........................................... H 557 201 237

ACCOUNTING AND ACCOUNTANTS
Accountancy Board, revise provisions regarding membership ................................... H 482 143 213

ACCOUNTS
Catastrophic health care, reimbursement to County Commission ............................. S 1211 32 63
College savings accounts, unclaimed, responsibilities for ....................................... H 428 79 167
Fish and Game, funds to U of I Animal/Veterinary Science Department .................... S 1258 58 106
Highway Distribution Account, apportionment revised .......................................... S 1230 42 88
Highway Distribution Account, apportionment/hybrid fee ..................................... H 624 283 -
Motorbike Recreation Account funds, recreation easements .................................. H 471 112 186
Opportunity scholarship program, funds investment .............................................. S 1208 31 63
State employee health savings account, employer portion ..................................... S 1319 82 -
State employee health savings account, employer portion ..................................... S 1346 104 144
Youth Education Account, repeal ........................................................................... H 392 65 167

ACTS
Appraisal Management Company Registration/Regulation Act ................................ S 1318 82 124
Child Protective Act, revise certain requirements .................................................... S 1328 89/163 184
Dangerous and At-Risk Dogs Act, add ................................................................. H 525 150 213
Education Opportunity Resource Act, add ......................................................... S 1334 90 137
Idaho Limited Article V Convention Act, add ....................................................... S 1350 111 178
Idaho Multiple Use Sustained Yield Act, add ...................................................... H 582 226 -
Idaho Rural Development Partnership Act, revised ............................................. H 417 79 180
Idaho School Safety and Security Act, add ......................................................... H 514 150 206
Idaho Unborn Infants Dignity Act, add ................................................................ S 1349 104 -
Idaho Unborn Infants Dignity Act, add ................................................................. S 1404 194/233 252
Limited Lines Travel Insurance Act, add .............................................................. S 1384 156 -
Local Innovation School Act, add .......................................................................... H 570 201 237
Right To Try Act, add ......................................................................................... H 481 139 198
State Procurement Act, add ................................................................................ H 538 170 266
Uniform Athlete Agents Act, revised .................................................................... H 398 93 213
Uniform Fiduciary Access to Digital Assets Act, add .......................................... S 1303 78/172 185

ACUPUNCTURE
Board, revise provisions regarding membership ...................................................... H 482 143 213
ADJOURNMENT, SINE DIE
Second Regular Session:
Thursday, March 24, 2016 at 9:02 p.m. ................................................................. 284
ADMINISTRATION DEPARTMENT
Administrative Code, certain electronic copies .................................................. S 1234 45 153
Appropriation .......................................................... S 1419 229 256
Appropriation, Capitol Commission ............................................................ S 1406 204 235
Appropriation, Public Works Division ......................................................... S 1422 238 257
Appropriation, Public Works Division, add'l .............................................. S 1422 238 257
Appropriation, add'l .................................................. S 1217 38 54
Appropriation, add'l, insurance management program .................................. S 1419 229 256
Appropriation, bond payment program ..................................................... S 1408 204 235
Appropriation, purchasing program, add'l .................................................. S 1421 229 256
Capitol parking rules rejected ................................................................. SCR 152 192 226
Exclusions from local government purchasing laws ........................................ H 541 170 237
State Procurement Act .............................................................................. H 538 170 266
ADMINISTRATIVE PROCEDURE ACT
See also RULES
Administrative Code, certain electronic copies .................................................. S 1234 45 153
Amendments to Administrative Rules, requirement ........................................ S 1360 127 190
ADMINISTRATOR OF THE DIVISION OF HUMAN RESOURCES
Buxton, Susan Elizabeth: Appointment, Administrator
Appointed by Governor/to Commerce and Human Resources (Feb. 19) ....... 103
Committee Report ................................................................................. 141
Confirmed by Senate ............................................................................ 152
ADOPTION
Juvenile proceedings, adoption, placement ......................................................... H 556 170/242 251
ADVERTISING
Political statements, identity of person responsible ........................................ H 542 170 251
AERONAUTICS
Unmanned aircraft, prohibited from use in hunting ......................................... S 1213 35 59
AERONAUTICS ADVISORY BOARD
Scott, Daniel: Appointment, Member
Appointed by Governor/to Transportation (Feb. 11) ...................................... 77
Committee Report .................................................................................. 100
Confirmed by Senate ............................................................................. 108
AGING, COMMISSION ON
Appropriation ......................................................................................... H 561 177 223
AGRICULTURE
Agricultural facilities, biosecurity breach, penalties ......................................... H 531 170 211
Apple Commission, nomination and appointment of members ......................... H 455 112 180
Aquaculture Commission, repeal .................................................................. H 383 87 180
Cattle/horses/livestock, capital gains tax deduction ....................................... H 535 156 206
Commemorating pulse crop for singular recognition ...................................... HCR 32 93 159
Commission on Pesticide Management, repeal ............................................ S 1215 35 59
Dairy Products Commission, membership provisions ..................................... S 1259 58 79
Department of Agriculture/DEQ, management of cattle byproduct ................. S 1260 58/128 144
Department, appropriation ........................................................................... S 1417 222 253
Department, appropriation, add'l ................................................................. H 445 79 157
Equipment dealer protection law, unlawful acts, notice .................................. S 1358 127 -
Farm equipment repurchase requirements, charges ........................................ S 1359 127 154
Food safety modernization, Department of Agriculture regulate .................. H 499 136 198
Liens in crops, notice of claim requirements ............................................... H 389 79 201
National Day of the Cowboy, declared .......................................................... HCR 38 150 226
Sales tax exemptions, production exemption ................................................ H 386 65 171
Tax on production of wine/certain grapes ...................................................... H 456 112 197
University of Idaho, appropriation, Agricultural Research/Extension ............. S 1426 248 267
Wolf Control Fund, appropriation ............................................................... S 1414 222 252
AIR POLLUTION
See POLLUTION
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 361</td>
<td>51</td>
<td>70</td>
</tr>
<tr>
<td>H 540</td>
<td>170</td>
<td>214</td>
</tr>
<tr>
<td>S 1213</td>
<td>35</td>
<td>59</td>
</tr>
</tbody>
</table>

**ALCOHOLIC BEVERAGES**

See LIQUOR

**AMENDMENTS**

**Senate Bills Amended in the Senate:**
- S 1256, As Amended.................................................. 128
- S 1256, As Amended, As Amended ................................... 150
- S 1260, As Amended.................................................. 128
- S 1280, As Amended.................................................. 113
- S 1285, As Amended.................................................. 113
- S 1291, As Amended.................................................. 117
- S 1293, As Amended.................................................. 140
- S 1297, As Amended.................................................. 114
- S 1297, As Amended, As Amended ................................... 129
- S 1300, As Amended.................................................. 150
- S 1303, As Amended.................................................. 172
- S 1312, As Amended.................................................. 117
- S 1315, As Amended.................................................. 172
- S 1315, As Amended, As Amended ................................... 182
- S 1317, As Amended.................................................. 221
- S 1328, As Amended.................................................. 163
- S 1332, As Amended.................................................. 164
- S 1341, As Amended.................................................. 150
- S 1342, As Amended.................................................. 140
- S 1347, As Amended.................................................. 164
- S 1388, As Amended.................................................. 194
- S 1404, As Amended.................................................. 233

**House Bills Amended in the Senate:**
- H 362, As Amended in the Senate...................................... 113
- H 371, As Amended in the Senate...................................... 216
- H 379, As Amended in the Senate...................................... 129
- H 382, As Amended in the Senate...................................... 209
- H 447, As Amended in the Senate...................................... 151
- H 452, As Amended in the Senate...................................... 172
- H 458, As Amended in the Senate...................................... 150
- H 477, As Amended, As Amended in the Senate....................... 218
- H 494, As Amended in the Senate...................................... 233
- H 497, As Amended in the Senate...................................... 234
- H 513, As Amended, As Amended in the Senate....................... 190
- H 521, As Amended in the Senate...................................... 221
- H 555, As Amended in the Senate...................................... 216
- H 556, As Amended in the Senate...................................... 242
- H 597, As Amended in the Senate...................................... 234
- H 606, As Amended, As Amended in the Senate....................... 269
- H 606, As Amended, As Amended in the Senate, As Amended in the Senate.............................. 274
- H 644, As Amended in the Senate...................................... 273

**Senate Bills Amended in the House, Concurrence in:**
- S 1257, As Amended in the House...................................... 261
- S 1265, As Amended in the House...................................... 260
- S 1297, As Amended, As Amended, As Amended in the House......... 283
- S 1322, As Amended in the House...................................... 260
- S 1354, As Amended in the House...................................... 261

**ANDERSON, ERIC R.**

Appointment, Member: Public Utilities Commission
- Appointed by Governor/to State Affairs (Jan. 15).......................... 18
- Committee Report.......................................................... 44
- Confirmed by Senate.......................................................... 65
ANDERSON, NEIL
Appointment, Member: Idaho Endowment Fund Investment Board
  Appointed by Governor/to State Affairs (Jan. 13)............................. 12
  Committee Report................................................................. 67
  Confirmed by Senate.............................................................. 72

ANDERSON, RAYELLE
Appointment, Member: Bingo-Raffle Advisory Board
  Appointed by Governor/to State Affairs (Jan. 26)........................... 35
  Committee Report...................................................................... 76
  Confirmed by Senate.................................................................. 95

ANIMALS
See also WILDLIFE
  Animal cruelty, presentence psychological evaluation........................... S 1309 79 -
  Cattle/horses/livestock, capital gains tax deduction............................... H 535 156 206
  Companion animals, torture, definitions, penalties.............................. H 524 140 202
  Compensation for damage to bees/beehives by bears........................... S 1340 91 128
  Controlled hunt drawings, contract with private entity......................... S 1305 78 -
  Controlled hunt drawings, contract with private entity......................... S 1344 104 133
  Dairy Products Commission, membership provisions............................. S 1259 58 79
  Dangerous and At-Risk Dogs Act.................................................. H 525 150 213
  Department of Agriculture/DEQ, management of cattle byproduct............. S 1260 58/128 144
  Fish and Game Department Rule Docket 13-0116-1501 rejected................ HCR 55 226 241
  Game animal, penalty for killing, possession, waste.......................... S 1226 41 -
  Governor’s wildlife partnership tags, annual issuance....................... S 1236 50 -
  Horse Racing Commission, certain payment to horse council.................. S 1220 39 -
  Horse Racing Commission, certain payment to horse council.................. S 1298 74 119
  Humane Euthanasia Committee instead of task force.......................... H 381 79 186
  Hunting, prohibit use of unmanned aircraft.................................... S 1213 35 59
  Hunting/trapping/fishing, license exceptions.................................. H 462 131 -
  Livestock removal requirements and trichomoniasis............................ S 1214 35 106
  Sage-grouse, protect state conservation plans................................. HJM 13 99 193
  U of I Animal/Veterinary Science Department, Fish and Game Account funds S 1258 58 106
  Upland game bird permit, revised age provision................................ H 350 51 202
  Veterinarians, alternatives to formal discipline................................ H 382 79/209 230
  Wolf Control Fund, appropriation................................................ S 1414 222 252

ANNEXATION
  Recreational water/sewer districts, annexation................................ H 406 170 213

ANTHON, KELLY
Appointment Letter, January 11, 2016............................................. 2

APPEALS
See also STATE APPELLATE PUBLIC DEFENDER
  Appeal process if no longer assessed as forest land.......................... H 345 51 69
  Department of Environmental Quality, IPDES permits, appeals, enforcement authority S 1239 50 128
  Employment security law, notice and appeal provisions........................ H 397 69 196
  Oil well, Lands Department duties, track integration, appeals................ S 1306 78 -
  Oil well, Lands Department duties, track integration, appeals................ S 1339 90 130
  State Appellate Public Defender, powers and duties........................... H 439 105 205

APPOINTMENTS
  Apple Commission, nomination and appointment of members.................... H 455 112 180
  Hospital Districts, board may appoint certain members...................... H 533 170 214
  School Board Trustees, recall election, filling vacancy..................... S 1273 65 -

APPOINTMENTS, SENATE
  See COMMITTEES, Standing
  See COMMITTEES, Memorial Service, Lincoln Day, Idaho Day
  See GUBERNATORIAL APPOINTMENTS

APPRaisALS AND APPRAISERS
  Appraisal Management Company Registration/Regulation Act.................... S 1318 82 124
  Real Estate Appraisers, revise definitions...................................... H 368 69 198

APPROPRIATIONS
  Administration Department......................................................... S 1419 229 256
<table>
<thead>
<tr>
<th>Appropriations (Continued)</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Department, Capitol Commission</td>
<td>S 1406</td>
<td>204</td>
<td>235</td>
</tr>
<tr>
<td>Administration Department, Public Works Division</td>
<td>S 1422</td>
<td>238</td>
<td>257</td>
</tr>
<tr>
<td>Administration Department, Public Works Division, add'l.</td>
<td>S 1422</td>
<td>238</td>
<td>257</td>
</tr>
<tr>
<td>Administration Department, add'l.</td>
<td>S 1217</td>
<td>38</td>
<td>54</td>
</tr>
<tr>
<td>Administration Department, bond payment program</td>
<td>S 1408</td>
<td>204</td>
<td>235</td>
</tr>
<tr>
<td>Administration Department, insurance management program, add'l.</td>
<td>S 1419</td>
<td>229</td>
<td>256</td>
</tr>
<tr>
<td>Administration Department, purchasing program, add'l.</td>
<td>S 1421</td>
<td>229</td>
<td>256</td>
</tr>
<tr>
<td>Aging Commission</td>
<td>H 561</td>
<td>177</td>
<td>223</td>
</tr>
<tr>
<td>Agriculture Department</td>
<td>S 1417</td>
<td>222</td>
<td>253</td>
</tr>
<tr>
<td>Agriculture Department, add'l.</td>
<td>H 445</td>
<td>79</td>
<td>157</td>
</tr>
<tr>
<td>Arts Commission</td>
<td>H 642</td>
<td>277</td>
<td>281</td>
</tr>
<tr>
<td>Arts Commission</td>
<td>S 1368</td>
<td>136</td>
<td>158</td>
</tr>
<tr>
<td>Attorney General</td>
<td>H 577</td>
<td>189</td>
<td>280</td>
</tr>
<tr>
<td>Blind/Visually Impaired Commission</td>
<td>S 1394</td>
<td>163</td>
<td>186</td>
</tr>
<tr>
<td>Blind/Visually Impaired Commission, add'l.</td>
<td>S 1216</td>
<td>38</td>
<td>54</td>
</tr>
<tr>
<td>Broadband Infrastructure Improvement Grant Fund...</td>
<td>S 1429</td>
<td>265</td>
<td>273</td>
</tr>
<tr>
<td>Building Safety Division</td>
<td>S 1379</td>
<td>149</td>
<td>179</td>
</tr>
<tr>
<td>Building Safety Division, add'l.</td>
<td>H 365</td>
<td>41</td>
<td>54</td>
</tr>
<tr>
<td>Building Safety Division, revised</td>
<td>H 635</td>
<td>277</td>
<td>278</td>
</tr>
<tr>
<td>Catastrophic Health Care Cost Fund, revised</td>
<td>S 1201</td>
<td>27</td>
<td>39</td>
</tr>
<tr>
<td>Catastrophic Health Care Program</td>
<td>S 1393</td>
<td>163</td>
<td>185</td>
</tr>
<tr>
<td>Charter School Debt Reserve Fund</td>
<td>S 1430</td>
<td>266</td>
<td>273</td>
</tr>
<tr>
<td>Commerce Department</td>
<td>H 587</td>
<td>201</td>
<td>231</td>
</tr>
<tr>
<td>Constitutional Defense Fund</td>
<td>S 1421</td>
<td>229</td>
<td>256</td>
</tr>
<tr>
<td>Correction Department</td>
<td>S 1409</td>
<td>204</td>
<td>226</td>
</tr>
<tr>
<td>Correction Department, add'l.</td>
<td>S 1353</td>
<td>118</td>
<td>145</td>
</tr>
<tr>
<td>Department of Environmental Quality</td>
<td>S 1415</td>
<td>222</td>
<td>253</td>
</tr>
<tr>
<td>Education Board, Career Technical Education Division</td>
<td>H 625</td>
<td>257</td>
<td>272</td>
</tr>
<tr>
<td>Education Board, Idaho Public Television</td>
<td>S 1370</td>
<td>136</td>
<td>160</td>
</tr>
<tr>
<td>Education Board, Office of</td>
<td>S 1412</td>
<td>205</td>
<td>236</td>
</tr>
<tr>
<td>Education Board, Office of, add'l.</td>
<td>H 647</td>
<td>278</td>
<td>282</td>
</tr>
<tr>
<td>Education Board, Office of, add'l.</td>
<td>S 1429</td>
<td>265</td>
<td>273</td>
</tr>
<tr>
<td>Education Board, Special Programs, add'l.</td>
<td>H 645</td>
<td>277</td>
<td>281</td>
</tr>
<tr>
<td>Education Board, University of Idaho, colleges/universities</td>
<td>H 637</td>
<td>277</td>
<td>278</td>
</tr>
<tr>
<td>Education Board, University of Idaho, health education program</td>
<td>S 1399</td>
<td>189</td>
<td>210</td>
</tr>
<tr>
<td>Education Board, University of Idaho, special programs</td>
<td>S 1398</td>
<td>189</td>
<td>210</td>
</tr>
<tr>
<td>Education Board, Vocational Rehabilitation Division</td>
<td>S 1395</td>
<td>177</td>
<td>196</td>
</tr>
<tr>
<td>Education Board, community colleges</td>
<td>H 638</td>
<td>277</td>
<td>279</td>
</tr>
<tr>
<td>Education Department, public schools, Administrators Division</td>
<td>H 617</td>
<td>238</td>
<td>262</td>
</tr>
<tr>
<td>Education Department, public schools, Central Services Division</td>
<td>H 623</td>
<td>238</td>
<td>263</td>
</tr>
<tr>
<td>Education Department, public schools, Central Services Division</td>
<td>H 647</td>
<td>278</td>
<td>282</td>
</tr>
<tr>
<td>Education Department, public schools, Children's Programs Division</td>
<td>H 620</td>
<td>238</td>
<td>262</td>
</tr>
<tr>
<td>Education Department, public schools, Children's Programs Division, add'l.</td>
<td>H 647</td>
<td>278</td>
<td>282</td>
</tr>
<tr>
<td>Education Department, public schools, Facilities Division</td>
<td>H 621</td>
<td>238</td>
<td>263</td>
</tr>
<tr>
<td>Education Department, public schools, Operations Division</td>
<td>H 619</td>
<td>238</td>
<td>262</td>
</tr>
<tr>
<td>Education Department, public schools, Operations Division, add'l.</td>
<td>H 647</td>
<td>278</td>
<td>282</td>
</tr>
<tr>
<td>Education Department, public schools, Teachers Division</td>
<td>H 618</td>
<td>238</td>
<td>262</td>
</tr>
<tr>
<td>Education Department, public schools, educational services</td>
<td>H 622</td>
<td>238</td>
<td>263</td>
</tr>
<tr>
<td>Endowment Fund Investment Board</td>
<td>H 546</td>
<td>156</td>
<td>220</td>
</tr>
<tr>
<td>Finance Department</td>
<td>S 1371</td>
<td>136</td>
<td>160</td>
</tr>
<tr>
<td>Fire Suppression Deficiency Fund</td>
<td>H 532</td>
<td>140</td>
<td>220</td>
</tr>
<tr>
<td>Fire Suppression Deficiency Fund, add'l.</td>
<td>H 636</td>
<td>277</td>
<td>278</td>
</tr>
<tr>
<td>Fish and Game Department</td>
<td>H 641</td>
<td>277</td>
<td>279</td>
</tr>
<tr>
<td>Fish and Game Department, add'l.</td>
<td>H 349</td>
<td>39</td>
<td>46</td>
</tr>
<tr>
<td>Fish and Game Department, add'l.</td>
<td>H 646</td>
<td>278</td>
<td>281</td>
</tr>
<tr>
<td>Governor, Executive Office of</td>
<td>H 611</td>
<td>229</td>
<td>255</td>
</tr>
<tr>
<td>Governor, Office of, Financial Management Division</td>
<td>H 610</td>
<td>229</td>
<td>254</td>
</tr>
<tr>
<td>Governor, Office of, Drug Policy Office</td>
<td>H 550</td>
<td>156</td>
<td>221</td>
</tr>
<tr>
<td>Governor, Office of, Energy Resources</td>
<td>H 551</td>
<td>156</td>
<td>221</td>
</tr>
</tbody>
</table>
APPROPRIATIONS (Continued)

Governor, Office of, Human Resources Division................................. S 1367 136 157
Governor, Office of, Military Division ............................................. S 1369 136 158
Governor, Office of, STEM Action Center ......................................... S 1425 238 256
Governor, Office of, STEM Action Center, add'l.................................. S 1429 265 273
Governor, Office of, Species Conservation Office............................... H 1298 177 223
Governor, Office of, State Liquor Division........................................ S 1366 136 157
Health and Welfare Department, Medicaid......................................... S 1391 163 185
Health and Welfare Department, Welfare Division............................... H 574 194 231
Health and Welfare Department, add'l, health care policy initiatives........... S 1270 64 100
Health and Welfare Department, add'l, Domestic Violence Council............. S 1206 31 41
Health and Welfare Department, add'l, Medicaid.................................. S 1271 64 100
Health and Welfare Department, add'l, State Hospital South..................... S 1207 31 43
Health and Welfare Department, child welfare, developmentally disabled.... S 1403 189 210
Health and Welfare Department, health care policy initiatives, add'l.......... H 650 283 284
Health and Welfare Department, independent councils/indirect support/license S 1413 205 236
Health and Welfare Department, mental health, substance abuse................ H 579 189 224
Health and Welfare Department, public health services........................ H 566 194 224
Higher Education Stabilization Fund................................................ S 1429 265 273
Hispanic Affairs Commission.......................................................... H 567 177 223
Idaho State Historical Society....................................................... S 1407 204 235
Idaho State Lottery................................................................................ S 1365 136 157
Idaho State Police.................................................................................. S 1390 163 185
Idaho State Police, add'l....................................................................... H 612 229 255
Idaho State Police, revised..................................................................... H 403 59 69
Industrial Commission........................................................................... S 1380 150 179
Insurance Department............................................................................ S 1381 150 179
Juvenile Corrections Department......................................................... H 562 177 223
Juvenile Corrections Department, add'l................................................. S 1233 45 62
Labor Department.................................................................................. H 364 41 51
Labor Department, add'l........................................................................ H 640 277 279
Lands Department................................................................................... H 646 278 281
Lands Department, add'l........................................................................ S 1200 27 36
Lava Hot Springs Foundation................................................................... H 547 156 220
Legislative Legal Defense Fund............................................................. S 1428 261 269
Legislative Services Office...................................................................... S 1411 205 236
Library Commission................................................................................ S 1392 163 185
Library Commission, add'l..................................................................... S 1429 265 273
Lieutenant Governor.............................................................................. S 1396 177 196
Local Highway Distribution Fund, transfers to fund............................... H 626 257 272
Millennium Income Fund, tobacco/drug programs................................. S 1410 204 236
Pardons and Parole Commission............................................................. S 1405 204 235
Parks and Recreation Department........................................................... S 1401 189 210
Pest Control Deficiency Fund............................................................... H 342 39 46
Public Employee Retirement System of Idaho....................................... S 1343 135 157
Public Health Trust Fund........................................................................ H 349 156 220
Public School Income Fund, add'l.......................................................... H 647 278 282
Public Utilities Commission................................................................. H 548 156 220
Secretary of State................................................................................... H 563 177 223
Secretary of State, add'l........................................................................ S 1418 229 255
Secretary of State, add'l, voting system grant program............................. H 384 54 66
Self-Governing Agencies, Public Defense Commission........................... H 578 189 224
Self-Governing Agencies, Veterans Services Division............................. H 552 156 221
Self-Governing Agencies, medical boards.............................................. H 598 209 231
Self-Governing Agencies, medical boards, add'l.................................. S 1199 27 36
Self-Governing Agencies, regulatory boards......................................... S 1372 136 160
Soil and Water Conservation Commission........................................... S 1416 222 253
State Appellate Public Defender........................................................... H 600 209 235
**APPROPRIATIONS (Continued)**

<table>
<thead>
<tr>
<th>Appropriation</th>
<th>Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Controller</td>
<td>S 1397</td>
<td>177</td>
<td>196</td>
</tr>
<tr>
<td>State Independent Living Council</td>
<td>S 1364</td>
<td>136</td>
<td>157</td>
</tr>
<tr>
<td>Superintendent of Public Instruction</td>
<td>S 1424</td>
<td>238</td>
<td>257</td>
</tr>
<tr>
<td>Superintendent of Public Instruction, add'l</td>
<td>S 1428</td>
<td>238</td>
<td>257</td>
</tr>
<tr>
<td>Superintendent of Public Instruction, revised</td>
<td>S 1424</td>
<td>238</td>
<td>257</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>H 576</td>
<td>189</td>
<td>224</td>
</tr>
<tr>
<td>Supreme Court, add'l, District Courts/Magistrates Division</td>
<td>S 1427</td>
<td>257</td>
<td>268</td>
</tr>
<tr>
<td>Tax Appeals Board</td>
<td>H 608</td>
<td>229</td>
<td>254</td>
</tr>
<tr>
<td>Tax Commission</td>
<td>H 588</td>
<td>201</td>
<td>231</td>
</tr>
<tr>
<td>Transportation Department</td>
<td>S 1423</td>
<td>238</td>
<td>263</td>
</tr>
<tr>
<td>Transportation Department, add'l</td>
<td>H 363</td>
<td>41</td>
<td>51</td>
</tr>
<tr>
<td>Transportation Department, add'l</td>
<td>S 1423</td>
<td>238</td>
<td>263</td>
</tr>
<tr>
<td>Treasurer, State</td>
<td>H 601</td>
<td>209</td>
<td>235</td>
</tr>
<tr>
<td>University of Idaho, Agricultural Research/Extension</td>
<td>S 1426</td>
<td>248</td>
<td>267</td>
</tr>
<tr>
<td>Water Resources Department</td>
<td>S 1402</td>
<td>189</td>
<td>210</td>
</tr>
<tr>
<td>Water Resources Department, add'l</td>
<td>H 446</td>
<td>79</td>
<td>97</td>
</tr>
<tr>
<td>Wolf Control Fund</td>
<td>S 1414</td>
<td>222</td>
<td>252</td>
</tr>
</tbody>
</table>

**ARCHITECTURE AND ARCHITECTS**

| Architectural Examiners Board, provisions of membership                      | H 482 | 143         | 213       |
| Architectural Examiners Board, revise compensation                           | H 366 | 51          | 198       |

**ARMED FORCES**

See MILITARY AND MILITIA

**ARTS**

| Commission, appropriation                                                     | H 642 | 277         | 281       |
| Commission, appropriation                                                     | S 1368| 136         | 158       |

**ASSESSMENTS AND ASSESSORS**

| Appeal process if no longer assessed as forest land                          | H 345 | 51          | 69        |
| Homeowner's exemption, $100K, no inflation adjuster                           | H 431 | 74          | 174       |
| Homeowner's exemption, $100K, no inflation adjuster, trailer                 | H 634 | 269         | -         |
| Tax Commission, certain school district reports, availability                | H 391 | 65          | 166       |
| Tax Commission, no taxable value report to Department of Education            | H 358 | 51          | 70        |

**ASSISTED LIVING AND NURSING HOMES**

| Nursing Home Administrators Board, provisions regarding membership           | H 482 | 143         | 213       |
| Residential care/assisted living facilities, citations                       | S 1341| 91/150      | 161       |

**ASSOCIATIONS**

| Homeowner associations, prohibited conduct                                   | H 511 | 136         | 203       |
| Homeowner associations, when legal fees/costs allowed                        | S 1317| 82/221      | 230       |

**ATCHLEY, EMMA LOU**

| Appointment, Member: State Board of Education                                | 12    |             | 108       |
| Appointed by Governor/to Education (Jan. 13)                                 |       |             |           |
| Committee Report                                                             | 103   |             |           |
| Confirmed by Senate                                                          |       |             |           |

**ATHLETICS**

| Matt Paradis, Denver Broncos, Super Bowl Championship                        | HCR 42| 96          | 127       |
| Uniform Athlete Agents Act, revised                                           | H 398 | 93          | 213       |
| Youth athletes, permission, post-concussion protocol                          | H 557 | 201         | 237       |

**ATTACHES**

See EMPLOYERS AND EMPLOYEES

See also SENATE

| Oath of Office (Attachtes and First Group Pages)                              | 14    |             |           |
| List of, January 14, 2016                                                     |       |             |           |
| Oath of Office (Second Group Pages)                                          | 123   |             |           |
| List of, February 24, 2016                                                    |       |             |           |

**ATTEBURY, DERICK ELDON**

| Appointment, Member: Idaho Fish and Game Commission                           | 15    |             |           |
| Appointed by Governor/to Resources and Environment (Jan. 14)                 |       |             |           |
| Committee Report                                                             | 49    |             |           |
| Confirmed by Senate                                                          | 53    |             |           |
ATTORNEY GENERAL
   Allow INL research quantities of spent fuel, urge AG............................. HCR 60 269 283
   Appropriation....................................................... H 577 189 280
   Investigation and action against county elected officer.......................... S 1255 57 119

ATTORNEYS
   Public defense, appropriations from certain funds ................................ S 1361 127 161
   State Public Defense Commission duties, county funds, grants.................. H 504 150 206

AUDITORIUM DISTRICTS
   See DISTRICTS

AUTOMOBILES
   See MOTOR VEHICLES

AWARDS
   See HONORS AND AWARDS

- B -

BAIL
   Bail enforcement agents, requirements, prohibitions............................... H 508 150 -

BALLOTS
   See ELECTIONS

BANKS AND FINANCIAL INSTITUTIONS
   Idaho Bond Bank Authority, funds, costs ......................................... H 427 87 199
   Trusts, certain persons/trustees shall not require charter..................... S 1314 82 120

BARBERS
   Barber Examiners Board, provisions regarding membership....................... H 482 143 213
   Barber college licensing, student qualifications.................................. H 486 105 198

BEANS
   Commemorating pulse crop for singular recognition................................. HCR 32 93 159

BECK, CHRIS CHARLES
   Appointment, Member: Oil and Gas Commission
      Appointed by Governor/to Resources and Environment (Jan. 14)........... 16
      Committee Report.................................................... 107
      Confirmed by Senate................................................... 111

BEER
   See LIQUOR

BETTS, JEFFREY
   Appointment, Member: Sexual Offender Management Board
      Appointed by Governor/to Judiciary and Rules (Feb. 10)................... 71
      Committee Report.................................................... 88
      Confirmed by Senate................................................... 95

BEVERAGES
   Alcohol beverage catering permit, two or more wineries......................... S 1356 123 160
   Alcohol beverage catering permits, provisions.................................... S 1354 123/261 171/268
   Alcoholic beverages, prohibited acts, licensed premises........................ H 544 189 252
   Powdered alcohol, definition, prohibition/violations............................ H 331 136 251
   Retail sale of liquor by the drink, "person" defined................................ H 362 54/113 165
   Tax on production of wine/certain grapes........................................ H 456 112 197

BINGO AND RAFFLES
   Bingo and raffles, definitions, conditions/procedures.......................... S 1357 123 -

BINGO-RAFFLE ADVISORY BOARD
   Anderson, Rayelle: Appointment, Member
      Appointed by Governor/to State Affairs (Jan. 26).......................... 35
      Committee Report..................................................... 76
      Confirmed by Senate................................................... 95

BIOLOGY
   See SCIENCE AND TECHNOLOGY

BIRDS
   Hunting, prohibit use of unmanned aircraft........................................ S 1213 35 59
   Upland game bird permit, revised age provision.................................... H 350 51 202
<table>
<thead>
<tr>
<th>BLACK, PETER J.</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointment, Member: Parks and Recreation Board</td>
<td>Bill Number</td>
<td>Intro. Page</td>
</tr>
<tr>
<td>Appointed by Governor/to Resources and Environment (Jan. 14)</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>92</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>96</td>
<td></td>
</tr>
<tr>
<td>BLANCO, DANIEL A.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointment, Member: Idaho Fish and Game Commission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Resources and Environment (Jan. 14)</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>49</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>BLIND</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blind/Visually Impaired Commission, appropriation</td>
<td>S 1394</td>
<td>163</td>
</tr>
<tr>
<td>Blind/Visually Impaired Commission, appropriation, add'l</td>
<td>S 1216</td>
<td>38</td>
</tr>
<tr>
<td>BOARD OF ENVIRONMENTAL QUALITY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boling, Kevin C.: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 13)</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>143</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>156</td>
<td></td>
</tr>
<tr>
<td>MacMillan, John Randolph: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 13)</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>143</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>153</td>
<td></td>
</tr>
<tr>
<td>Purdy, L.N. Nick: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 13)</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>143</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>153</td>
<td></td>
</tr>
<tr>
<td>BOARD OF TAX APPEALS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heinrich, Leland G.: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Local Government and Taxation (Jan. 14)</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>57</td>
<td></td>
</tr>
<tr>
<td>Kinghorn, David E.: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Local Government and Taxation (Jan. 15)</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>52</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>57</td>
<td></td>
</tr>
<tr>
<td>Pike, Linda: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Local Government and Taxation (Jan. 15)</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>57</td>
<td></td>
</tr>
<tr>
<td>BOARDS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accountancy Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Acupuncture Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Architectural Examiner Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Architectural Examiners Board, revise compensation</td>
<td>H 366</td>
<td>51</td>
</tr>
<tr>
<td>Barber Examiners Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Certain licensure boards, positions and qualifications</td>
<td>H 480</td>
<td>143</td>
</tr>
<tr>
<td>Community College Boards, clarify powers over property</td>
<td>S 1209</td>
<td>31</td>
</tr>
<tr>
<td>Community College Districts, powers of board</td>
<td>S 1320</td>
<td>82</td>
</tr>
<tr>
<td>Contractors Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Cosmetology Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Counselors/Marriage/Family Therapists Board, membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Dentistry Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Denturitry Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Drinking Water/Wastewater Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Electrical Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Endowment Fund Investment Board, appropriation</td>
<td>H 546</td>
<td>156</td>
</tr>
<tr>
<td>Engineers and Surveyors Board to promulgate plat rules</td>
<td>S 1284</td>
<td>72</td>
</tr>
<tr>
<td>Engineers/Land Surveyors Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Engineers/surveyors Board, exams, restricted licensure</td>
<td>S 1285</td>
<td>73/113</td>
</tr>
<tr>
<td>Factory Built Structures Advisory Board</td>
<td>H 371</td>
<td>65/216</td>
</tr>
<tr>
<td>Board Name</td>
<td>Bill Number</td>
<td>Intro. Page</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>-------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Fire Protection District, board requirements and size</td>
<td>H 405</td>
<td>74</td>
</tr>
<tr>
<td>Genetic Counselors Licensing Board, membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Heating/Ventilation/Air Conditioning Board, membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Hospital Districts, board may appoint certain members</td>
<td>H 533</td>
<td>170</td>
</tr>
<tr>
<td>Landscape Architects Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Liquefied Petroleum Gas Safety Board, membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Medical boards, appropriation, add'l</td>
<td>S 1199</td>
<td>27</td>
</tr>
<tr>
<td>Medicine Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Morticians Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Nursing Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Nursing Home Administrators Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Occupational Therapy Licensure Board, membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Optometry Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Outfitters/Guides Licensing Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Pharmacy Board, authority over durable medical supplies</td>
<td>S 1264</td>
<td>61</td>
</tr>
<tr>
<td>Pharmacy Board, durable medical equipment provisions</td>
<td>S 1387</td>
<td>163</td>
</tr>
<tr>
<td>Pharmacy Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Pharmacy Board, terms of office and compensation</td>
<td>H 336</td>
<td>59</td>
</tr>
<tr>
<td>Physical Therapy Licensure Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Plumbing Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Podiatry Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Professional Geologists Registration Board, membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Psychologist Examiners Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Public Works Contractor License Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Real Estate Appraisers Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Residential Care Facility Administrators Board, membership</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Revise provisions regarding members of certain boards</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>STEM Action Center Board, provisions</td>
<td>S 1249</td>
<td>54</td>
</tr>
<tr>
<td>School Board Trustees, recall election, filling vacancy</td>
<td>S 1273</td>
<td>65</td>
</tr>
<tr>
<td>School Board Trustees, provisions regarding elections</td>
<td>S 1257</td>
<td>58/261</td>
</tr>
<tr>
<td>Shorthand Reporters Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Social Work Examiners Board, membership provisions</td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td>Transportation Board, bases for removal of director</td>
<td>S 1246</td>
<td>53</td>
</tr>
<tr>
<td>Underground Facilities Damage Prevention Board</td>
<td>H 454</td>
<td>123</td>
</tr>
<tr>
<td>Veterinary Medicine Board, provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
</tr>
</tbody>
</table>

**BOATS**

<table>
<thead>
<tr>
<th>Board Name</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invasive species, mussels, citations, inspection</td>
<td>S 1355</td>
<td>123</td>
<td>-</td>
</tr>
<tr>
<td>Paddleboards, similar vessels taxable to nonresident</td>
<td>H 348</td>
<td>51</td>
<td>69</td>
</tr>
</tbody>
</table>

**BOLING, KEVIN C.**

Appointment, Member: Board of Environmental Quality

<table>
<thead>
<tr>
<th>Committee Report</th>
<th>143</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirmed by Senate</td>
<td>156</td>
</tr>
</tbody>
</table>

**BONDS**

<table>
<thead>
<tr>
<th>Board Name</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cigarette taxes, wholesaler bonding requirements</td>
<td>H 376</td>
<td>59</td>
<td>101</td>
</tr>
<tr>
<td>Highway transportation, bonding for certain project</td>
<td>S 1263</td>
<td>61</td>
<td>99</td>
</tr>
<tr>
<td>Idaho Bond Bank Authority, funds, costs</td>
<td>H 427</td>
<td>87</td>
<td>199</td>
</tr>
<tr>
<td>School District Bond Credit Enhancement Program, limits</td>
<td>S 1272</td>
<td>65</td>
<td>146</td>
</tr>
<tr>
<td>School bond guarantee, limitation</td>
<td>H 426</td>
<td>83</td>
<td>199</td>
</tr>
</tbody>
</table>

**BOOTH, WILLIAM B.**

Appointment, Member: Northwest Power and Conservation Council

<table>
<thead>
<tr>
<th>Committee Report</th>
<th>147</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirmed by Senate</td>
<td>156</td>
</tr>
</tbody>
</table>

**BRACKEBUSCH, GRANT A.**

Appointment, Member: Idaho Lottery Commission

<table>
<thead>
<tr>
<th>Committee Report</th>
<th>233</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirmed by Senate</td>
<td>241</td>
</tr>
</tbody>
</table>
### BREWERIES
- Allows persons under 21 to enter or be on premises: H 597, 226/234, 250
- Allows persons under 21 to enter or be on premises: H 649, 280, 282

### BUDGET MESSAGE
Governor C. L. "Butch" Otter, January 11, 2016: 4

### BUDGETS
- Budget Stabilization Fund, transfer provisions: S 1331, 89, 4
- Taxing Districts, budgeting forgone increases: H 474, 99, 174

### BUFFINGTON, M. DEAN
- Appointment, Member: Idaho Endowment Fund Investment Board:
  - Appointed by Governor/to State Affairs (Jan. 13): H 474, 67, 72
  - Committee Report.................................................. 12
  - Confirmed by Senate.................................................. 72

### BUILDING SAFETY DIVISION
- Appropriation.......................................................... S 1379, 149, 179
- Appropriation, add'l................................................... H 365, 41, 54
- Appropriation, revised............................................... H 635, 277, 278
- Factory Built Structures Advisory Board.......................... H 371, 65/216, 230
- Idaho School Safety and Security Act.............................. H 514, 150, 206
- Submersible well pumps, approved locations..................... H 643, 277, 281
- Underground Facilities Damage Prevention Board................ H 454, 123, 213

### BUSINESS ENTITIES
- Idaho Power's 100th anniversary, recognize and honor: HCR 43, 131, 193

### BUXTON, SUSAN ELIZABETH
- Appointment: Administrator of the Division of Human Resources:
  - Appointed by Governor/to Commerce and Human Resources (Feb. 19): H 514, 103, 141
  - Committee Report................................................... 141
  - Confirmed by Senate.................................................. 152

### CALL FOR BILL
To be reported forthwith from Committee (Senate Rule 14(E)):
- Senator Schmidt, S 1205, March 14, 2016: 197
- Motion did not prevail, Committee Excused: 197

### CALL OF THE SENATE
- Senator Keough, February 19, 2016: 105
- Senator Keough, March 24, 2016: 280

### CAMERON, DEAN L.
- Resignation Letter, January 11, 2016: 2
- Appointment: Director of the Department of Insurance:
  - Appointed by Governor/to Commerce and Human Resources (Jan. 15): H 474, 20, 37
  - Committee Report................................................... 37
  - Confirmed by Senate.................................................. 40

### CAMPAIGN FINANCE
See CAMPAIGNS AND CANDIDATES

### CAMPAIGNS AND CANDIDATES
- Campaign contributions/expenditures, reporting: S 1299, 74, 4
- Political statements, identity of person responsible: H 542, 170, 251

### CANCER
- Workers compensation, firefighter occupational diseases: H 554, 194, 222

### CAPITOL
- 2016 U.S. Capitol Christmas tree, Idaho participation: HCR 46, 156, 226
- Capitol Commission, appropriation: S 1406, 204, 235

### CAPITOL MALL
- Administration Department, Capitol parking rules rejected: SCR 152, 192, 226

### CATTLE
See LIVESTOCK
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCR 145</td>
<td>86</td>
<td>108</td>
</tr>
<tr>
<td>SCR 149</td>
<td>121</td>
<td>148</td>
</tr>
</tbody>
</table>

**CEMETERIES AND CREMATORIUMS**

- Cemetery lots, resale of unused lots, compensation: H 496, 140, 198
- Prearrangement sales contracts, additional requirements: H 369, 69, 180
- Veterans cemetery in Eastern Idaho, endorse need: SCR 145, 86, 108
- Veterans cemetery in Eastern Idaho, endorse need: SCR 149, 121, 148

**CEREMONY, FLAG**

- Presentation of State Flag, January 11, 2016: 1
- Boise Police Department Honor Guard: 1
- Pledge of Allegiance: Sarah Jane McDonald, Sergeant at Arms: 1
- National Anthem: Nampa High School Chamber Singers, Nampa, Idaho: 1
- Retrieve State Flag, March 24, 2016: Sarah Jane McDonald, Sergeant at Arms: 284

**CERTIFICATE OF ELECTION**

- Senators: 1

**CERTIFICATES OF APPOINTMENT**

- Senator Appointments:
  - Senator Kelly Anthon, July 2, 2016: 2
  - Senator Mark R. Harris, July 22, 2016: 3
- Substitute Senator Appointments:
  - Troy Rohn, March 22, 2016: 240

**CHAPLAIN**

- Chaplain, Father John Worster: St. Mary's Catholic Church, Boise, Idaho: 1
- Acting Chaplains:
  - President Pro Tempore Hill, January 15, 2016: 18
  - Senator Stennett, February 10, 2016: 71
  - Senator Mortimer, February 17, 2016: 94

**CHARITIES**

- Bingo and raffles, definitions, conditions/ procedures: S 1357, 123, -
- Delegation of power over minor, nonprofit assistance: H 573, 201, -
- Girl Scout/Boy Scout food products, sales tax exemption: H 449, 99, -
- STEM Action Center contributions, tax credit: H 357, 69, 171

**CHILD PROTECTIVE ACT**

- Child Protective Act, revise certain requirements: S 1328, 89/163, 184
- Foster children, limitations on caregiver liability: S 1253, 57, 132
- Juvenile proceedings, adoption, placement: H 556, 170/242, 251

**CHILDREN**

- Alcohol violations, certain records expunged/sealed: H 495, 123, 202
- Alcohol, certain underage violations, penalties: H 494, 140/233, 250
- Brewereries, allows persons under 21 to be on premises: H 597, 226/234, 250
- Brewereries, allows persons under 21 to be on premises: H 649, 280, 282
- Child Protective Act, revise certain requirements: S 1328, 89/163, 184
- Compromise claim of minor, petition, priority, approval: H 558, 170, 219
- Delegation of power over minor, nonprofit assistance: H 573, 201, -
- Delegation of power over minor/developmentally disabled: S 1375, 139, -
- Education Department, appropriation, public schools, Children's Programs: H 647, 278, 282
- Electronic cigarettes, permit to sell, required sign: H 498, 140, -
- Foster children, limitations on caregiver liability: S 1253, 57, 132
- Guardians of minors, modification and termination: S 1352, 111, 153
- Health and Welfare, reporting requirements, foster care program: H 523, 156, 214
- Idaho Unborn Infants Dignity Act: S 1349, 104, -
- Idaho Unborn Infants Dignity Act: S 1404, 194/233, 252
- Juvenile proceedings, adoption, placement: H 556, 170/242, 251
- Minors in possession of alcohol, limited immunity: H 521, 170/221, 230
- Minors, inter vivos nomination appointment of guardian: S 1374, 139, -
- Sexual exploitation of child, electronically, penalties: H 555, 177/216, 230
- Third grade reading instruction, intervention plan: H 451, 128, 197
CHILDREN (Continued)

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unborn Child Protection from Dismemberment Abortion Act</td>
<td>S 1386</td>
<td>156</td>
</tr>
<tr>
<td>Wineries, minors allowed to enter or be on premises</td>
<td>S 1324</td>
<td>83</td>
</tr>
<tr>
<td>Youth Education Account, repeal</td>
<td>H 392</td>
<td>65</td>
</tr>
<tr>
<td>Youth athletes, permission, post-concussion protocol</td>
<td>H 557</td>
<td>201</td>
</tr>
</tbody>
</table>

CHIROPRACTORS

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chiropractors, revised restrictions related to drugs</td>
<td>S 1231</td>
<td>43</td>
</tr>
<tr>
<td>Patient Freedom of Information Act, certain information</td>
<td>H 341</td>
<td>51</td>
</tr>
</tbody>
</table>

CHURCHES

See RELIGION AND CHURCHES

CIGARETTES

See TOBACCO

CILEK, JEFF

Appointment, Member: Public Employee Retirement System of Idaho Board

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointed by Governor/to Commerce and Human Resources (Jan. 15)</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>42</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>45</td>
<td></td>
</tr>
</tbody>
</table>

CIRCUIT BREAKER TAX RELIEF

See TAX AND TAXATION, PROPERTY

CITIES

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auxiliary containers, no regulation by municipality</td>
<td>H 372</td>
<td>59</td>
</tr>
<tr>
<td>Cemetery lots, resale of unused lots, compensation</td>
<td>H 496</td>
<td>140</td>
</tr>
<tr>
<td>City records, historical preservation, nonpaper mediums</td>
<td>H 443</td>
<td>170</td>
</tr>
<tr>
<td>Exclusions from local government purchasing laws</td>
<td>H 541</td>
<td>170</td>
</tr>
<tr>
<td>Highway Distribution Account, apportionment revised</td>
<td>S 1230</td>
<td>42</td>
</tr>
<tr>
<td>Highway Distribution Account, apportionment/hybrid fee</td>
<td>H 624</td>
<td>283</td>
</tr>
<tr>
<td>Irrigation District contract authority to construct wells</td>
<td>S 1243</td>
<td>51</td>
</tr>
<tr>
<td>Minimum wage, political subdivision no higher than Code</td>
<td>H 463</td>
<td>109</td>
</tr>
<tr>
<td>Tax deeds, nonapplication, municipality easements</td>
<td>S 1388</td>
<td>163/194</td>
</tr>
<tr>
<td>Urban renewal, provisions, requirements, reporting</td>
<td>H 606</td>
<td>257/269/274</td>
</tr>
</tbody>
</table>

CIVIL ACTIONS

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dangerous and At-Risk Dogs Act</td>
<td>H 525</td>
<td>150</td>
</tr>
<tr>
<td>Public assistance, provisions for monetary penalties</td>
<td>S 1295</td>
<td>73</td>
</tr>
<tr>
<td>Unborn Child Protection from Dismemberment Abortion Act</td>
<td>S 1386</td>
<td>156</td>
</tr>
</tbody>
</table>

CIVIL RIGHTS

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firearm rights not restored, certain felony convictions</td>
<td>S 1276</td>
<td>67</td>
</tr>
<tr>
<td>Firearm rights not restored, certain felony convictions</td>
<td>S 1383</td>
<td>150</td>
</tr>
<tr>
<td>Sexual orientation/gender identity, no discrimination</td>
<td>S 1196</td>
<td>23</td>
</tr>
</tbody>
</table>

CLARK, LINDA

Appointment, Member: State Board of Education

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointed by Governor/to Education (Jan. 15)</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>71</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>77</td>
<td></td>
</tr>
</tbody>
</table>

CODES

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Code, certain electronic copies</td>
<td>S 1234</td>
<td>45</td>
</tr>
<tr>
<td>Idaho Code codifier's corrections</td>
<td>S 1218</td>
<td>38</td>
</tr>
<tr>
<td>Liquor license applications, update code reference</td>
<td>H 346</td>
<td>65</td>
</tr>
</tbody>
</table>

COLLECTIONS AND COLLECTION AGENCIES

See DEBTORS AND CREDITORS

COLLEGES AND UNIVERSITIES

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barber college licensing, student qualifications</td>
<td>H 486</td>
<td>105</td>
</tr>
<tr>
<td>College and career advisors, provisions, reporting</td>
<td>S 1290</td>
<td>73</td>
</tr>
<tr>
<td>College savings accounts, unclaimed, responsibilities for</td>
<td>H 428</td>
<td>79</td>
</tr>
<tr>
<td>College scholarship eligibility, funds investment</td>
<td>S 1208</td>
<td>31</td>
</tr>
<tr>
<td>Community College Boards, clarify powers over property</td>
<td>S 1209</td>
<td>31</td>
</tr>
<tr>
<td>Community College Districts, powers of board</td>
<td>S 1320</td>
<td>82</td>
</tr>
<tr>
<td>Community College Districts, zones, trustees</td>
<td>H 387</td>
<td>62</td>
</tr>
<tr>
<td>Community colleges, creation/provisions trustee zones</td>
<td>H 512</td>
<td>136</td>
</tr>
<tr>
<td>Community colleges, tuition, out-of-district students</td>
<td>H 527</td>
<td>140</td>
</tr>
<tr>
<td>Education Board, University of Idaho, appropriation, health education</td>
<td>S 1399</td>
<td>189</td>
</tr>
<tr>
<td>COLLEGES AND UNIVERSITIES (Continued)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education Board, University of Idaho, appropriation, special programs</td>
<td>S 1398</td>
<td>189</td>
</tr>
<tr>
<td>Education Board, University of Idaho, appropriation, universities</td>
<td>H 637</td>
<td>277</td>
</tr>
<tr>
<td>Education Board, appropriation, community colleges</td>
<td>H 638</td>
<td>277</td>
</tr>
<tr>
<td>Higher Education Stabilization Fund, community college start-up</td>
<td>H 459</td>
<td>123</td>
</tr>
<tr>
<td>Higher Education Stabilization Fund, appropriation</td>
<td>S 1429</td>
<td>265</td>
</tr>
<tr>
<td>Idaho School Safety and Security Act</td>
<td>H 514</td>
<td>150</td>
</tr>
<tr>
<td>Industry Partner Fund, professional-technical colleges</td>
<td>S 1332</td>
<td>89/164</td>
</tr>
<tr>
<td>Noxious weeds, privately funded research facilities</td>
<td>H 469</td>
<td>136</td>
</tr>
<tr>
<td>Postsecondary credit scholarship, requirements, funds</td>
<td>H 477</td>
<td>170/218</td>
</tr>
<tr>
<td>Residency requirements for public higher education</td>
<td>S 1280</td>
<td>68/113</td>
</tr>
<tr>
<td>Scholarships, adult degree completion scholarship</td>
<td>S 1291</td>
<td>73/117</td>
</tr>
<tr>
<td>State educational agency employees, sick leave transfer</td>
<td>H 452</td>
<td>105/172</td>
</tr>
<tr>
<td>U of I Animal/Veterinary Science Department, Fish and Game Account funds</td>
<td>S 1258</td>
<td>58</td>
</tr>
<tr>
<td>Undergraduate students, tuition lock plan</td>
<td>S 1292</td>
<td>73</td>
</tr>
<tr>
<td>University of Idaho, appropriation, Agricultural Research/Extension</td>
<td>S 1426</td>
<td>248</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMERCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commerce Department, investigate improving broadband</td>
</tr>
<tr>
<td>Department, appropriation</td>
</tr>
<tr>
<td>Farm equipment repurchase requirements, charges</td>
</tr>
<tr>
<td>Global Entrepreneurial Mission Program, provisions</td>
</tr>
<tr>
<td>Industry Partner Fund, professional-technical colleges</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payne, Sue A.: Appointment, Member</td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 13)</td>
</tr>
<tr>
<td>Committee Report</td>
</tr>
<tr>
<td>Confirmed by Senate</td>
</tr>
<tr>
<td>Raubenheimer, Britt: Appointment, Member</td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 15)</td>
</tr>
<tr>
<td>Committee Report</td>
</tr>
<tr>
<td>Confirmed by Senate</td>
</tr>
<tr>
<td>Schneider, Allan R.: Appointment, Member</td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 13)</td>
</tr>
<tr>
<td>Committee Report</td>
</tr>
<tr>
<td>Confirmed by Senate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMISSION ON PARDONS AND PAROLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennis, Cortney C.: Appointment, Member</td>
</tr>
<tr>
<td>Appointed by Governor/to Judiciary and Rules (Feb. 5)</td>
</tr>
<tr>
<td>Committee Report</td>
</tr>
<tr>
<td>Confirmed by Senate</td>
</tr>
<tr>
<td>Dressen, Anna Jane “Janie”: Appointment, Member</td>
</tr>
<tr>
<td>Appointed by Governor/to Judiciary and Rules (Feb. 5)</td>
</tr>
<tr>
<td>Committee Report</td>
</tr>
<tr>
<td>Confirmed by Senate</td>
</tr>
<tr>
<td>Matthews, Mike H.: Appointment, Member</td>
</tr>
<tr>
<td>Appointed by Governor/to Judiciary and Rules (Jan. 27)</td>
</tr>
<tr>
<td>Committee Report</td>
</tr>
<tr>
<td>Confirmed by Senate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMISSIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apple Commission, nomination and appointment of members</td>
</tr>
<tr>
<td>Aquaculture Commission, repeal</td>
</tr>
<tr>
<td>Blind/Visually Impaired Commission, appropriation</td>
</tr>
<tr>
<td>Blind/Visually Impaired Commission, appropriation, add'l</td>
</tr>
<tr>
<td>Catastrophic health care, reimbursement to County Commission</td>
</tr>
<tr>
<td>Commission on Pesticide Management, repeal</td>
</tr>
<tr>
<td>Dairy Products Commission, membership provisions</td>
</tr>
<tr>
<td>Hispanic Affairs Commission, appropriation</td>
</tr>
<tr>
<td>Horse Racing Commission, certain payment to horse council</td>
</tr>
<tr>
<td>Horse Racing Commission, certain payment to horse council</td>
</tr>
<tr>
<td>COMMISSIONS (Continued)</td>
</tr>
<tr>
<td>-------------------------</td>
</tr>
<tr>
<td>Library Commission, appropriation</td>
</tr>
<tr>
<td>PUC/Tax/Industrial commissioner salary increase</td>
</tr>
<tr>
<td>Public Defense Commission, appropriation</td>
</tr>
<tr>
<td>Public Safety Communications Commission, established</td>
</tr>
<tr>
<td>Public Utilities Commission safety, accident reporting rules rejected</td>
</tr>
<tr>
<td>Real Estate Commission, revise provisions regarding membership</td>
</tr>
<tr>
<td>State Public Defense Commission duties, county funds, grants</td>
</tr>
<tr>
<td>Wheat Commission rules rejected</td>
</tr>
<tr>
<td>COMMITTEES</td>
</tr>
<tr>
<td>Complete Medicaid waiver application, legislative committee</td>
</tr>
<tr>
<td>Foster care/conservators/guardians, legislative study</td>
</tr>
<tr>
<td>Health Care Task Force, remove reference</td>
</tr>
<tr>
<td>Income tax structure in Idaho, legislative study committee</td>
</tr>
<tr>
<td>Mitigating bias, contested cases, legislative study</td>
</tr>
<tr>
<td>Public procurement, legislative study committee</td>
</tr>
<tr>
<td>Public school funding formula, legislative study committee</td>
</tr>
<tr>
<td>Senate Rule 20, committee chair's decisions</td>
</tr>
<tr>
<td>State employee group insurance plan, legislative study</td>
</tr>
<tr>
<td>COMMITTEES, SENATE</td>
</tr>
<tr>
<td>See also SENATE INDEX, STANDING COMMITTEE ASSIGNMENTS</td>
</tr>
<tr>
<td>Senator, Standing Committee Assignments: January 11, 2016</td>
</tr>
<tr>
<td>Lincoln Day Service, Senators Lee and Souza, Co-chairmen</td>
</tr>
<tr>
<td>Memorial Service, Senators Souza and Lee, Co-chairmen</td>
</tr>
<tr>
<td>COMMITTEES, STANDING, ASSIGNMENTS, REVISIONS</td>
</tr>
<tr>
<td>Standing Committee Assignments</td>
</tr>
<tr>
<td>COMMODOITIES</td>
</tr>
<tr>
<td>Apple Commission, nomination and appointment of members</td>
</tr>
<tr>
<td>Commemorating pulse crop for singular recognition</td>
</tr>
<tr>
<td>Tax on production of wine/certain grapes</td>
</tr>
<tr>
<td>Wheat Commission rules rejected</td>
</tr>
<tr>
<td>COMMUNICATIONS</td>
</tr>
<tr>
<td>See TELECOMMUNICATIONS</td>
</tr>
<tr>
<td>COMMUNITY PROPERTY</td>
</tr>
<tr>
<td>Community or joint property, clarify characterization</td>
</tr>
<tr>
<td>COMPACTS</td>
</tr>
<tr>
<td>See MULTISTATE COMPACTS AND AGREEMENTS</td>
</tr>
<tr>
<td>COMPUTERS</td>
</tr>
<tr>
<td>See ELECTRONIC TECHNOLOGY</td>
</tr>
<tr>
<td>CONCURRENCE, IN SENATE BILLS AMENDED IN THE HOUSE</td>
</tr>
<tr>
<td>S 1265, As Amended in the House</td>
</tr>
<tr>
<td>S 1322, As Amended in the House</td>
</tr>
<tr>
<td>S 1257, As Amended in the House</td>
</tr>
<tr>
<td>S 1354, As Amended in the House</td>
</tr>
<tr>
<td>S 1297, As Amended, As Amended, As Amended in the House</td>
</tr>
<tr>
<td>CONDEMNATION</td>
</tr>
<tr>
<td>See EMINENT DOMAIN</td>
</tr>
<tr>
<td>CONFLICT OF INTEREST</td>
</tr>
<tr>
<td>Pursuant to Senate Rule 39(H):</td>
</tr>
<tr>
<td>S 1229, Senator Keough</td>
</tr>
<tr>
<td>Gubernatorial Appointment of Eric R. Anderson, Senator McKenzie</td>
</tr>
<tr>
<td>Gubernatorial Appointment of Todd Lakey, Senator Lakey</td>
</tr>
<tr>
<td>Gubernatorial Appointment of Mike H. Matthews, Senator McKenzie</td>
</tr>
<tr>
<td>SJR 101, Senator Hill</td>
</tr>
<tr>
<td>S 1244, Senators Guthrie and Nonini</td>
</tr>
<tr>
<td>Gubernatorial Appointment of Terry Gestrin, Senator Lakey</td>
</tr>
<tr>
<td>S 1248, Senators Lakey and Thayn</td>
</tr>
</tbody>
</table>
### CONFLICT OF INTEREST (Continued)

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1311</td>
<td>125</td>
<td></td>
</tr>
<tr>
<td>S 1269</td>
<td>146</td>
<td></td>
</tr>
<tr>
<td>S 1272</td>
<td>146</td>
<td></td>
</tr>
<tr>
<td>Gubernatorial Appointment of Anna Jane “Janie” Dressen, Senator McKenzie</td>
<td>152</td>
<td></td>
</tr>
<tr>
<td>Gubernatorial Appointment of Cortney C. Dennis, Senator McKenzie</td>
<td>152</td>
<td></td>
</tr>
<tr>
<td>S 1365</td>
<td>157</td>
<td></td>
</tr>
<tr>
<td>H 447, as amended in the Senate, Senators Anthon and Jordan</td>
<td>165</td>
<td></td>
</tr>
<tr>
<td>H 459, Senator Lee</td>
<td>183</td>
<td></td>
</tr>
<tr>
<td>H 463, Senator Jordan</td>
<td>183</td>
<td></td>
</tr>
<tr>
<td>H 472, Senator Harris</td>
<td>187</td>
<td></td>
</tr>
<tr>
<td>HCR 35, Senator Keough</td>
<td>193</td>
<td></td>
</tr>
<tr>
<td>S 1395, Senator Vick</td>
<td>196</td>
<td></td>
</tr>
<tr>
<td>H 511, Senators Lacey and Mortimer</td>
<td>203</td>
<td></td>
</tr>
<tr>
<td>H 372, Senators Mortimer and Anthon</td>
<td>206</td>
<td></td>
</tr>
<tr>
<td>S 1388, as amended, Senator Lakey</td>
<td>209</td>
<td></td>
</tr>
<tr>
<td>H 501, Senator Keough</td>
<td>213</td>
<td></td>
</tr>
<tr>
<td>H 546, Senator Winder</td>
<td>220</td>
<td></td>
</tr>
<tr>
<td>H 576, Senator Lee</td>
<td>224</td>
<td></td>
</tr>
<tr>
<td>H 579, Senator Nuxoll</td>
<td>224</td>
<td></td>
</tr>
<tr>
<td>S 1317, as amended, Senators Rice, Mortimer and Lacey</td>
<td>230</td>
<td></td>
</tr>
<tr>
<td>H 598, Senator Schmidt</td>
<td>231</td>
<td></td>
</tr>
<tr>
<td>S 1420, Senators Burgoyne, Lee and Lodge</td>
<td>251</td>
<td></td>
</tr>
<tr>
<td>S 1414, Senator Siddoway</td>
<td>252</td>
<td></td>
</tr>
<tr>
<td>S 1415, Senator Nonini</td>
<td>253</td>
<td></td>
</tr>
<tr>
<td>H 609, Senator Winder</td>
<td>254</td>
<td></td>
</tr>
<tr>
<td>S 1427, Senators Burgoyne, Lee, McKenzie, and Lodge</td>
<td>268</td>
<td></td>
</tr>
<tr>
<td>H 606, aa, aas, Senators Lakey and Anthon</td>
<td>276</td>
<td></td>
</tr>
<tr>
<td>H 644, as amended in the Senate, Senators Anthon and Lee</td>
<td>276</td>
<td></td>
</tr>
<tr>
<td>H 637, Senator Rohn</td>
<td>278</td>
<td></td>
</tr>
<tr>
<td>H 646, Senator Keough</td>
<td>281</td>
<td></td>
</tr>
</tbody>
</table>

### CONFLICTS OF INTEREST

See ETHICS

### CONGRESS, UNITED STATES

- Allow demonstration projects on federal land, Congress
- Congressional Prayer Caucus Foundation, support

### CONSERVATION

- Invasive species, mussels, citations, inspection
- Sage-grouse, protect state conservation plans
- Soil and Water Conservation Commission, appropriation
- Species Conservation Office, appropriation
- Watershed Improvement Districts, dissolution

### CONSERVATORS

See GUARDIANS AND CONSERVATORS

### CONSTITUTION

- Idaho Limited Article V Convention Act

### CONSTITUTIONAL AMENDMENTS

- Idaho Limited Article V Convention Act
- Legislative response to administrative rules
- Legislative session for vetoed bills

### CONSTRUCTION

- Hydroelectric plant, when Irrigation District vote unneeded
- Irrigation District contract authority to construct wells
- Public works, award of contracts
- Underground Facilities Damage Prevention Board

### CONTRACEPTIVES

- Contraceptives and prophylactics, repeal regulations

### CONTRACTORS

- Associated Logging Contractors of Idaho, honor 50 years
- Board, public works contractors, membership
<table>
<thead>
<tr>
<th>BILL NUMBER</th>
<th>INTRO. PAGE</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1219</td>
<td>39</td>
<td>69</td>
</tr>
<tr>
<td>H 454</td>
<td>123</td>
<td>213</td>
</tr>
<tr>
<td>S 1305</td>
<td>78</td>
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</tr>
<tr>
<td>S 1344</td>
<td>104</td>
<td>133</td>
</tr>
<tr>
<td>H 537</td>
<td>177</td>
<td>219</td>
</tr>
<tr>
<td>H 541</td>
<td>170</td>
<td>237</td>
</tr>
<tr>
<td>S 1243</td>
<td>51</td>
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<td>S 1316</td>
<td>82</td>
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<td>S 1262</td>
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<td>S 1385</td>
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<td>50</td>
<td>132</td>
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<tr>
<td>S 1409</td>
<td>204</td>
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<td>S 1353</td>
<td>118</td>
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<td>S 1351</td>
<td>111</td>
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<tr>
<td>S 1343</td>
<td>99</td>
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<tr>
<td>H 447</td>
<td>99/151</td>
<td>165</td>
</tr>
<tr>
<td>S 1268</td>
<td>62</td>
<td>120</td>
</tr>
<tr>
<td>S 1323</td>
<td>83</td>
<td>154</td>
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<td>S 1364</td>
<td>136</td>
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<td>S 1274</td>
<td>65</td>
<td>145</td>
</tr>
<tr>
<td>H 372</td>
<td>59</td>
<td>206</td>
</tr>
<tr>
<td>S 1211</td>
<td>32</td>
<td>63</td>
</tr>
<tr>
<td>H 527</td>
<td>140</td>
<td>211</td>
</tr>
<tr>
<td>S 1255</td>
<td>57</td>
<td>119</td>
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<td>149</td>
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<td>Intro. Page</td>
<td>Vote Page</td>
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<td>S 1284</td>
<td>72</td>
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<td>H 541</td>
<td>170</td>
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<tr>
<td>S 1230</td>
<td>42</td>
<td>88</td>
</tr>
<tr>
<td>H 624</td>
<td>283</td>
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<td>H 431</td>
<td>74</td>
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<td>H 634</td>
<td>269</td>
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<td>104/164</td>
<td>179</td>
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<tr>
<td>S 1388</td>
<td>163/194</td>
<td>209</td>
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<tr>
<td>H 606</td>
<td>257/269/274</td>
<td>276</td>
</tr>
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<td>S 1327</td>
<td>89</td>
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<td>89/163</td>
<td>184</td>
</tr>
<tr>
<td>H 524</td>
<td>140</td>
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<tr>
<td>H 558</td>
<td>170</td>
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<tr>
<td>H 461</td>
<td>109</td>
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<td>H 493</td>
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<td>H 556</td>
<td>170/242</td>
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<td>257</td>
<td>268</td>
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<td>229</td>
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<td>74</td>
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<td>89</td>
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<td>H 494</td>
<td>140/233</td>
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<td>H 508</td>
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<td>H 524</td>
<td>140</td>
<td>202</td>
</tr>
<tr>
<td>S 1378</td>
<td>149</td>
<td>-</td>
</tr>
</tbody>
</table>
CRIMINAL OFFENSES AND PROCEDURES (Continued)

Concealed weapons, prohibited conduct .................................................. S 1389 163 209
Controlled substance, requirement for withheld judgment ...................... H 429 87 197
County elected officers, attorney general investigation .......................... S 1255 57 119
Court fees to general fund, not specialty courts ..................................... H 461 109 144
Dangerous and At-Risk Dogs Act .............................................................. H 525 150 213
Engineers/surveyors, practicing without license ..................................... S 1287 73 113
Fines and forfeitures, apportionment to certain funds ............................. H 493 131 -
Firearm rights not restored, certain felony convictions .......................... S 1276 67 132
Firearm rights not restored, certain felony convictions .......................... S 1383 150 179
Game animal, penalty for killing, possession, waste ............................... S 1226 41 -
Idaho Unborn Infants Dignity Act ............................................................ S 1349 104 -
Idaho Unborn Infants Dignity Act ............................................................ S 1404 194/233 252
Juveniles, informal disposition of petition requirement .......................... S 1235 50 124
Minors in possession of alcohol, limited immunity ................................... H 521 170/221 230
Parole violation hearing, nonviolent/nonsexual conduct .......................... S 1343 99 183
Powdered alcohol, definition, prohibition/violations ................................ H 331 136 251
Protection orders, malicious harassment, stalking ................................... S 1373 139 183
Public defense, appropriations from certain funds ................................. S 1361 127 161
Sex offenses, rape gender neutral ......................................................... H 580 229 261
Sexual battery of adult, rape gender neutral ............................................ S 1277 68 132
Sexual exploitation of child, electronically, penalties ............................ H 555 177/216 230
State Appellate Public Defender, powers and duties .............................. H 439 105 205
State Public Defense Commission duties, county funds, grants ............... H 504 150 206
Unborn Child Protection from Dismemberment Abortion Act ..................... S 1386 156 -

CROPS
See AGRICULTURE

DAMS
Water resources, artificial barriers, embankments ................................ H 351 51 206

DAYS
See HOLIDAYS AND DAYS

DEATH
Cemetery lots, resale of unused lots, compensation ................................ H 496 140 198
Controlled substances database, who may access .................................. H 337 59 166
Health and Welfare Department, duties include suicide prevention services .... S 1326 87 146

DEBTORS AND CREDITORS
Appraisal Management Company Registration/Regulation Act ................. S 1318 82 124
Irrigation District late assessments, tax deed sale, when ....................... S 1242 51 132
Irrigation assessments, delinquency dates clarified ............................... S 1241 51 132
School bond guarantee, limitation ......................................................... H 426 83 199
Tax deed sale proceeds, unclaimed property ......................................... S 1347 104/164 179

DEEDS
Foreclosure, trustee sale, nontitled personal property ........................... S 1315 82/172/182 196
Tax deeds, clarification of the term "encumbrances" ............................... S 1348 104 -
Tax deeds, nonapplication, municipality easements .............................. S 1388 163/194 209
Trust deeds, definition of the term "trustee" ......................................... H 503 143 219

DENNIS, COURTNEY C.
Appointment, Member: Commission on Pardons and Parole 
   Appointed by Governor/to Judiciary and Rules (Feb. 5) .......................... 61
   Committee Report ........................................................................... 126
   Confirmed by Senate ................................................................... 152

DENTISTRY AND DENTISTS
Board, revise provisions regarding membership ..................................... H 482 143 213
Patient Freedom of Information Act, certain information ........................ H 341 51 180

DENTURISTS
See PROFESSIONS
### DEVELOPMENT
- Idaho Rural Development Partnership Act, revised
- Land renewal, provisions, requirements, reporting

### DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION
- Geddes, Bob: Appointment, Director
  - Appointed by Governor/to State Affairs (Jan. 15)
  - Committee Report
  - Confirmed by Senate
- Ronk, Megan: Appointment, Director
  - Appointed by Governor/to Commerce and Human Resources (Jan. 20)
  - Committee Report
  - Confirmed by Senate

### DIRECTOR OF THE DEPARTMENT OF COMMERCE
- Tippets, John H.: Appointment, Director
  - Appointed by Governor/to Health and Welfare (Jan. 15)
  - Committee Report
  - Confirmed by Senate

### DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY
- Cameron, Dean L.: Appointment, Director
  - Appointed by Governor/to Commerce and Human Resources (Jan. 15)
  - Committee Report
  - Confirmed by Senate

### DISABLED
- College scholarship eligibility, funds investment
- Delegation of power over minor/developmentally disabled
- Developmental Disabilities Council regarding membership
- Foster care/conservators/guardians, legislative study
- Independent Living Council, revise reference
- Medical assistance, benchmark plan, eligibility
- State Independent Living Council, appropriation
- Vocational rehabilitation, acceptance of federal acts

### DISASTERS
- Homeland Security to Office of Emergency Management

### DISCLOSURE, CONFLICTS OF INTEREST
- See also VOTING, EXCUSED FROM

### DISCRIMINATION
- Sexual orientation/gender identity, no discrimination

### DISEASES
- Investigational drugs, Right To Try Act
- Livestock removal requirements and trichomoniasis
- Workers compensation, firefighter occupational diseases

### DISTRICTS
- Cemetery lots, resale of unused lots, compensation
- Community College Districts, powers of board
- Community College Districts, zones, trustees
- Community colleges, creation/provisions trustee zones
- Fire Protection District, board requirements and size
- Ground Water District, assessments, indebtedness
- Ground Water District, certain assessments, indebtedness
- Ground Water District, petition/assessments, annexed lands
- Ground Water Districts, participation by nonmembers
- Hospital Districts, board may appoint certain members
- Irrigation assessments, delinquency dates clarified
- Irrigation, contract authority, construct/deepen well
- Irrigation, hydroelectric plants, when vote unneeded
- Irrigation, late assessments, sale of rights, tax deeds
- Public Health Trust Fund, appropriation
- Recreational water/sewer districts, annexation
<table>
<thead>
<tr>
<th>Districts (Continued)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxing Districts, formed by certain date to make levy</td>
</tr>
<tr>
<td>Watershed Improvement Districts, dissolution</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Divorce</th>
</tr>
</thead>
<tbody>
<tr>
<td>See Domestic Relations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DNA</th>
</tr>
</thead>
<tbody>
<tr>
<td>See Science and Technology</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Doctors</th>
</tr>
</thead>
<tbody>
<tr>
<td>See Physicians and Surgeons</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dogs</th>
</tr>
</thead>
<tbody>
<tr>
<td>See Animals</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Domestic Relations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community or joint property, clarify characterization</td>
</tr>
<tr>
<td>Estates, surviving spouse qualifications</td>
</tr>
<tr>
<td>IRS tax code update, language regarding marriage</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dressen, Anna Jane &quot;Janie&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointment, Member: Commission on Pardons and Parole</td>
</tr>
<tr>
<td>Appointed by Governor/to Judiciary and Rules (Feb. 5)</td>
</tr>
<tr>
<td>Committee Report</td>
</tr>
<tr>
<td>Confirmed by Senate</td>
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</tbody>
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<table>
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<th>Drinks</th>
</tr>
</thead>
<tbody>
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<td>See Beverages</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Drivers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driving privilege cards, eligibility requirements</td>
</tr>
<tr>
<td>Electronic voter registration for persons with DMV IDs</td>
</tr>
<tr>
<td>Federal REAL ID Act, implement certain provisions</td>
</tr>
<tr>
<td>Off-road vehicles, when permitted on highways</td>
</tr>
<tr>
<td>Seat belt violations, warning period, increased fine</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Drug Policy, Office of</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Easements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motorbike Recreation Account funds, recreation easements</td>
</tr>
<tr>
<td>Tax deeds, clarification of the term &quot;encumbrances&quot;</td>
</tr>
<tr>
<td>Tax deeds, nonapplication, municipality easements</td>
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</table>

<table>
<thead>
<tr>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced opportunities, rulemaking, support program</td>
</tr>
<tr>
<td>Barber college licensing, student qualifications</td>
</tr>
<tr>
<td>Board/University of Idaho, appropriation, colleges and universities</td>
</tr>
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<td>Board, Office of, appropriation, add'l</td>
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<td>Board, appropriation, Career Technical Education Division</td>
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<tr>
<td>Board, appropriation, Idaho Public Television</td>
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<td>Board, appropriation, Office of</td>
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<td>Board, appropriation, University of Idaho, health education</td>
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<tr>
<td>Board, appropriation, University of Idaho, special programs</td>
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<tr>
<td>Board, appropriation, Vocational Rehabilitation Division</td>
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<td>Board, appropriation, add'l, Special Programs</td>
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<tr>
<td>Board, appropriation, community colleges</td>
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<tr>
<td>Broadband Infrastructure Improvement Grant Fund</td>
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<td>Career technical education, additional allocation for staff</td>
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<tr>
<td>Certificated employees, supplemental duty/day contracts</td>
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<tr>
<td>Charter School Debt Reserve Fund, appropriation</td>
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<tr>
<td>Charter holders, petition, replication charter schools</td>
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<tr>
<td>Civics test or school alternative, exception</td>
</tr>
<tr>
<td>Civics test, applicability to special education pupils</td>
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<tr>
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<td>S 1209</td>
</tr>
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<td>S 1320</td>
</tr>
<tr>
<td>H 387</td>
</tr>
<tr>
<td>H 512</td>
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<td>H 379</td>
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<td>H 560</td>
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<td>H 617</td>
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<td>H 647</td>
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<td>H 623</td>
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<td>H 647</td>
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<td>H 620</td>
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<td>H 619</td>
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<td>H 647</td>
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<td>H 618</td>
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<td>H 622</td>
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<tr>
<td>SCR 139</td>
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<td>SCR 140</td>
</tr>
<tr>
<td>HCR 44</td>
</tr>
<tr>
<td>SCR 141</td>
</tr>
<tr>
<td>HCR 45</td>
</tr>
<tr>
<td>S 1334</td>
</tr>
<tr>
<td>S 1210</td>
</tr>
<tr>
<td>H 629</td>
</tr>
<tr>
<td>H 526</td>
</tr>
<tr>
<td>S 1289</td>
</tr>
<tr>
<td>S 1429</td>
</tr>
<tr>
<td>H 459</td>
</tr>
<tr>
<td>H 514</td>
</tr>
<tr>
<td>S 1332</td>
</tr>
<tr>
<td>S 1330</td>
</tr>
<tr>
<td>S 1266</td>
</tr>
<tr>
<td>H 627</td>
</tr>
<tr>
<td>H 570</td>
</tr>
<tr>
<td>S 1267</td>
</tr>
<tr>
<td>S 1293</td>
</tr>
<tr>
<td>H 477</td>
</tr>
<tr>
<td>S 1331</td>
</tr>
<tr>
<td>H 647</td>
</tr>
<tr>
<td>S 1337</td>
</tr>
<tr>
<td>HCR 33</td>
</tr>
<tr>
<td>S 1231</td>
</tr>
<tr>
<td>S 1342</td>
</tr>
<tr>
<td>S 1280</td>
</tr>
<tr>
<td>H 628</td>
</tr>
<tr>
<td>S 1249</td>
</tr>
<tr>
<td>S 1425</td>
</tr>
<tr>
<td>S 1279</td>
</tr>
<tr>
<td>S 1291</td>
</tr>
<tr>
<td>H 426</td>
</tr>
<tr>
<td>H 515</td>
</tr>
<tr>
<td>H 571</td>
</tr>
<tr>
<td>S 1248</td>
</tr>
<tr>
<td>H 603</td>
</tr>
<tr>
<td>H 452</td>
</tr>
<tr>
<td>H 476</td>
</tr>
</tbody>
</table>

EDUCATION (Continued)

- Civics test, include Idaho specific questions
- College savings accounts, unclaimed, responsibilities for
- College scholarship eligibility, funds investment
- Community College Boards, clarify powers over property
- Community College Districts, powers of board
- Community College Districts, zones, trustees
- Community colleges, creation/provisions trustee zones
- Computer science initiative for public schools
- Continuous improvement plans, additional requirement
- Department, appropriation, public schools, Administrators Division
- Department, appropriation, public schools, Central Service
- Department, appropriation, public schools, Central Services Division
- Department, appropriation, public schools, Children's Programs
- Department, appropriation, public schools, Children's Programs Division
- Department, appropriation, public schools, Facilities Division
- Department, appropriation, public schools, Operations Division
- Department, appropriation, public schools, Operations Division
- Department, appropriation, public schools, Teachers Division
- Department, appropriation, public schools, educational services
- Education Board/Department Rule Docket 08-0203-1503 rejected
- Education Board/Department Rule Docket 08-0203-1506 rejected
- Education Board/Department Rule Docket 08-0203-1509 rejected
- Education Board/Department Rule Docket 08-0203-1511 rejected
- Education Board opportunity scholarship rules rejected
- Education Opportunity Resource Act
- Education, professional-technical to career technical
- Educational support program, calculations, grades 8-12
- Educational support program, literacy intervention
- Educational support, program calculations
- Governor, Office of, STEM Action Center, appropriation, add'l
- Higher Education Stabilization Fund, community college start-up
- Idaho School Safety and Security Act
- Industry Partner Fund, professional-technical colleges
- Insulin and blood glucose supplies, district policy
- Leadership premiums, moneys distributed to school districts
- Leadership premiums, revise provisions
- Local Innovation School Act
- Mastery-based education, activity provisions
- Parental rights in education, responsibility, notice
- Postsecondary credit scholarship, requirements, funds
- Public Education Stabilization Fund, provisions
- Public School Income Fund, appropriation, add'l
- Public charter schools, amend, add provisions
- Public school funding formula, legislative study committee
- Public school instruction, when Bible permitted
- Public schools, when religious texts permitted
- Residency requirements for public higher education
- Rural education support centers, provides for
- STEM Action Center Board, provisions
- STEM Action Center, appropriation
- STEM education fund, creation, provisions
- Scholarships, adult degree completion scholarship
- School bond guarantee, limitation
- School district professional personnel, evaluations
- School employee career ladder, compensation, indicators
- School employment contracts, remove state form approval
- Staff allowance, determination provisions
- State educational agency employees, sick leave transfer
- Statewide average class size, calculation of
EDUCATION (Continued)

Supporting progress toward Idaho's "60 by 20" goal ............................................................. SCR 134  30  57
Tax Commission, certain school district reports, availability ..................................... H 391  65  166
Tax Commission, no taxable value report to Department of Education ......................... H 358  51  70
Third grade reading instruction, intervention plan .......................................................... H 451  128  197
Trustee elections, elector qualifications, uniform date ......................................................... S 1257  58/261  124/267
Trustees, provisions regarding elections .............................................................................. S 1307  79  -
Undergraduate students, tuition lock plan ........................................................................... S 1292  73  -
University of Idaho, appropriation, Agricultural Research/Extension ............................. S 1426  248  267
Youth Education Account, repeal ......................................................................................... H 392  65  167

ELDERLY
See SENIOR CITIZENS

ELECTION, ATTACHES
See ATTACHES, ELECTION OF; INDEX SECTION II

ELECTION, CERTIFICATE OF
See also SUBSTITUTE SENATORS; APPOINTED SENATORS

ELECTIONS
Absentee ballot application deadline revised ................................................................. S 1274  65  145
Campaign contributions/expenditures, reporting .......................................................... S 1299  74  -
Early voting, eligible counties, tabulation system .............................................................. S 1275  65  145
Election results posting at polling place not required ..................................................... S 1377  149  190
Electronic voter registration for persons with DMV IDs ............................................... S 1297  74/114/129/283  145/284
Hydroelectric plant, when Irrigation District vote unneeded ........................................ H 1304  78  133
Identification, additional forms allowed at polls ............................................................. H 604  257  -
Political statements, identity of person responsible ........................................................ H 542  170  251
Primary elections, provisions ............................................................................................ S 1195  22  -
Primary elections, selecting/changing party affiliation ................................................ S 1203  30  -
School Board Trustees, recall election, filling vacancy .................................................... S 1273  65  -
School trustees, elector qualifications, uniform date ........................................................ S 1308  79  -
School trustees, provisions regarding elections .............................................................. S 1257  58/261  124/267

ELECTRICITY AND ELECTRICIANS
Board, revise provisions regarding membership ............................................................. H 482  143  213
Electric/hybrid vehicles, fee provisions ............................................................................. S 1311  81  125
Hydroelectric plant, when Irrigation District vote unneeded ........................................ H 1304  78  133
Idaho Power's 100th anniversary, recognize and honor ................................................ HCR 43  131  193
Solar production of energy, taxation ................................................................................. H 534  150  206
Submersible well pumps, approved locations .................................................................. H 643  277  281
Water diversion, incidental hydropower use, conditions ............................................... S 1278  68  133

ELECTRONIC TECHNOLOGY
Administrative Code, certain electronic copies ............................................................... S 1234  45  153
 Broadband Infrastructure Improvement Grant Fund ....................................................... S 1333  89  137
 Broadband Infrastructure Improvement Grant Fund, appropriation ............................... S 1429  265  273
Career technical education, additional allocation for staff ............................................... H 630  269  275
City records, historical preservation, nonpaper mediums .............................................. H 443  170  214
Commerce Department, investigate improving broadband ............................................... HCR 58  257  -
Education Opportunity Resource Act ............................................................................. S 1334  90  137
Electronic voter registration for persons with DMV IDs ................................................ S 1297  74/114/129/283  145/284
Patient Freedom of Information Act, certain information .............................................. H 341  51  180
Public records exemption, critical infrastructure ............................................................ H 447  99/151  165
Public schools, computer science initiative ..................................................................... H 379  54/129  165
Sexual exploitation of child, electronically, penalties ....................................................... H 555  177/216  230
Uniform Fiduciary Access to Digital Assets Act ............................................................ S 1303  78/172  185

ELK (DOMESTIC CERVIDAE)
See ANIMALS

ELSASSER, FORD
Appointment, Member: Lake Pend Oreille Basin Commission ........................................... 15
Appointed by Governor/to Resources and Environment (Jan. 14) ..................................... 15
Committee Report ............................................................................................................. 215
Confirmed by Senate ......................................................................................................... 226
EMERGENCIES
EMS Personnel Licensure Interstate Compact, enact.............................................................. S 1281 68 125
EMT/paramedic scholarship eligibility, funds investment......................................................... S 1208 31 63
Homeland Security to Office of Emergency Management..................................................... H 355 87 186
Minors in possession of alcohol, limited immunity................................................................. H 521 170/221 230
Public Safety Communications Commission, established...................................................... S 1212 33 128
EMERGENCY FUND, LETTER FROM GOVERNOR
January 12, 2016....................................................................................................................... 10
EMERGENCY MEDICAL TECHNICIANS
See EMERGENCIES
EMINENT DOMAIN
Property valuation, factors in assessing........................................................................................ S 1245 53 -
Regulatory takings, request by owner for analysis...................................................................... S 1325 83 145
EMPLOYERS AND EMPLOYEES
See also LABOR
Employment security law, notice and appeal provisions......................................................... H 397 69 196
Industry Partner Fund, professional-technical colleges................................................................. S 1332 89/164 190
Minimum wage, political subdivision no higher than Code....................................................... H 463 109 183
National Apprenticeship Week, recognize ................................................................................. HCR 36 93 152
National Guard activation, re-employment rights ..................................................................... H 473 123 186
Noncompete clause violation, key employee, breach................................................................. H 487 201 248
School employee career ladder, compensation, indicators......................................................... H 571 201 237
School employment contracts, remove state form approval...................................................... S 1248 54 109
State educational agency employees, sick leave transfer......................................................... H 452 105/172 186
State employee group insurance plan, legislative study............................................................. HCR 61 277 -
State employee health savings account, employer portion....................................................... S 1319 82 -
State employee health savings account, employer portion....................................................... S 1346 104 144
State personnel, add to list of nonclassified employees.............................................................. S 1202 27 63
Teacher leadership premiums, revise provisions........................................................................ H 627 269 275
Unemployment benefits, expanded claims notice provision..................................................... H 396 69 191
Unemployment, benefit formula, taxable wage rate................................................................. H 485 150 213
Withholding tax, certain employers to pay monthly................................................................. H 353 51 69
Withholding tax, employer payment/correction deadlines........................................................ H 352 51 101
Workers compensation, firefighter occupational diseases......................................................... H 554 194 222
EMPLOYMENT SECURITY LAW
Employment security law, notice and appeal provisions......................................................... H 397 69 196
Taxable wage rate, unemployment benefit formula................................................................. H 485 150 213
Unemployment benefits, expanded claims notice provision..................................................... H 396 69 191
Workforce Development Training Fund, transfer and uses...................................................... S 1288 73 142
ENDERUD, SHELLY JO
Appointed, Member: State Building Authority
  Appointed by Governor/to State Affairs (Mar. 1)................................................................. 138
  Committee Report.................................................................................................................. 233
  Confirmed by Senate............................................................................................................ 241
ENDOWMENT FUNDS AND LANDS
Endowment Fund Investment Board, appropriation................................................................. H 546 156 220
Endowment and other fund investments by State Treasurer..................................................... H 464 123 199
Environmental Protection Trust Fund, uses, investment.......................................................... S 1269 62 146
Idaho Multiple Use Sustained Yield Act..................................................................................... H 582 226 -
Opportunity scholarship program, funds investment................................................................. S 1208 31 63
School District Bond Credit Enhancement Program, limits...................................................... S 1272 65 146
State trust land, oppose use based on exclusivity..................................................................... HCR 53 229 -
ENERGY
Allow INL research quantities of spent fuel, urge AG............................................................. HCR 60 269 283
Office of Energy Resources, appropriation.............................................................................. H 551 156 221
Solar production of energy, taxation........................................................................................ H 534 150 206
Water diversion, incidental hydropower use, conditions......................................................... S 1278 68 133
ENGINEERS AND SURVEYORS
Board to promulgate certain rules related to plats/surveys........................................................ S 1284 72 -
Board, revise provisions regarding membership...................................................................... H 482 143 213
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 480</td>
<td>143</td>
<td>211</td>
</tr>
<tr>
<td>S 1286</td>
<td>73</td>
<td>112</td>
</tr>
<tr>
<td>S 1285</td>
<td>73/113</td>
<td>141</td>
</tr>
<tr>
<td>S 1287</td>
<td>73</td>
<td>113</td>
</tr>
<tr>
<td>SJM 104</td>
<td>76</td>
<td>96</td>
</tr>
<tr>
<td>S 1260</td>
<td>58/128</td>
<td>144</td>
</tr>
<tr>
<td>S 1239</td>
<td>50</td>
<td>128</td>
</tr>
<tr>
<td>S 1415</td>
<td>222</td>
<td>253</td>
</tr>
<tr>
<td>SCR 138</td>
<td>75</td>
<td>93</td>
</tr>
<tr>
<td>SCR 136</td>
<td>48</td>
<td>93</td>
</tr>
<tr>
<td>S 1311</td>
<td>81</td>
<td>125</td>
</tr>
<tr>
<td>S 1269</td>
<td>62</td>
<td>146</td>
</tr>
<tr>
<td>S 1355</td>
<td>123</td>
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<tr>
<td>S 1306</td>
<td>78</td>
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<tr>
<td>S 1339</td>
<td>90</td>
<td>130</td>
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<tr>
<td>HJM 13</td>
<td>99</td>
<td>193</td>
</tr>
<tr>
<td>S 1338</td>
<td>90</td>
<td>164</td>
</tr>
<tr>
<td>S 1244</td>
<td>51</td>
<td>105</td>
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<tr>
<td>SCR 137</td>
<td>48</td>
<td>93</td>
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<td>S 1237</td>
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<td>128</td>
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<td>S 1238</td>
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<td>S 1358</td>
<td>127</td>
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</tr>
<tr>
<td>S 1359</td>
<td>127</td>
<td>154</td>
</tr>
<tr>
<td>H 347</td>
<td>51</td>
<td>69</td>
</tr>
</tbody>
</table>

**ENGINEERS AND SURVEYORS (Continued)**

- Licensure board, to hire certain persons
- Retired professional engineer/land surveyor, defined
- Revise provisions regarding exams, restricted licensure
- Violations and penalties for practice without license

**ENVIRONMENT**

- Allow demonstration projects on federal land, Congress
- Aquatic invasive species, continued federal funding
- Department of Agriculture/DEQ, management of cattle byproduct
- Department of Environmental Quality, IPDES permits, appeals, enforcement authority
- Department of Environmental Quality, appropriation
- Eastern Snake Plain Aquifer agreement, support
- Eastern Snake Plain Aquifer recharge target
- Electric/hybrid vehicles, fee provisions
- Environmental Protection Trust Fund, uses, investment
- Invasive species, mussels, citations, inspection
- Oil well, Lands Department duties, track integration, appeals
- Sage-grouse, protect state conservation plans
- State or federal land, catastrophic public nuisance
- Underground storage tank program, funding, fees
- Water Board, evaluate/manage aquifer shortage
- Water body classifications, risk levels
- Water quality, authorizing access to certain records

**EQUIPMENT**

- Equipment dealer protection law, unlawful acts, notice
- Farm equipment repurchase requirements, charges
- Sales/use tax, exempt certain hand tools

**ESCROW**

See REAL ESTATE

**ESTATES**

- Estates, remove reference to a family allowance
- Surviving spouse, qualifications, revocation by divorce
- Uniform Fiduciary Access to Digital Assets Act

**ETHICS**

- Executive sessions, when authorized
- State Procurement Act

**ETHNIC**

- Black History Month, February, commemorate in Idaho
- Hispanic Affairs Commission, appropriation

**EUTHANASIA**

- Humane Euthanasia Committee instead of task force

**- F -**

**FARMS AND FARMING**

See AGRICULTURE

**FEDERAL LAWS AND RELATIONS**

- 2016 U.S. Capitol Christmas tree, Idaho participation
- Allow demonstration projects on federal land, Congress
- Aquatic invasive species, continued federal funding
- Columbia River Treaty, urge continuance
- Federal REAL ID Act, implement certain provisions
- Firearm sales, federally required records not public
- Food safety modernization, Department of Agriculture regulate
- Health and Welfare, background checks, no federal pilot program
- Idaho Limited Article V Convention Act
- Idaho Multiple Use Sustained Yield Act
- Independent Living Council, revise reference
FEDERAL LAWS AND RELATIONS (Continued)

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sage-grouse, protect state conservation plans</td>
<td>HJM 13</td>
<td>99</td>
</tr>
<tr>
<td>State or federal land, catastrophic public nuisance</td>
<td>S 1338</td>
<td>90</td>
</tr>
<tr>
<td>USPS budget priorities, urge restructure</td>
<td>SJM 105</td>
<td>134</td>
</tr>
<tr>
<td>Vocational rehabilitation, acceptance of federal acts</td>
<td>S 1232</td>
<td>43</td>
</tr>
</tbody>
</table>

FEES

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency fee rules approved, except ISP and Health and Welfare</td>
<td>SCR 153</td>
<td>231</td>
</tr>
<tr>
<td>Compromise claim of minor, petition, priority, approval</td>
<td>H 558</td>
<td>170</td>
</tr>
<tr>
<td>Court fees to general fund, not specialty courts</td>
<td>H 461</td>
<td>109</td>
</tr>
<tr>
<td>Electric/hybrid vehicles, fee provisions</td>
<td>S 1311</td>
<td>81</td>
</tr>
<tr>
<td>Farm equipment repurchase requirements, charges</td>
<td>S 1359</td>
<td>127</td>
</tr>
<tr>
<td>Homeowner associations, when legal fees/costs allowed</td>
<td>S 1317</td>
<td>82/221</td>
</tr>
<tr>
<td>Irrigation District late assessments, tax deed sale, when</td>
<td>S 1242</td>
<td>51</td>
</tr>
<tr>
<td>Irrigation assessments, delinquency dates clarified</td>
<td>S 1241</td>
<td>51</td>
</tr>
<tr>
<td>Irrigation corporations, maximum administrative charge</td>
<td>S 1240</td>
<td>50</td>
</tr>
<tr>
<td>Mental disease institution, Medicaid reimbursement</td>
<td>H 500</td>
<td>140</td>
</tr>
<tr>
<td>Protection orders, malicious harassment, stalking</td>
<td>S 1373</td>
<td>139</td>
</tr>
</tbody>
</table>

FINANCE

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appraisal Management Company Registration/Regulation Act</td>
<td>S 1318</td>
<td>82</td>
</tr>
<tr>
<td>Department, appropriation</td>
<td>S 1371</td>
<td>136</td>
</tr>
<tr>
<td>Endowment and other fund investments by State Treasurer</td>
<td>H 464</td>
<td>123</td>
</tr>
<tr>
<td>Financial Management Division, appropriation</td>
<td>H 610</td>
<td>229</td>
</tr>
</tbody>
</table>

FINANCIAL INSTITUTIONS

See BANKS AND FINANCIAL INSTITUTIONS

FINES

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural facilities, biosecurity breach, penalties</td>
<td>H 531</td>
<td>170</td>
</tr>
<tr>
<td>Alcohol, certain underage violations, penalties</td>
<td>H 494</td>
<td>140/233</td>
</tr>
<tr>
<td>Alcoholic beverages, prohibited acts, licensed premises</td>
<td>H 544</td>
<td>189</td>
</tr>
<tr>
<td>Court fees to general fund, not specialty courts</td>
<td>H 461</td>
<td>109</td>
</tr>
<tr>
<td>Fines and forfeitures, apportionment to certain funds</td>
<td>H 493</td>
<td>131</td>
</tr>
<tr>
<td>Motor vehicle financial responsibility, increased fines</td>
<td>S 1256</td>
<td>58/128/150</td>
</tr>
<tr>
<td>Seat belt violations, warning period, increased fine</td>
<td>S 1312</td>
<td>82/117</td>
</tr>
</tbody>
</table>

FIRE AND FIREFIGHTERS

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>College scholarship eligibility, funds investment</td>
<td>S 1208</td>
<td>31</td>
</tr>
<tr>
<td>Fire Protection District, board requirements and size</td>
<td>H 405</td>
<td>74</td>
</tr>
<tr>
<td>Fire Suppression Deficiency Fund, appropriation</td>
<td>H 532</td>
<td>140</td>
</tr>
<tr>
<td>Fire Suppression Deficiency Fund, appropriation, add'l</td>
<td>H 636</td>
<td>277</td>
</tr>
<tr>
<td>Tax exemption, certain aircraft for wildfire activity</td>
<td>H 540</td>
<td>170</td>
</tr>
<tr>
<td>Taxing Districts, budgeting forgone increases</td>
<td>H 474</td>
<td>99</td>
</tr>
<tr>
<td>Workers compensation, firefighter occupational diseases</td>
<td>H 554</td>
<td>194</td>
</tr>
</tbody>
</table>

FIREARMS

See WEAPONS

FISH AND GAME

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account transfers, U of I Animal/Veterinary Science Department</td>
<td>S 1258</td>
<td>58</td>
</tr>
<tr>
<td>Compensation for damage to bees/beehives by bears</td>
<td>S 1340</td>
<td>91</td>
</tr>
<tr>
<td>Controlled hunt drawings, contract with private entity</td>
<td>S 1305</td>
<td>78</td>
</tr>
<tr>
<td>Controlled hunt drawings, contract with private entity</td>
<td>S 1344</td>
<td>104</td>
</tr>
<tr>
<td>Department Rule Docket 13-0116-1501 rejected</td>
<td>HCR 55</td>
<td>226</td>
</tr>
<tr>
<td>Department education programs, trapping</td>
<td>H 378</td>
<td>65</td>
</tr>
<tr>
<td>Department, appropriation</td>
<td>H 641</td>
<td>277</td>
</tr>
<tr>
<td>Department, appropriation, add'l</td>
<td>H 349</td>
<td>39</td>
</tr>
<tr>
<td>Department, appropriation, add'l</td>
<td>H 646</td>
<td>278</td>
</tr>
<tr>
<td>Game animal, penalty for killing, possession, waste</td>
<td>S 1226</td>
<td>41</td>
</tr>
<tr>
<td>Governor's wildlife partnership tags, annual issuance</td>
<td>S 1236</td>
<td>50</td>
</tr>
<tr>
<td>Hunting, prohibit use of unmanned aircraft</td>
<td>S 1213</td>
<td>35</td>
</tr>
<tr>
<td>Hunting/trapping/fishing, license exceptions</td>
<td>H 462</td>
<td>131</td>
</tr>
<tr>
<td>Idaho Multiple Use Sustained Yield Act</td>
<td>H 582</td>
<td>226</td>
</tr>
<tr>
<td>State trust land, oppose use based on exclusivity</td>
<td>HCR 53</td>
<td>229</td>
</tr>
<tr>
<td>Upland game bird permit, revised age provision</td>
<td>H 350</td>
<td>51</td>
</tr>
<tr>
<td>Wolf Control Fund, appropriation</td>
<td>S 1414</td>
<td>222</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Intro. Page</td>
<td>Vote Page</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>-----------</td>
</tr>
<tr>
<td>FLAG CEREMONY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Presentation of State flag, January 11, 2016: Boise Police Department Honor Guard</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Pledge of Allegiance: Sarah Jane McDonald, Sergeant at Arms</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Retrieve State Flag, Sine Die: Sarah Jane McDonald, Sergeant at Arms, March 24, 2016</td>
<td>284</td>
<td>284</td>
</tr>
<tr>
<td>FLAG</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage</td>
<td></td>
<td>HCR 57 216 241</td>
</tr>
<tr>
<td>FOOD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apple Commission, nomination and appointment of members</td>
<td></td>
<td>H 455 112 180</td>
</tr>
<tr>
<td>Commemorating pulse crop for singular recognition</td>
<td></td>
<td>HCR 32 93 159</td>
</tr>
<tr>
<td>Dairy Products Commission, membership provisions</td>
<td></td>
<td>S 1259 58 79</td>
</tr>
<tr>
<td>Food safety modernization, Department of Agriculture regulate</td>
<td></td>
<td>H 499 136 198</td>
</tr>
<tr>
<td>Girl Scout/Boy Scout food products, sales tax exemption</td>
<td></td>
<td>H 449 99 -</td>
</tr>
<tr>
<td>Wheat Commission rules rejected</td>
<td></td>
<td>HCR 49 170 193</td>
</tr>
<tr>
<td>FORESTS AND FORESTRY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2016 U.S. Capitol Christmas tree, Idaho participation</td>
<td></td>
<td>HCR 46 156 226</td>
</tr>
<tr>
<td>Appeal process if no longer assessed as forest land</td>
<td></td>
<td>H 345 51 69</td>
</tr>
<tr>
<td>FOSTER HOMES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Protective Act, revise certain requirements</td>
<td></td>
<td>S 1328 89/163 184</td>
</tr>
<tr>
<td>Foster care/conservators/guardians, legislative study</td>
<td></td>
<td>HCR 59 258 264</td>
</tr>
<tr>
<td>Foster children, limitations on caregiver liability</td>
<td></td>
<td>S 1253 57 132</td>
</tr>
<tr>
<td>Health and Welfare, reporting requirements, foster care program</td>
<td></td>
<td>H 523 156 214</td>
</tr>
<tr>
<td>Juvenile proceedings, adoption, placement</td>
<td></td>
<td>H 556 170/242 251</td>
</tr>
<tr>
<td>FRACKING</td>
<td></td>
<td></td>
</tr>
<tr>
<td>See OIL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FRAUD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public assistance, provisions for monetary penalties</td>
<td></td>
<td>S 1295 73 133</td>
</tr>
<tr>
<td>FUELS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dyed diesel fuel, vehicles subject to inspection</td>
<td></td>
<td>S 1310 81 -</td>
</tr>
<tr>
<td>Fuels, special fuels, distribution of revenues from tax</td>
<td></td>
<td>H 343 136 198</td>
</tr>
<tr>
<td>Highway Distribution Account, apportionment revised</td>
<td></td>
<td>S 1230 42 88</td>
</tr>
<tr>
<td>Highway Distribution Account, apportionment/hybrid fee</td>
<td></td>
<td>H 624 283 -</td>
</tr>
<tr>
<td>FULKERSON, JANICE E.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointment, Member: Idaho Health Insurance Exchange Board</td>
<td></td>
<td>18</td>
</tr>
<tr>
<td>Appointed by Governor/to Commerce and Human Resources (Jan. 15)</td>
<td></td>
<td>60</td>
</tr>
<tr>
<td>Committee Report</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td></td>
<td>66</td>
</tr>
<tr>
<td>FUNDS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Broadband Infrastructure Improvement Grant Fund</td>
<td></td>
<td>S 1333 89 137</td>
</tr>
<tr>
<td>Budget Stabilization Fund, transfer provisions</td>
<td></td>
<td>S 1331 89 -</td>
</tr>
<tr>
<td>Catastrophic Health Care Cost Fund, appropriation</td>
<td></td>
<td>S 1393 163 185</td>
</tr>
<tr>
<td>Catastrophic Health Care Cost Fund, appropriation, revised</td>
<td></td>
<td>S 1201 27 39</td>
</tr>
<tr>
<td>Charter School Debt Reserve Fund, appropriation</td>
<td></td>
<td>S 1430 266 273</td>
</tr>
<tr>
<td>College savings accounts, unclaimed, responsibilities for</td>
<td></td>
<td>H 428 79 167</td>
</tr>
<tr>
<td>Constitutional Defense Fund, appropriation</td>
<td></td>
<td>S 1421 229 256</td>
</tr>
<tr>
<td>Educational support program, calculations, grades 8-12</td>
<td></td>
<td>H 629 269 275</td>
</tr>
<tr>
<td>Educational support program, literacy intervention</td>
<td></td>
<td>H 526 136 203</td>
</tr>
<tr>
<td>Educational support, program calculations</td>
<td></td>
<td>S 1289 73 -</td>
</tr>
<tr>
<td>Endowment Fund Investment Board, appropriation</td>
<td></td>
<td>H 546 156 220</td>
</tr>
<tr>
<td>Endowment and other fund investments by State Treasurer</td>
<td></td>
<td>H 464 123 199</td>
</tr>
<tr>
<td>Environmental Protection Trust Fund, uses, investment</td>
<td></td>
<td>S 1269 62 146</td>
</tr>
<tr>
<td>Fines and forfeitures, apportionment to certain funds</td>
<td></td>
<td>H 493 131 -</td>
</tr>
<tr>
<td>Global Entrepreneurial Mission Program, provisions</td>
<td></td>
<td>H 377 65 174</td>
</tr>
<tr>
<td>Higher Education Stabilization Fund, community college start-up</td>
<td></td>
<td>H 459 123 183</td>
</tr>
<tr>
<td>Idaho Bond Bank Authority, funds, costs</td>
<td></td>
<td>H 427 87 199</td>
</tr>
<tr>
<td>Industry Partner Fund, professional-technical colleges</td>
<td></td>
<td>S 1332 89/164 190</td>
</tr>
<tr>
<td>Legislative Legal Defense Fund, appropriation</td>
<td></td>
<td>S 1428 261 269</td>
</tr>
</tbody>
</table>

Note: The above table includes a list of bills and their associated legislative actions, with references to specific pages and columns for further details.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 626</td>
<td>257</td>
<td>272</td>
</tr>
<tr>
<td>S 1410</td>
<td>204</td>
<td>236</td>
</tr>
<tr>
<td>H 342</td>
<td>39</td>
<td>46</td>
</tr>
<tr>
<td>H 477</td>
<td>170/218</td>
<td>230</td>
</tr>
<tr>
<td>S 1331</td>
<td>89</td>
<td>-</td>
</tr>
<tr>
<td>H 549</td>
<td>156</td>
<td>220</td>
</tr>
<tr>
<td>H 647</td>
<td>278</td>
<td>282</td>
</tr>
<tr>
<td>S 1279</td>
<td>68</td>
<td>113</td>
</tr>
<tr>
<td>S 1272</td>
<td>65</td>
<td>146</td>
</tr>
<tr>
<td>S 1288</td>
<td>73</td>
<td>142</td>
</tr>
<tr>
<td>H 392</td>
<td>65</td>
<td>167</td>
</tr>
<tr>
<td>H 367</td>
<td>69</td>
<td>180</td>
</tr>
<tr>
<td>H 482</td>
<td>143</td>
<td>213</td>
</tr>
<tr>
<td>H 369</td>
<td>69</td>
<td>180</td>
</tr>
</tbody>
</table>

- G -

GARNISHMENT
See also DEBTORS AND CREDITORS

GASOLINE
See FUELS

GAY
See HOMOSEXUALITY

GEDDES, BOB
Appointment: Director of the Department of Administration
  Appointed by Governor/to State Affairs (Jan. 15)........................................... 20
  Committee Report................................................................. 44
  Confirmed by Senate........................................................................ 53

GESTRIN, TERRY
Appointment, Member: State Insurance Fund Board
  Appointed by Governor/to Commerce and Human Resources (Feb. 1)......................... 45
  Committee Report........................................................................ 100
  Confirmed by Senate....................................................................... 108

GIER, GLEN R.
Appointment, Member: State Soil and Water Conservation Commission
  Appointed by Governor/to Agricultural Affairs (Jan. 14)..................................... 16
  Committee Report........................................................................ 77
  Confirmed by Senate....................................................................... 95

GIFTS
See CONTRIBUTIONS

GOLD
See PRECIOUS METALS

GOVERNMENT
Agency fee rules approved, except ISP and Health and Welfare .................................. SCR 153 231 261
Agency rules, continue in full force and effect.......................................................... H 639 278 282
Agency temporary rules approved and extended........................................................... SCR 154 232 261
Amendments to Administrative Rules, requirement.................................................... S 1360 127 190
Budget Stabilization Fund, transfer provisions............................................................ S 1331 89 -
Civics test, applicability to special education pupils................................................... S 1336 90 144
Civics test, include Idaho specific questions............................................................... HCR 50 170 -
Executive sessions, when authorized........................................................................... S 1335 90 -
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage.................................................... HCR 57 216 241
Idaho Rural Development Partnership Act, revised.................................................... H 417 79 180
GOVERNMENT (Continued)

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative response to administrative rules</td>
<td>HJR 5</td>
<td>201</td>
</tr>
<tr>
<td>Lobbyists, reports by certain state entities</td>
<td>H 497</td>
<td>136/234</td>
</tr>
<tr>
<td>Mitigating bias, contested cases, legislative study</td>
<td>SCR 151</td>
<td>178</td>
</tr>
<tr>
<td>Public Education Stabilization Fund, provisions</td>
<td>S 1331</td>
<td>89</td>
</tr>
<tr>
<td>Public Employee Retirement System of Idaho, appropriation</td>
<td>S 1363</td>
<td>135</td>
</tr>
<tr>
<td>Public procurement, legislative study committee</td>
<td>HCR 48</td>
<td>170</td>
</tr>
<tr>
<td>Regulatory takings, request by owner for analysis</td>
<td>S 1325</td>
<td>83</td>
</tr>
<tr>
<td>State Procurement Act</td>
<td>H 538</td>
<td>170</td>
</tr>
<tr>
<td>State educational agency employees, sick leave transfer</td>
<td>H 452</td>
<td>105/172</td>
</tr>
<tr>
<td>State employee group insurance plan, legislative study</td>
<td>HCR 61</td>
<td>277</td>
</tr>
<tr>
<td>State employee health savings account, employer portion</td>
<td>S 1319</td>
<td>82</td>
</tr>
<tr>
<td>State employee health savings account, employer portion</td>
<td>S 1346</td>
<td>104</td>
</tr>
<tr>
<td>State personnel, add to list of nonclassified employees</td>
<td>S 1202</td>
<td>27</td>
</tr>
<tr>
<td>State vehicles, marking and identification exemptions</td>
<td>S 1254</td>
<td>57</td>
</tr>
<tr>
<td>State vehicles, marking and identification exemptions</td>
<td>S 1329</td>
<td>89</td>
</tr>
<tr>
<td>Urban renewal, provisions, requirements, reporting</td>
<td>H 606</td>
<td>257/269/274</td>
</tr>
<tr>
<td>Watershed Improvement Districts, dissolution</td>
<td>H 569</td>
<td>201</td>
</tr>
</tbody>
</table>

GOVERNOR

Appointments: See GUBERNATORIAL APPOINTMENTS

Acting Senator: See ACTING SENATOR

Emergency Fund, Letter from Governor | 10 |

Governor's State of the State and Budget Address | 4 |

Law without Signature:

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1367</td>
<td>249</td>
<td></td>
</tr>
<tr>
<td>S 1238</td>
<td>265</td>
<td></td>
</tr>
<tr>
<td>S 1411</td>
<td></td>
<td>288</td>
</tr>
</tbody>
</table>

Letter from Governor:

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1389</td>
<td></td>
<td>285</td>
</tr>
</tbody>
</table>

Veto Message:

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1342, as amended</td>
<td></td>
<td>288</td>
</tr>
</tbody>
</table>

Executive Office of, appropriation | H 611 | 229 | 255 |

Governor's wildlife partnership tags, annual issuance | S 1236 | 50 | - |

Joint session, message from the Governor | HCR 27 | 3 | 4 |

Office of, appropriation, Financial Management Division | H 610 | 229 | 254 |

Office of, appropriation, Drug Policy Office | H 550 | 156 | 221 |

Office of, appropriation, Energy Resources | H 551 | 156 | 221 |

Office of, appropriation, Human Resources Division | S 1367 | 136 | 157 |

Office of, appropriation, Military Division | S 1369 | 136 | 158 |

Office of, appropriation, STEM Action Center | S 1425 | 238 | 256 |

Office of, appropriation, STEM Action Center, add'l | S 1429 | 265 | 273 |

Office of, appropriation, Species Conservation Office | H 564 | 177 | 223 |

Office of, appropriation, State Liquor Division | S 1366 | 136 | 157 |

Wolf Control Fund, appropriation | S 1414 | 222 | 252 |

GRAIN

Wheat Commission rules rejected | HCR 49 | 170 | 193 |

GRANTS

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broadband Infrastructure Improvement Grant Fund</td>
<td>S 1333</td>
<td>89</td>
</tr>
<tr>
<td>Health grant program for medically underserved</td>
<td>H 644</td>
<td>269/273</td>
</tr>
</tbody>
</table>

GRAPEs

Tax on production of wine/certain grapes | H 456 | 112 | 197 |

GUARDIANS AND CONSERVATORS

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compromise claim of minor, petition, priority, approval</td>
<td>H 558</td>
<td>170</td>
</tr>
<tr>
<td>Delegation of power over minor, nonprofit assistance</td>
<td>H 573</td>
<td>201</td>
</tr>
<tr>
<td>Delegation of power over minor/developmentally disabled</td>
<td>S 1375</td>
<td>139</td>
</tr>
<tr>
<td>Foster care/conservators/guardians, legislative study</td>
<td>HCR 59</td>
<td>258</td>
</tr>
<tr>
<td>Guardians of minors, modification and termination</td>
<td>S 1352</td>
<td>111</td>
</tr>
<tr>
<td>Juvenile proceedings, adoption, placement</td>
<td>H 556</td>
<td>170/242</td>
</tr>
<tr>
<td>Minors, inter vivos nomination appointment of guardian</td>
<td>S 1374</td>
<td>139</td>
</tr>
<tr>
<td>GUBERNATORIAL APPOINTMENTS</td>
<td>Bill Number</td>
<td>Intro. Page</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>-------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Administrator of the Division of Human Resources</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buxton, Susan Elizabeth: Appointment, Administrator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Commerce and Human Resources (Feb. 19)</td>
<td>103</td>
<td>141</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aeronautics Advisory Board</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scott, Daniel: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Transportation (Feb. 11)</td>
<td>77</td>
<td>100</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bingo-Raffle Advisory Board</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anderson, Rayelle: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to State Affairs (Jan. 26)</td>
<td>35</td>
<td>76</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Environmental Quality</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boling, Kevin C.: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 13)</td>
<td>13</td>
<td>143</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MacMillan, John Randolph: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 13)</td>
<td>13</td>
<td>143</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purdy, L.N., Nick; Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Health and Welfare (Jan. 13)</td>
<td>13</td>
<td>143</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Tax Appeals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heinrich, Leland G.: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Local Government and Taxation (Jan. 14)</td>
<td>17</td>
<td>53</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kinghorn, David E.: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Local Government and Taxation (Jan. 15)</td>
<td>19</td>
<td>52</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pike, Linda: Appointment, Member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Local Government and Taxation (Jan. 15)</td>
<td>19</td>
<td>53</td>
</tr>
<tr>
<td>Committee Report...............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate.............................................</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commission for the Blind and Visually Impaired</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payne, Sue A.: Appointment, Member</td>
<td></td>
<td></td>
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<td>Appointed by Governor/to Judiciary and Rules (Feb. 5)</td>
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<td>Gubernatorial Appointments (Continued)</td>
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<td>152</td>
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<td>Matthews, Mike H.: Appointment, Member</td>
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<td>Appointed by Governor/to Judiciary and Rules (Jan. 27)</td>
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<td>Committee Report</td>
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<td>96</td>
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<td>Appointed by Governor/to State Affairs (Jan. 15)</td>
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<td>44</td>
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<td>53</td>
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</tr>
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<td>Appointed by Governor/to Commerce and Human Resources (Jan. 20)</td>
<td>27</td>
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<tr>
<td>Committee Report</td>
<td>52</td>
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</tr>
<tr>
<td>Confirmed by Senate</td>
<td>57</td>
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<td>Director of the Department of Environmental Quality</td>
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<td>Tippets, John H.: Appointment, Director</td>
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<td>Appointed by Governor/to Health and Welfare (Jan. 15)</td>
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<td>Committee Report</td>
<td>143</td>
<td></td>
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<tr>
<td>Confirmed by Senate</td>
<td>153</td>
<td></td>
</tr>
<tr>
<td>Director of the Department of Insurance</td>
<td></td>
<td></td>
</tr>
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<td>Cameron, Dean L.: Appointment, Director</td>
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<td>Appointed by Governor/to Commerce and Human Resources (Jan. 15)</td>
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<td>Appointed by Governor/to Health and Welfare (Jan. 14)</td>
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<td>Committee Report</td>
<td>181</td>
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<td>Confirmed by Senate</td>
<td>194</td>
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</tr>
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<td>Idaho Commission on Human Rights</td>
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<td></td>
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<tr>
<td>Cravens, L. Daniel: Appointment, Member</td>
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</tr>
<tr>
<td>Appointed by Governor/to State Affairs (Mar. 8)</td>
<td>169</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>233</td>
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<tr>
<td>Confirmed by Senate</td>
<td>241</td>
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<td>McNeal, Joe B.: Appointment, Member</td>
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<td>Appointed by Governor/to State Affairs (Jan. 27)</td>
<td>37</td>
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<td>76</td>
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<td>Confirmed by Senate</td>
<td>108</td>
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<tr>
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<td></td>
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<td>37</td>
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<td>76</td>
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</tr>
<tr>
<td>Confirmed by Senate</td>
<td>95</td>
<td></td>
</tr>
<tr>
<td>Idaho Endowment Fund Investment Board</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anderson, Neil: Appointment, Member</td>
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<td>Appointed by Governor/to State Affairs (Jan. 13)</td>
<td>12</td>
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<td>Committee Report</td>
<td>67</td>
<td></td>
</tr>
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<td>Confirmed by Senate</td>
<td>72</td>
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<td>12</td>
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<td>72</td>
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<td>77</td>
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<td>122</td>
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</table>

GUBERNATORIAL APPOINTMENTS (Continued)

Idaho Energy Resources Authority
Mooney, Michael "Mike" Mark: Appointment, Member
  Appointed by Governor/to State Affairs (Feb. 24) ........................................ 122
  Committee Report ................................................................. 135
  Confirmed by Senate .............................................................. 152

Idaho Fish and Game Commission
Attebury, Derick Eldon: Appointment, Member
  Appointed by Governor/to Resources and Environment (Jan. 14) ................. 15
  Committee Report ................................................................. 49
  Confirmed by Senate .............................................................. 53
Blanco, Daniel A.: Appointment, Member
  Appointed by Governor/to Resources and Environment (Jan. 14) ................. 15
  Committee Report ................................................................. 49
  Confirmed by Senate .............................................................. 53

Idaho Health Insurance Exchange Board
Fullerson, Janice E.: Appointment, Member
  Appointed by Governor/to Commerce and Human Resources (Jan. 15) .......... 18
  Committee Report ................................................................. 60
  Confirmed by Senate .............................................................. 66

Idaho Judicial Council
Larsen, Reed W.: Appointment, Member
  Appointed by Idaho State Bar/to Judiciary and Rules (Jan. 13) ............. 195
  Committee Report ................................................................. 201
  Confirmed by Senate ..............................................................
Reberger, J. Philip: Appointment, Member
  Appointed by Governor/to Judiciary and Rules (Jan. 14) ....................... 16
  Committee Report ................................................................. 126
  Confirmed by Senate .............................................................. 152

Idaho Lottery Commission
Brackeusch, Grant A.: Appointment, Member
  Appointed by Governor/to State Affairs (Mar. 15) ................................ 200
  Committee Report ................................................................. 233
  Confirmed by Senate .............................................................. 241

Idaho Outfitters and Guides Licensing Board
Stark, Louise D.: Appointment, Member
  Appointed by Governor/to Resources and Environment (Jan. 14) ............. 16
  Committee Report ................................................................. 49
  Confirmed by Senate .............................................................. 53

Idaho State Racing Commission
Schneider, Paul J.: Appointment, Member
  Appointed by Governor/to State Affairs (Mar. 3) ................................ 148
  Committee Report ................................................................. 228
  Confirmed by Senate .............................................................. 241

Idaho Transportation Board
Vassar, Janice B.: Appointment, Member
  Appointed by Governor/to Transportation (Feb. 11) ............................ 77
  Committee Report ................................................................. 141
  Confirmed by Senate .............................................................. 152

Lake Pend Oreille Basin Commission
Elsaesser, Ford: Appointment, Member
  Appointed by Governor/to Resources and Environment (Jan. 14) ............. 15
  Committee Report ................................................................. 215
  Confirmed by Senate .............................................................. 226
Mitchell, Linda: Appointment, Member
  Appointed by Governor/to Resources and Environment (Jan. 14) ............. 15
  Committee Report ................................................................. 215
  Confirmed by Senate .............................................................. 226
<table>
<thead>
<tr>
<th>GUBERNATORIAL APPOINTMENTS (Continued)</th>
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</thead>
<tbody>
<tr>
<td>Northwest Power and Conservation Council</td>
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<td>Booth, William B.: Appointment, Member</td>
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<th>Public Employee Retirement System of Idaho Board</th>
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<td>Appointed by Governor/to Judiciary and Rules (Feb. 1)</td>
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<td>Committee Report</td>
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<th>State Board of Correction</th>
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<td>Wilson, Cindy P.: Appointment, Member</td>
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<td>Committee Report</td>
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<td>Atchley, Emma Lou: Appointment, Member</td>
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<tr>
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<td>Committee Report</td>
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<td>Confirmed by Senate</td>
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</table>
GUBERNATORIAL APPOINTMENTS (Continued)

Clark, Linda: Appointment, Member
   Appointed by Governor/to Education (Jan. 15)........................................ 19
   Committee Report......................................................................................... 71
   Confirmed by Senate...................................................................................... 77

State Building Authority
Enderud, Shelly Jo: Appointment, Member
   Appointed by Governor/to State Affairs (Mar. 1)........................................ 138
   Committee Report......................................................................................... 233
   Confirmed by Senate...................................................................................... 241

Tracy, Bud: Appointment, Member
   Appointed by Governor/to State Affairs (Mar. 1)........................................ 138
   Committee Report......................................................................................... 233
   Confirmed by Senate...................................................................................... 241

State Insurance Fund Board
Gestrin, Terry: Appointment, Member
   Appointed by Governor/to Commerce and Human Resources (Feb. 1).......... 45
   Committee Report......................................................................................... 100
   Confirmed by Senate...................................................................................... 108

Lakey, Todd: Appointment, Member
   Appointed by Governor/to Commerce and Human Resources (Jan. 15)...... 18
   Committee Report......................................................................................... 60
   Confirmed by Senate...................................................................................... 66

State Soil and Water Conservation Commission
Gier, Glen R.: Appointment, Member
   Appointed by Governor/to Agricultural Affairs (Jan. 14)............................ 16
   Committee Report......................................................................................... 77
   Confirmed by Senate...................................................................................... 95

GUNS
See WEAPONS

- H -

HANDICAPPED
See DISABLED

HARRIS, MARK R.
   Appointment Letter, January 11, 2016.......................................................... 3

HAZARDOUS SUBSTANCES
   Allow INL research quantities of spent fuel, urge AG.................................. HCR 60 269 283

HAZARDOUS WASTE FACILITY SITING LICENSE APPLICATION REVIEW PANEL
   Kunze, Jay: Appointment, Member
      Appointed by Governor/to Health and Welfare (Jan. 14)......................... 15
      Committee Report....................................................................................... 181
      Confirmed by Senate.................................................................................. 194

HEALTH
   Abortion, ultrasound availability information............................................. H 516 143 219
   Catastrophic Health Care Cost Fund, appropriation...................................... S 1393 163 185
   Catastrophic Health Care Cost Fund, appropriation, revised....................... S 1201 27 39
   Catastrophic health care, reimbursement to County Commission............... S 1211 32 63
   Community water fluoridation, great health achievement.......................... HCR 34 87 149
   Complete Medicaid waiver application, legislative committee..................... HCR 63 269 -
   Education Board, University of Idaho, appropriation, health education......... S 1399 189 210
   Health Care Task Force, remove reference................................................... H 375 74 174
   Health grant program for medically underserved........................................ H 644 269/273 276
   Insulin and blood glucose supplies, district policy........................................ S 1330 89 145
   Medicaid, expand eligibility to certain persons............................................ S 1204 31 -
   Medical assistance, benchmark plan, eligibility.......................................... S 1205 31 -
   Millennium Income Fund, appropriation, tobacco/drug programs................ S 1410 204 236
<table>
<thead>
<tr>
<th>HEALTH (Continued)</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
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<tbody>
<tr>
<td>Nurses, practice of nursing defined</td>
<td>S 1252</td>
<td>54</td>
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<tr>
<td>Nurses, practice of nursing defined</td>
<td>S 1382</td>
<td>150</td>
<td>196</td>
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<tr>
<td>Patient Freedom of Information Act, certain information</td>
<td>H 341</td>
<td>51</td>
<td>180</td>
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<tr>
<td>Public Health Trust Fund, appropriation</td>
<td>H 549</td>
<td>156</td>
<td>220</td>
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<tr>
<td>State employee group insurance plan, legislative study</td>
<td>HCR 61</td>
<td>277</td>
<td>277</td>
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<tr>
<td>State employee health savings account, employer portion</td>
<td>S 1319</td>
<td>82</td>
<td>-</td>
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<tr>
<td>State employee health savings account, employer portion</td>
<td>S 1346</td>
<td>104</td>
<td>144</td>
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<tr>
<td>Workers compensation, firefighter occupational diseases</td>
<td>H 554</td>
<td>194</td>
<td>222</td>
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<tr>
<td>Youth athletes, permission, post-concussion protocol</td>
<td>H 557</td>
<td>201</td>
<td>237</td>
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<td>HEALTH AND WELFARE DEPARTMENT</td>
<td></td>
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<td>Appropriation, Domestic Violence Council, add'l</td>
<td>S 1206</td>
<td>31</td>
<td>41</td>
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<td>Appropriation, Medicaid</td>
<td>S 1391</td>
<td>163</td>
<td>185</td>
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<td>S 1271</td>
<td>64</td>
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<td>Appropriation, State Hospital South, add'l</td>
<td>S 1207</td>
<td>31</td>
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<td>Appropriation, Welfare Division</td>
<td>H 574</td>
<td>194</td>
<td>231</td>
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<tr>
<td>Appropriation, child welfare, developmentally disabled</td>
<td>S 1403</td>
<td>189</td>
<td>210</td>
</tr>
<tr>
<td>Appropriation, health care policy initiatives, add'l</td>
<td>H 650</td>
<td>283</td>
<td>284</td>
</tr>
<tr>
<td>Appropriation, health care policy initiatives, add'l</td>
<td>S 1270</td>
<td>64</td>
<td>100</td>
</tr>
<tr>
<td>Appropriation, independent councils/indirect support/license</td>
<td>S 1413</td>
<td>205</td>
<td>236</td>
</tr>
<tr>
<td>Appropriation, mental health, substance abuse</td>
<td>H 579</td>
<td>189</td>
<td>224</td>
</tr>
<tr>
<td>Appropriation, public health services</td>
<td>H 566</td>
<td>194</td>
<td>224</td>
</tr>
<tr>
<td>Background checks, no federal pilot program</td>
<td>S 1296</td>
<td>74</td>
<td>133</td>
</tr>
<tr>
<td>Child Protective Act, revise certain requirements</td>
<td>S 1328</td>
<td>89/163</td>
<td>184</td>
</tr>
<tr>
<td>Department, duties include suicide prevention services</td>
<td>S 1326</td>
<td>87</td>
<td>146</td>
</tr>
<tr>
<td>Foster care/conservators/guardians, legislative study</td>
<td>HCR 59</td>
<td>258</td>
<td>264</td>
</tr>
<tr>
<td>Health Care Task Force, remove reference</td>
<td>H 375</td>
<td>74</td>
<td>174</td>
</tr>
<tr>
<td>Health and Welfare plan for behavioral health services, request report</td>
<td>HCR 54</td>
<td>216</td>
<td>-</td>
</tr>
<tr>
<td>Health grant program for medically underserved</td>
<td>H 644</td>
<td>269/273</td>
<td>276</td>
</tr>
<tr>
<td>Legislative reporting requirements, foster care program</td>
<td>H 523</td>
<td>156</td>
<td>214</td>
</tr>
<tr>
<td>Mental disease institution, Medicaid reimbursement</td>
<td>H 500</td>
<td>140</td>
<td>199</td>
</tr>
<tr>
<td>Public Health Trust Fund, appropriation</td>
<td>H 549</td>
<td>156</td>
<td>220</td>
</tr>
<tr>
<td>HEALTH CARE FACILITIES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Epinephrine auto-injectors, prescribing provisions</td>
<td>S 1322</td>
<td>83/260</td>
<td>145/267</td>
</tr>
<tr>
<td>Idaho Unborn Infants Dignity Act</td>
<td>S 1349</td>
<td>104</td>
<td>-</td>
</tr>
<tr>
<td>Idaho Unborn Infants Dignity Act</td>
<td>S 1404</td>
<td>194/233</td>
<td>252</td>
</tr>
<tr>
<td>Legend Drug Donation Act, expanded qualifications</td>
<td>H 373</td>
<td>65</td>
<td>173</td>
</tr>
<tr>
<td>Legend drugs, who may possess</td>
<td>H 338</td>
<td>59</td>
<td>166</td>
</tr>
<tr>
<td>Sexual assault evidence kits, testing/duties/procedures</td>
<td>H 528</td>
<td>150</td>
<td>202</td>
</tr>
<tr>
<td>Unborn Child Protection from Dismemberment Abortion Act</td>
<td>S 1386</td>
<td>156</td>
<td>-</td>
</tr>
<tr>
<td>HEATING AND COOLING</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board, Heating, Ventilation and Air Conditioning, membership</td>
<td>H 482</td>
<td>143</td>
<td>213</td>
</tr>
<tr>
<td>HEINRICH, LELAND G.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointment, Member: Board of Tax Appeals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Local Government and Taxation (Jan. 14)</td>
<td>17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td>53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td>57</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HIGHWAYS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highway Distribution Account, apportionment revised</td>
<td>S 1230</td>
<td>42</td>
<td>88</td>
</tr>
<tr>
<td>Highway Distribution Account, apportionment/hybrid fee</td>
<td>H 624</td>
<td>283</td>
<td>-</td>
</tr>
<tr>
<td>Highway transportation, bonding for certain project</td>
<td>S 1263</td>
<td>61</td>
<td>99</td>
</tr>
<tr>
<td>Interstates in Idaho, classification based on purpose</td>
<td>S 1229</td>
<td>42</td>
<td>62</td>
</tr>
<tr>
<td>Local Highway Distribution Fund, transfers to fund</td>
<td>H 626</td>
<td>257</td>
<td>272</td>
</tr>
<tr>
<td>Off-road vehicles, when permitted on highways</td>
<td>H 553</td>
<td>189</td>
<td>220</td>
</tr>
<tr>
<td>Review of highway decision, request nonresident judge</td>
<td>H 536</td>
<td>189</td>
<td>220</td>
</tr>
<tr>
<td>Tax deeds, clarification of the term &quot;encumbrances&quot;</td>
<td>S 1348</td>
<td>104</td>
<td>-</td>
</tr>
<tr>
<td>Tax deeds, nonapplication, municipality easements</td>
<td>S 1388</td>
<td>163/194</td>
<td>209</td>
</tr>
<tr>
<td>Taxing Districts, budgeting forgone increases</td>
<td>H 474</td>
<td>99</td>
<td>174</td>
</tr>
<tr>
<td>HILL, JAMES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consul General of Canada Address, March 15, 2016</td>
<td></td>
<td></td>
<td>203</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Intro. Page</td>
<td>Vote Page</td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>-----------</td>
<td></td>
</tr>
</tbody>
</table>

**HISTORICAL SOCIETY**

City records, historical preservation, nonpaper mediums ........................................... H 443 170 214
Idaho State Historical Society, appropriation .............................................................. S 1407 204 235

**HISTORY**

Black History Month, February, commemorate in Idaho .................................................. SCR 133 29 50
Civics test, applicability to special education pupils ................................................... S 1336 90 144
Civics test, include Idaho specific questions ............................................................... HCR 50 170 -
Idaho day, revise date if March 4th falls on weekend .................................................. H 436 69 199
National Women's History Month, recognized .................................................................. SCR 147 110 127

**HOLIDAYS AND DAYS**

125th anniversary, Hecla Mining Company, congratulate .................................................. SCR 148 121 148
2016 U.S. Capitol Christmas tree, Idaho participation ...................................................... HCR 46 156 226
Black History Month, February, commemorate in Idaho .................................................... SCR 133 29 50
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage .......................................................... HCR 57 216 241
Idaho day, revise date if March 4th falls on weekend ...................................................... H 436 69 199
Music In Our Schools Month, observance in March ......................................................... HCR 31 69 108
National Apprenticeship Week, recognize .......................................................................... HCR 36 93 152
National Day of the Cowboy, declared ............................................................................. HCR 38 150 226
National Women's History Month, recognized .................................................................. SCR 147 110 127
Purple Heart Day, State of Idaho, designate ...................................................................... SCR 146 86 108
Social Work Recognition Month, March 2016, support .................................................... HCR 47 143 170
Statue of Liberty, commemorating 130th anniversary ....................................................... HCR 29 87 170
Year of Idaho Military Families, observe in 2016 ............................................................... HCR 28 131 170

**HOMELAND SECURITY**

Federal REAL ID Act, implement certain provisions ............................................................ H 513 170/190 205
Homeland Security to Office of Emergency Management ................................................ H 355 87 186

**HOMES AND HOUSING**

Factory Built Structures Advisory Board ........................................................................ H 371 65/216 230
Foreclosure, trustee sale, nontitled personal property ....................................................... S 1315 82/172/182 196
Homeowner associations, prohibited conduct ................................................................... H 511 136 203
Homeowner associations, when legal fees/costs allowed .................................................. S 1317 82/221 230
Homeowner's exemption, $100K, no inflation adjuster .................................................... H 431 74 174
Homeowner's exemption, $100K, no inflation adjuster, trailer ........................................ H 634 269 -
Manufactured home residency, reference to park model .................................................. S 1194 20 -
Tax deed sale proceeds, unclaimed property ...................................................................... S 1347 104/164 179

**HOMOSEXUALITY**

Sexual orientation/gender identity, no discrimination ....................................................... S 1196 23 -

**HONORS AND AWARDS**

Honoring Idaho author Anthony Doerr for his work ....................................................... HCR 30 87 127
Matt Paradis, Denver Broncos, Super Bowl Championship ............................................. HCR 42 96 127

**HORSE RACING**

See RACING

**HOSPITALS**

Hospital Districts, board may appoint certain members .................................................. H 533 170 214
Idaho Unborn Infants Dignity Act ....................................................................................... S 1349 104 -
Idaho Unborn Infants Dignity Act ....................................................................................... S 1404 194/233 252
Unborn Child Protection from Dismemberment Abortion Act ......................................... S 1386 156 -

**HOUSE OF REPRESENTATIVES**

See also LEGISLATURE

**HUMAN RESOURCES DIVISION**

Appropriation ..................................................................................................................... S 1367 136 157
State personnel, add to list of nonclassified employees ................................................... S 1202 27 63

**HUNTING**

See FISH AND GAME

**HYDROPOWER**

Columbia River Treaty, urge continuance ........................................................................ SJM 106 134 152
Water diversion, incidental hydropower use, conditions ................................................ S 1278 68 133
IDAHO CODE
See CODES

IDAHO COMMISSION ON HUMAN RIGHTS
Cravens, L. Daniel: Appointment, Member
  Appointed by Governor/to State Affairs (Mar. 8)............................................. 169
  Committee Report................................................................................................. 233
  Confirmed by Senate.............................................................................................. 241
McNeal, Joe B.: Appointment, Member
  Appointed by Governor/to State Affairs (Jan. 27)............................................... 37
  Committee Report................................................................................................. 76
  Confirmed by Senate.............................................................................................. 108
Settles, Kevin Coyne: Appointment, Member
  Appointed by Governor/to State Affairs (Jan. 27)............................................... 37
  Committee Report................................................................................................. 76
  Confirmed by Senate.............................................................................................. 95

IDAHO DAY
  Committee: Senator Burgoyne, Chairman, and Senators Den Hartog and Anthon
  Idaho Day Service: March 4, 2016................................................................. 158
  Opening Remarks: Senator Den Hartog......................................................... 158
  Silver Trail Elementary, 4th Graders:
    "Fifty Nifty United States"................................................................................ 158
    "Here We Have Idaho"...................................................................................... 158
    "Everyday Heroes"............................................................................................. 158
  Closing Remarks: Senators Anthon and Den Hartog...................................... 158

IDAHO ENDOWMENT FUND INVESTMENT BOARD
Anderson, Neil: Appointment, Member
  Appointed by Governor/to State Affairs (Jan. 13)............................................. 12
  Committee Report................................................................................................. 67
  Confirmed by Senate.............................................................................................. 72
Buffington, M. Dean: Appointment, Member
  Appointed by Governor/to State Affairs (Jan. 13)............................................. 12
  Committee Report................................................................................................. 67
  Confirmed by Senate.............................................................................................. 72
Winder, Charles L.: Appointment, Member
  Appointed by Governor/to State Affairs (Jan. 13)............................................. 12
  Committee Report................................................................................................. 67
  Confirmed by Senate.............................................................................................. 77

IDAHO ENERGY RESOURCES AUTHORITY
Mooney, Michael "Mike" Mark: Appointment, Member
  Appointed by Governor/to State Affairs (Feb. 24)............................................. 122
  Committee Report................................................................................................. 135
  Confirmed by Senate.............................................................................................. 152

IDAHO FISH AND GAME COMMISSION
Attebury, Derick Eldon: Appointment, Member
  Appointed by Governor/to Resources and Environment (Jan. 14)...................... 15
  Committee Report................................................................................................. 49
  Confirmed by Senate.............................................................................................. 53
Blanco, Daniel A.: Appointment, Member
  Appointed by Governor/to Resources and Environment (Jan. 14)...................... 15
  Committee Report................................................................................................. 49
  Confirmed by Senate.............................................................................................. 53

IDAHO HEALTH INSURANCE EXCHANGE BOARD
Fulkerson, Janice E.: Appointment, Member
  Appointed by Governor/to Commerce and Human Resources (Jan. 15).............. 18
  Committee Report................................................................................................. 60
  Confirmed by Senate.............................................................................................. 66
IDAHO JUDICIAL COUNCIL
Larsen, Reed W.: Appointment, Member
   Appointed by Idaho State Bar/to Judiciary and Rules (Jan. 13)........................................ 195
   Committee Report.................................................................................................................. 201
   Confirmed by Senate.............................................................................................................. 201
Reberger, J. Philip: Appointment, Member
   Appointed by Governor/to Judiciary and Rules (Jan. 14).................................................. 16
   Committee Report.................................................................................................................. 126
   Confirmed by Senate.............................................................................................................. 152

IDAHO LOTTERY COMMISSION
Brackebusch, Grant A.: Appointment, Member
   Appointed by Governor/to State Affairs (Mar. 15)......................................................... 200
   Committee Report.................................................................................................................. 233
   Confirmed by Senate.............................................................................................................. 241

IDAHO OUTFITTERS AND GUIDES LICENSING BOARD
Stark, Louise D.: Appointment, Member
   Appointed by Governor/to Resources and Environment (Jan. 14)................................. 16
   Committee Report.................................................................................................................. 49
   Confirmed by Senate.............................................................................................................. 53

IDAHO STATE RACING COMMISSION
Schneider, Paul J.: Appointment, Member
   Appointed by Governor/to State Affairs (Mar. 3)............................................................... 148
   Committee Report.................................................................................................................. 228
   Confirmed by Senate.............................................................................................................. 241

IDAHO TRANSPORTATION BOARD
Vassar, Janice B.: Appointment, Member
   Appointed by Governor/to Transportation (Feb. 11)....................................................... 77
   Committee Report.................................................................................................................. 141
   Confirmed by Senate.............................................................................................................. 152

IDENTITY AND NAMES
   Electronic voter registration for persons with DMV IDs............................................. S 1297 74/114/129/283 145/284
   Federal REAL ID Act, implement certain provisions.................................................... H 513 170/190 205
   Identification, additional forms allowed at polls............................................................ H 604 257 -

IMMUNITY
   See LIABILITY

IMMUNIZATION
   Pharmacists, prescribe immunizations to age 6 and older.............................................. S 1294 73 120

INCOME TAX
   See TAX AND TAXATION, INCOME

INDIANS
   See NATIVE AMERICANS

INDIGENTS
   See PUBLIC ASSISTANCE

INDUSTRIAL COMMISSION
   Appropriation.................................................................................................................... S 1380 150 179
   PUC/Tax/Industrial commissioner salary increase......................................................... H 575 189 223
   Workers compensation, firefighter occupational diseases............................................ H 554 194 222

INDUSTRY
   125th anniversary, Hecla Mining Company, congratulate........................................ SCR 148 121 148
   STEM Action Center Board, provisions........................................................................ S 1249 54 101

INFRASTRUCTURE
   Public records exemption, critical infrastructure....................................................... H 447 99/151 165

INSECTS
   Compensation for damage to bees/beehives by bears............................................. S 1340 91 128

INSPECTIONS AND INSPECTORS
   Dried diesel fuel, vehicles subject to inspection......................................................... S 1310 81 -
   Invasive species, mussels, citations, inspection............................................................... S 1355 123 -

INSURANCE
   Department, appropriation............................................................................................... S 1381 150 179
   Domestic insurer, exception to certain requirements..................................................... H 440 87 180
**SENATE INDEX**

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
</table>

**INSURANCE (Continued)**

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firefighters, certain occupational diseases</td>
<td>H 554</td>
<td>194</td>
<td>222</td>
</tr>
<tr>
<td>Insurance policies, valuation/nonforfeiture standards</td>
<td>H 432</td>
<td>83</td>
<td>173</td>
</tr>
<tr>
<td>Insurance producer, cause to suspend/revoke license</td>
<td>S 1345</td>
<td>104</td>
<td>144</td>
</tr>
<tr>
<td>Life insurance lapse/termination insurance protection</td>
<td>S 1316</td>
<td>82</td>
<td>-</td>
</tr>
<tr>
<td>Limited Lines Travel Insurance Act</td>
<td>S 1384</td>
<td>156</td>
<td>-</td>
</tr>
<tr>
<td>Motor vehicle financial responsibility, increased fines</td>
<td>S 1256</td>
<td>58/128/150</td>
<td>164</td>
</tr>
<tr>
<td>Motor vehicle online verification system, alternative</td>
<td>S 1283</td>
<td>72</td>
<td>112</td>
</tr>
<tr>
<td>Motor vehicles, proof of financial responsibility</td>
<td>S 1385</td>
<td>156</td>
<td>-</td>
</tr>
<tr>
<td>Premium tax, portion to high risk reinsurance pool</td>
<td>S 1265</td>
<td>62/260</td>
<td>124/268</td>
</tr>
<tr>
<td>Producer licensing, nonresidents and after revocation</td>
<td>S 1221</td>
<td>39</td>
<td>112</td>
</tr>
<tr>
<td>State employee group insurance plan, legislative study</td>
<td>HCR 61</td>
<td>277</td>
<td>277</td>
</tr>
<tr>
<td>Unfair practices by insurers, auto body repair</td>
<td>S 1313</td>
<td>82</td>
<td>-</td>
</tr>
<tr>
<td>Workers compensation insurance, security instruments</td>
<td>H 501</td>
<td>150</td>
<td>213</td>
</tr>
</tbody>
</table>

**INTERNATIONAL RELATIONS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia River Treaty, urge continuance</td>
<td>SJM 106</td>
<td>134</td>
<td>152</td>
</tr>
<tr>
<td>Global Entrepreneurial Mission Program, provisions</td>
<td>H 377</td>
<td>65</td>
<td>174</td>
</tr>
</tbody>
</table>

**INTERNET**

See ELECTRONIC TECHNOLOGY

**INTERSTATE COMPACTS**

See MULTISTATE COMPACTS AND AGREEMENTS

**INVESTMENTS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cattle/horses/livestock, capital gains tax deduction</td>
<td>H 535</td>
<td>156</td>
<td>206</td>
</tr>
<tr>
<td>College savings accounts, unclaimed, responsibilities for</td>
<td>H 428</td>
<td>79</td>
<td>167</td>
</tr>
<tr>
<td>Endowment and other fund investments by State Treasurer</td>
<td>H 464</td>
<td>123</td>
<td>199</td>
</tr>
<tr>
<td>Environmental Protection Trust Fund, uses, investment</td>
<td>S 1296</td>
<td>62</td>
<td>146</td>
</tr>
<tr>
<td>Opportunity scholarship program, funds investment</td>
<td>S 1208</td>
<td>31</td>
<td>63</td>
</tr>
</tbody>
</table>

**IRRIGATION**

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>District assessments, delinquency dates clarified</td>
<td>S 1241</td>
<td>51</td>
<td>132</td>
</tr>
<tr>
<td>District delinquent assessments, sale of rights to tax deed</td>
<td>S 1242</td>
<td>51</td>
<td>132</td>
</tr>
<tr>
<td>District, authority, contract to construct/deepen well</td>
<td>S 1243</td>
<td>51</td>
<td>-</td>
</tr>
<tr>
<td>District, hydroelectric plant construction, vote, when</td>
<td>S 1304</td>
<td>78</td>
<td>133</td>
</tr>
<tr>
<td>Eastern Snake Plain Aquifer agreement, support</td>
<td>SCR 138</td>
<td>75</td>
<td>93</td>
</tr>
<tr>
<td>Eastern Snake Plain Aquifer recharge target</td>
<td>SCR 136</td>
<td>48</td>
<td>93</td>
</tr>
<tr>
<td>Ground Water District, assessments, indebtedness</td>
<td>S 1224</td>
<td>41</td>
<td>112</td>
</tr>
<tr>
<td>Ground Water District, certain assessments, indebtedness</td>
<td>S 1225</td>
<td>41</td>
<td>102</td>
</tr>
<tr>
<td>Ground Water District, petition/assessments, annexed lands</td>
<td>S 1222</td>
<td>40</td>
<td>101</td>
</tr>
<tr>
<td>Ground Water Districts, participation by nonmembers</td>
<td>S 1223</td>
<td>40</td>
<td>102</td>
</tr>
<tr>
<td>Ground water management plan, when not on time priority</td>
<td>H 595</td>
<td>201</td>
<td>248</td>
</tr>
<tr>
<td>Irrigation corporations, maximum administrative charge</td>
<td>S 1240</td>
<td>50</td>
<td>132</td>
</tr>
<tr>
<td>Water Resource Board, evaluate/manager aquifer shortage</td>
<td>SCR 137</td>
<td>48</td>
<td>93</td>
</tr>
<tr>
<td>Water diversion, incidental hydropower use, conditions</td>
<td>S 1278</td>
<td>68</td>
<td>133</td>
</tr>
</tbody>
</table>

---

**JAILS**

Bail enforcement agents, requirements, prohibitions                          | H 508       | 150         | -         |

**JOHNSTON, MICHAEL DAVID**

Appointment, Member: Sexual Offender Management Board
- Appointed by Governor/to Judiciary and Rules (Jan. 27)                       | 38          |
- Committee Report                                                           | 88          |
- Confirmed by Senate                                                        | 95          |

**JOINT SESSIONS**

Governor's State of the State and Budget Address, January 11, 2016           | 4           |

**JONES, CHIEF JUSTICE JIM**

State of the Judiciary Message, January 20, 2016                             | 24          |

**JUDGES**

District judges, salary set                                                  | S 1420      | 229         | 251       |

Review of highway decision, request nonresident judge                        | H 536       | 189         | 220       |
JUDGMENTS
Controlled substance, requirement for withheld judgment ........................................... H 429 87 197
Game animal, penalty for killing, possession, waste .................................................. S 1226 41 -
Renewal of judgment on liens, increase period of time ........................................... S 1362 127 161

JUDICIARY, STATE OF
Chief Justice Jim Jones, January 20, 2016 ................................................................... 24

JUVENILE CORRECTIONS
Alcohol violations, certain records expunged/sealed .................................................... H 495 123 202
Department, appropriation .............................................................................................. H 562 177 223
Department, appropriation, add'l .................................................................................. S 1233 45 62
Informal disposition of petition requirements ................................................................. S 1235 50 124
Sexual exploitation of child, electronically, penalties .................................................... H 555 177/216 230

- K -

KINGHORN, DAVID E.
Appointment, Member: Board of Tax Appeals
Appointed by Governor/to Local Government and Taxation (Jan. 15) ......................... 19
Committee Report ......................................................................................................... 52
Confirmed by Senate ..................................................................................................... 57

KUNZE, JAY
Appointment, Member: Hazardous Waste Facility Siting License Application Review Panel
Appointed by Governor/to Health and Welfare (Jan. 14) .............................................. 15
Committee Report ......................................................................................................... 181
Confirmed by Senate ..................................................................................................... 194

- L -

LABOR
See also EMPLOYERS AND EMPLOYEES
Department, appropriation .............................................................................................. S 1400 189 210
Department, appropriation, add'l .................................................................................. H 364 41 51
Employment security law, notice and appeal provisions ............................................... H 397 69 196
Industry Partner Fund, professional-technical colleges .................................................. S 1332 89/164 190
Labor of prisoners, community service projects ............................................................. S 1351 111 153
National Guard activation, re-employment rights .......................................................... H 473 123 186
Noncompete clause violation, key employee, breach .................................................... H 487 201 248
School employment contracts, remove state form approval ........................................ S 1248 54 109
State personnel, add to list of nonclassified employees ................................................ S 1202 27 63
Unemployment benefits, expanded claims notice provision ........................................ H 396 69 191
Unemployment, benefit formula, taxclassified employees .......................................... S 1202 27 63
Workers compensation, firefighter occupational diseases .......................................... H 554 194 222
Workforce Development Training Fund, transfer and uses ........................................ S 1288 73 142

LAKE PEND OREILLE BASIN COMMISSION
Elsaesser, Ford: Appointment, Member
Appointed by Governor/to Resources and Environment (Jan. 14) ............................. 15
Committee Report ......................................................................................................... 205
Confirmed by Senate ..................................................................................................... 226

Mitchell, Linda: Appointment, Member
Appointed by Governor/to Resources and Environment (Jan. 14) ............................. 15
Committee Report ......................................................................................................... 205
Confirmed by Senate ..................................................................................................... 226

LAKES
Submersible well pumps, approved locations ............................................................... H 643 277 281

LAKEY, TODD
Appointment, Member: State Insurance Fund Board
Appointed by Governor/to Commerce and Human Resources (Jan. 15) .................... 18
Committee Report ......................................................................................................... 60
Confirmed by Senate ..................................................................................................... 66
SENATE INDEX

LAND USE

Land use if no longer assessed as forest land .................................................. H 345 51 69

LANDS

Allow demonstration project on federal land, Congress .................................. HJM 14 257 -

Appliation if no longer assessed as forest land .............................................. H 345 51 69

Department, appropriation ................................................................................. H 640 277 279

Department, appropriation, Fire Suppression Deficiency Fund ........................ H 532 140 220

Department, appropriation, Fire Suppression Deficiency Fund, add'l ................ H 636 277 278

Department, appropriation, add'l ................................................................. H 646 278 281

Department, appropriation, add'l ................................................................... S 1200 27 36

Engineers and Surveyors Board to promulgate plat rules ......................... S 1284 72 -

Ground Water District, petition/assessments, annexed lands ................. S 1222 40 101

Idaho Geological Survey, records, use, availability ........................................ H 509 150 202

Idaho Multiple Use Sustained Yield Act .......................................................... H 582 226 -

Motorcycle Recreation Account funds, recreation easements ................. H 471 112 186

Oil well, Lands Department duties, track integration, appeals ................. S 1306 78 -

Oil well, Lands Department duties, track integration, appeals ................. S 1339 90 130

State or federal land, catastrophic public nuisance ....................................... S 1338 90 164

State trust land, oppose use based on exclusivity ........................................ HCR 53 229 -

LANDSCAPE ARCHITECTS

Board, revise provisions regarding membership ............................................. H 482 143 213

LARSEN, REED W.

Appointment, Member: Idaho Judicial Council.................................................. 195

Confirmed by Senate ...................................................................................... 201

LAW ENFORCEMENT

Bail enforcement agents, requirements, prohibitions ................................... H 508 150 -

College scholarship eligibility, funds investment ........................................... S 1208 31 63

Highway Distribution Account, apportionment revis ed .............................. S 1230 42 88

Highway Distribution Account, apportionment/hybrid fee ......................... H 624 283 -

Idaho peace officers, recognize, honor ......................................................... SCR 132 22 61

Local Highway Distribution Fund, transfers to fund ...................................... H 626 257 272

Parole violation hearing, nonviolent/nonsexual conduct ............................. S 1343 99 183

Protection orders, malicious harassment, stalking ........................................ S 1373 139 183

Sexual assault evidence kits, testing/duties/procedures ................................ H 528 150 202

LAW WITHOUT SIGNATURE

S 1367 ............................................................................................................ 249

S 1238 ............................................................................................................ 265

S 1411 ............................................................................................................ 288

LAWYERS

See ATTORNEYS

LEGISLATIVE COUNCIL

Legislative Services Office, appropriation .................................................... S 1411 205 236

LEGISLATIVE SERVICES

See LEGISLATIVE COUNCIL

LEGISLATURE

Amendments to Administrative Rules, requirement ....................................... S 1360 127 190

Auxiliary containers, regulation only by legislature ....................................... H 372 59 206

Complete Medicaid waiver application, legislative committee .................... HCR 63 269 -

Foster care/conservators/guardians, legislative study .................................... HCR 59 258 264

Health Care Task Force, remove reference ................................................... H 375 74 174

Health and Welfare, reporting requirements, foster care program ............ H 523 156 214

Income tax structure in Idaho, legislative study committee ......................... SCR 155 259 267

Joint Rule 18, statements of purpose, fiscal notes ......................................... SCR 142 85 -

Joint Rule 18, statements of purpose, fiscal notes ......................................... SCR 150 161 177

Joint Rule 20, transmittal of Joint Resolution ................................................ SCR 143 85 148

Joint Rule 21, certain recorded proceedings ................................................ SC 144 86 148

Joint session, message from the Governor ................................................... HCR 27 3 4

Legislative Legal Defense Fund, appropriation ............................................ S 1428 261 269
LEGISLATURE (Continued)

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative response to administrative rules</td>
<td>HJR 5</td>
<td>201</td>
</tr>
<tr>
<td>Legislative session for vetoed bills</td>
<td>SJR 101</td>
<td>44</td>
</tr>
<tr>
<td>Mitigating bias, contested cases, legislative study</td>
<td>SCR 151</td>
<td>178</td>
</tr>
<tr>
<td>Public procurement, legislative study committee</td>
<td>HCR 48</td>
<td>170</td>
</tr>
<tr>
<td>Public school funding formula, legislative study committee</td>
<td>HCR 33</td>
<td>99</td>
</tr>
<tr>
<td>Senate Rule 20, committee chair's decisions</td>
<td>SR 101</td>
<td>84</td>
</tr>
<tr>
<td>State employee group insurance plan, legislative study</td>
<td>HCR 61</td>
<td>277</td>
</tr>
</tbody>
</table>

LEVIES

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating property not in taxable value for making levy</td>
<td>H 359</td>
<td>54</td>
</tr>
<tr>
<td>Taxing Districts, formed by certain date to make levy</td>
<td>H 360</td>
<td>54</td>
</tr>
</tbody>
</table>

LIABILITY

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foster children, limitations on caregiver liability</td>
<td>S 1253</td>
<td>57</td>
</tr>
<tr>
<td>Motor vehicles, proof of financial responsibility</td>
<td>S 1385</td>
<td>156</td>
</tr>
<tr>
<td>Unfair practices by insurers, auto body repair</td>
<td>S 1313</td>
<td>82</td>
</tr>
</tbody>
</table>

LIBRARIES AND LIBRARIANS

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broadband Infrastructure Improvement Grant Fund</td>
<td>S 1333</td>
<td>89</td>
</tr>
<tr>
<td>Commission, appropriation</td>
<td>S 1392</td>
<td>163</td>
</tr>
<tr>
<td>Commission, appropriation, add'l</td>
<td>S 1429</td>
<td>265</td>
</tr>
<tr>
<td>Education Opportunity Resource Act</td>
<td>S 1334</td>
<td>90</td>
</tr>
<tr>
<td>Taxing Districts, budgeting forgone increases</td>
<td>H 474</td>
<td>99</td>
</tr>
</tbody>
</table>

LICENSE PLATES

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial vehicle license plates, same/new number</td>
<td>H 472</td>
<td>123</td>
</tr>
<tr>
<td>License plates, display provisions</td>
<td>S 1228</td>
<td>42</td>
</tr>
<tr>
<td>License plates, when only rear plate required</td>
<td>S 1282</td>
<td>72</td>
</tr>
<tr>
<td>Special, Idaho Friends of the Orofino High School Mascot</td>
<td>H 413</td>
<td>177</td>
</tr>
<tr>
<td>Special, veterans, when surviving spouse may obtain</td>
<td>H 385</td>
<td>69</td>
</tr>
</tbody>
</table>

LICENSES

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol beverage catering permit, two or more wineries</td>
<td>S 1356</td>
<td>123</td>
</tr>
<tr>
<td>Alcohol beverage catering permits, provisions</td>
<td>S 1354</td>
<td>123/261</td>
</tr>
<tr>
<td>Appraisal Management Company Registration/Regulation Act</td>
<td>S 1318</td>
<td>82</td>
</tr>
<tr>
<td>Bail enforcement agents, requirements, prohibitions</td>
<td>H 508</td>
<td>150</td>
</tr>
<tr>
<td>Barber college licensing, student qualifications</td>
<td>H 486</td>
<td>105</td>
</tr>
<tr>
<td>Concealed weapons law, repeal, add new section</td>
<td>S 1378</td>
<td>149</td>
</tr>
<tr>
<td>Concealed weapons, prohibited conduct</td>
<td>S 1389</td>
<td>163</td>
</tr>
<tr>
<td>Controlled hunt drawings, contract with private entity</td>
<td>S 1305</td>
<td>78</td>
</tr>
<tr>
<td>Controlled hunt drawings, contract with private entity</td>
<td>S 1344</td>
<td>104</td>
</tr>
<tr>
<td>Cosmetology license renewal/reinstatement</td>
<td>H 441</td>
<td>99</td>
</tr>
<tr>
<td>Driving privilege cards, eligibility requirements</td>
<td>S 1198</td>
<td>23</td>
</tr>
<tr>
<td>EMS Personnel Licensure Interstate Compact, enact</td>
<td>S 1281</td>
<td>68</td>
</tr>
<tr>
<td>Electronic cigarettes, permit to sell, required sign</td>
<td>H 498</td>
<td>140</td>
</tr>
<tr>
<td>Engineers/surveyors, exams, restricted licensure</td>
<td>S 1285</td>
<td>73/113</td>
</tr>
<tr>
<td>Engineers/surveyors, practicing without license</td>
<td>S 1287</td>
<td>73</td>
</tr>
<tr>
<td>Hunting/trapping/fishing, license exceptions</td>
<td>H 462</td>
<td>131</td>
</tr>
<tr>
<td>Identification, additional forms allowed at polls</td>
<td>H 604</td>
<td>257</td>
</tr>
<tr>
<td>Insurance producer, cause to suspend/revoke license</td>
<td>S 1345</td>
<td>104</td>
</tr>
<tr>
<td>Insurance producer, nonresidents and after revocation</td>
<td>S 1221</td>
<td>39</td>
</tr>
<tr>
<td>Licensure boards, certain positions and qualifications</td>
<td>H 480</td>
<td>143</td>
</tr>
<tr>
<td>Mortician/funeral director trainee license duration</td>
<td>H 367</td>
<td>69</td>
</tr>
<tr>
<td>Nurse Licensure Compact</td>
<td>S 1251</td>
<td>54</td>
</tr>
<tr>
<td>Optometrists, license renewal provisions</td>
<td>H 333</td>
<td>51</td>
</tr>
<tr>
<td>Physical therapy, license renewal, reinstatement</td>
<td>H 334</td>
<td>51</td>
</tr>
<tr>
<td>Powdered alcohol, definition, prohibition/violations</td>
<td>H 331</td>
<td>136</td>
</tr>
<tr>
<td>Residential care facility administrator requirements</td>
<td>H 332</td>
<td>51</td>
</tr>
<tr>
<td>Retired professional engineer/land surveyor, defined</td>
<td>S 1286</td>
<td>73</td>
</tr>
<tr>
<td>Upland game bird permit, revised age provision</td>
<td>H 350</td>
<td>51</td>
</tr>
<tr>
<td>Veterinarians, alternatives to formal discipline</td>
<td>H 382</td>
<td>79/209</td>
</tr>
</tbody>
</table>

LIENS

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liens in crops, notice of claim requirements</td>
<td>H 389</td>
<td>79</td>
</tr>
<tr>
<td>Nonconsensual common law liens, prohibited, penalties</td>
<td>H 491</td>
<td>131</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Intro. Page</td>
<td>Vote Page</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>-----------</td>
</tr>
<tr>
<td>S 1362</td>
<td>127</td>
<td>161</td>
</tr>
<tr>
<td>S 1396</td>
<td>177</td>
<td>196</td>
</tr>
<tr>
<td>S 1356</td>
<td>123</td>
<td>160</td>
</tr>
<tr>
<td>S 1354</td>
<td>123/261</td>
<td>171/268</td>
</tr>
<tr>
<td>H 495</td>
<td>123</td>
<td>202</td>
</tr>
<tr>
<td>H 494</td>
<td>140/233</td>
<td>250</td>
</tr>
<tr>
<td>H 544</td>
<td>189</td>
<td>252</td>
</tr>
<tr>
<td>H 597</td>
<td>226/234</td>
<td>250</td>
</tr>
<tr>
<td>H 649</td>
<td>280</td>
<td>282</td>
</tr>
<tr>
<td>HCR 40</td>
<td>140</td>
<td>170</td>
</tr>
<tr>
<td>H 346</td>
<td>65</td>
<td>167</td>
</tr>
<tr>
<td>H 521</td>
<td>170/221</td>
<td>230</td>
</tr>
<tr>
<td>H 331</td>
<td>136</td>
<td>251</td>
</tr>
<tr>
<td>H 362</td>
<td>54/113</td>
<td>165</td>
</tr>
<tr>
<td>S 1366</td>
<td>136</td>
<td>157</td>
</tr>
<tr>
<td>S 1324</td>
<td>83</td>
<td>-</td>
</tr>
<tr>
<td>H 392</td>
<td>65</td>
<td>167</td>
</tr>
<tr>
<td>H 560</td>
<td>177</td>
<td>219</td>
</tr>
<tr>
<td>H 526</td>
<td>136</td>
<td>203</td>
</tr>
<tr>
<td>HCR 30</td>
<td>87</td>
<td>127</td>
</tr>
<tr>
<td>S 1321</td>
<td>82</td>
<td>-</td>
</tr>
<tr>
<td>S 1342</td>
<td>96/140</td>
<td>160</td>
</tr>
<tr>
<td>H 531</td>
<td>170</td>
<td>211</td>
</tr>
<tr>
<td>H 535</td>
<td>156</td>
<td>206</td>
</tr>
<tr>
<td>S 1362</td>
<td>136</td>
<td>157</td>
</tr>
<tr>
<td>S 1357</td>
<td>123</td>
<td>-</td>
</tr>
<tr>
<td>H 497</td>
<td>136/234</td>
<td>250</td>
</tr>
<tr>
<td>HCR 35</td>
<td>123</td>
<td>193</td>
</tr>
<tr>
<td>H 582</td>
<td>226</td>
<td>-</td>
</tr>
<tr>
<td>S 1214</td>
<td>35</td>
<td>106</td>
</tr>
<tr>
<td>S 1365</td>
<td>136</td>
<td>157</td>
</tr>
<tr>
<td>S 1357</td>
<td>123</td>
<td>-</td>
</tr>
<tr>
<td>H 497</td>
<td>136/234</td>
<td>250</td>
</tr>
<tr>
<td>HCR 35</td>
<td>123</td>
<td>193</td>
</tr>
<tr>
<td>H 582</td>
<td>226</td>
<td>-</td>
</tr>
</tbody>
</table>

**LIENS (Continued)**
- Renewal of judgment on liens, increase period of time

**LIEUTENANT GOVERNOR**
- Appropriation

**LINCRO**
- Committee: Senators Lee and Souza, Co-chairmen
- Lincoln Day Service: February 12, 2016
- Opening Remarks: Senator Lee
- Prayer: Senator Harris
- Milayni Stephens: "The Star-Spangled Banner"
- Senate Pages: Lincoln Quotes
- Milayni Stephens: "America the Beautiful"
- Concluding Remarks: Senator Souza

**LIQUOR**
- Alcohol beverage catering permit, two or more wineries
- Alcohol beverage catering permits, provisions
- Alcohol violations, certain records expunged/sealed
- Alcohol, certain underage violations, penalties
- Alcoholic beverages, prohibited acts, licensed premises
- Breweries, allows persons under 21 to be on premises
- Breweries, allows persons under 21 to be on premises
- Idaho State Police, alcohol beverage rule rejected
- Liquor license applications, correct name of act
- Minors, limited immunity, medical emergency
- Powdered alcohol, definition, prohibition/violations
- Retail sale of liquor by the drink, "person" defined
- State Liquor Division, appropriation
- Tax on production of wine/certain grapes
- Wineries, minors allowed to enter or be on premises
- Youth Education Account, repeal

**LITERACY**
- Continuous student improvement plans, requirement
- Educational support program, literacy intervention
- Honoring Idaho author Anthony Doerr for his work
- Public school instruction, when Bible permitted
- Public schools, when religious texts permitted

**LIVESTOCK**
- Agricultural facilities, biosecurity breach, penalties
- Cattle/horses/livestock, capital gains tax deduction
- Idaho Multiple Use Sustained Yield Act
- Livestock removal requirements and trichomoniasis

**LOBBYING AND LOBBYISTS**
- Lobbyists, reports by certain state entities

**LOGGING AND LUMBER**
- Associated Logging Contractors of Idaho, honor 50 years

**LOTTERY, STATE**
- Appropriation
- Bingo and raffles, definitions, conditions/procedures

**LYNCH, MOIRA A.**
- Appointment, Member: Sexual Offender Management Board
  - Appointed by Governor/to Judiciary and Rules (Jan. 14)
  - Committee Report
  - Confirmed by Senate

**MACMILLAN, JOHN RANDOLPH**
- Appointment, Member: Board of Environmental Quality
  - Appointed by Governor/to Health and Welfare (Jan. 13)
  - Committee Report
  - Confirmed by Senate

-M-

**VOTE PAGE**
MAGISTRATES
See JUDGES

MAIL AND MAILING
USPS budget priorities, urge restructure .................................................. SJM 105 134 152

MANUFACTURING AND MANUFACTURERS
Factory Built Structures Advisory Board .......................................................... H 371 65/216 230
Manufactured home residency, reference to park model .................................... S 1194 20 -

MARRIAGE
See DOMESTIC RELATIONS

MASSAGE
Massage therapy, student tuition credit program ........................................... H 519 140 198

MATTHEWS, MIKE H.
Appointment, Member: Commission on Pardons and Parole
Appointed by Governor/to Judiciary and Rules (Jan. 27) .................................. 37
Committee Report ......................................................................................... 88
Confirmed by Senate .................................................................................... 96

MCNEAL, JOE B.
Appointment, Member: Idaho Commission on Human Rights
Appointed by Governor/to State Affairs (Jan. 27) ........................................... 37
Committee Report ......................................................................................... 76
Confirmed by Senate .................................................................................... 108

MEDALS
See HONORS AND AWARDS

MEDICAL
Abortion, ultrasound availability information .................................................. H 516 143 219
Biological products, pharmacist report to prescriber ......................................... H 483 143 206
Chiropractors, revised restrictions related to drugs ........................................... S 1231 43 109
Complete Medicaid waiver application, legislative committee ......................... HCR 63 269 -
Controlled substances, schedule II revised ..................................................... H 335 59 165
EMS Personnel Licensure Interstate Compact, enact ........................................ S 1281 68 125
Health grant program for medically underserved ........................................... H 644 269/273 276
Idaho Unborn Infants Dignity Act ................................................................. S 1349 104 -
Idaho Unborn Infants Dignity Act ................................................................. S 1404 194/233 252
Insulin and blood glucose supplies, district policy ........................................... S 1330 89 145
Legend Drug Donation Act, expanded qualifications ....................................... H 373 65 173
Legend drugs, who may possess ..................................................................... H 338 59 166
Medicaid, expand eligibility to certain persons ............................................... S 1204 31 -
Medical assistance, benchmark plan, eligibility ............................................ S 1205 31 -
Medical boards, appropriation ..................................................................... H 598 209 231
Medical boards, appropriation, add'l ............................................................ S 1199 27 36
Mental disease institution, Medicaid reimbursement ....................................... H 500 140 199
Nurses, practice of nursing defined ............................................................... S 1252 54 -
Nurses, practice of nursing defined ............................................................... S 1382 150 196
Patient Freedom of Information Act, certain information ................................ H 341 51 180
Pharmacists, prescribe immunizations to age 6 and older ................................ S 1294 73 120
Pharmacy Board, authority over durable medical supplies ........................... S 1264 61 120
Pharmacy Board, durable medical equipment provisions ............................. S 1387 163 195
State employee group insurance plan, legislative study .................................... HCR 61 277 277
State employee health savings account, employer portion ............................. S 1319 82 -
State employee health savings account, employer portion ............................. S 1346 104 144
Unborn Child Protection from Dismemberment Abortion Act ....................... S 1386 156 -
Youth athletes, permission, post-concussion protocol ...................................... H 557 201 237

MEDICAL ASSISTANCE
See PUBLIC ASSISTANCE

MEDICINE
Biological products, pharmacist report to prescriber ....................................... H 483 143 206
Board, revise provisions regarding membership ............................................. H 482 143 213
Controlled substances database, delegate access .......................................... H 374 74 174
Controlled substances database, who may access .......................................... H 337 59 166
Controlled substances, schedule II revised .................................................... H 335 59 165
MEDICINE (Continued)

Controlled substances, storage requirements ........................................... H 339 59 166
Epinephrine auto-injectors, prescribing provisions ................................... S 1322 83/260 145/267
Insulin and blood glucose supplies, district policy ................................... S 1330 89 145
Investigational drugs, Right To Try Act ..................................................... H 481 139 198
Legend Drug Donation Act, expanded qualifications ................................. H 373 65 173
Legend drugs, who may possess .................................................................. H 338 59 166
Pharmacists, prescribe immunizations to age 6 and older ........................ S 1294 73 120

MEETINGS, PUBLIC

Executive sessions, when authorized .......................................................... S 1335 90 -

MEMORIAL SERVICE

Memorial Service Committee: Senators Souza and Lee, Co-Chairmen
Memorial Service: February 15, 2016 ......................................................... 88
Memorizing:
  Senator Steven L. Herm... ................................................................. 88
  Amazing Grace performed by Senator Buckner-Webb ........................... 88
  Accompanied by Steven Eaton ............................................................. 88
  Invocation: Senator Anthon ............................................................... 88
  Benediction: Senator Lee ................................................................. 88
  Laura McInnes, Coordinator .............................................................. 88

MEMORIALS

Allow demonstration projects on federal land, Congress ......................... HJM 14 257 -
Aquatic invasive species, continued federal funding ............................... SJM 104 76 96
Columbia River Treaty, urge continuance ............................................... SJM 106 134 152
Sage-grouse, protect state conservation plans ....................................... HJM 13 99 193
USPS budget priorities, urge restructure ................................................ SJM 105 134 152

MENTAL HEALTH

Health and Welfare Department, appropriation, mental health, substance abuse H 579 189 224
Health and Welfare Department, duties include suicide prevention services S 1326 87 146
Health and Welfare plan for behavioral health services, request report ...... HCR 54 216 -
Mental disease institution, Medicaid reimbursement .................................. H 500 140 199

MENTALLY RETARDED

See DISABLED

MILITARY AND MILITIA

Adjutant General, duties ................................................................. H 356 131 203
Division, appropriation ........................................................................ S 1369 136 158
Homeland Security to Office of Emergency Management ....................... H 355 87 186
National Guard activation, re-employment rights .................................... H 473 123 186
Purple Heart Day, State of Idaho, designate ......................................... SCR 146 86 108
Year of Idaho Military Families, observe in 2016 ................................ HCR 28 131 170

MINERALS AND MINING

125th anniversary, Hecla Mining Company, congratulate ...................... SCR 148 121 148
Idaho Geological Survey, records, use, availability ................................ H 509 150 202
Idaho Multiple Use Sustained Yield Act .................................................. H 582 226 -
Mining, certain requirements of reclamation activities ........................ S 1197 23 41
Oil well, Lands Department duties, track integration, appeals ................. S 1306 78 130
Oil well, Lands Department duties, track integration, appeals ................. S 1339 90 130

MILLER, RICHARD

Appointment, Member: Lake Pend Oreille Basin Commission
  Appointed by Governor/to Resources and Environment (Jan. 14) ............. 15
  Committee Report ............................................................................. 215
  Confirmed by Senate ........................................................................ 226

MODEL LAWS

See UNIFORM AND MODEL LAWS

MONUMENTS

Statue of Liberty, commemorating 130th anniversary ................................ HCR 29 87 170

MOONEY, MICHAEL "MIKE" MARK

Appointment, Member: Idaho Energy Resources Authority
  Appointed by Governor/to State Affairs (Feb. 24).................................. 122
  Committee Report ............................................................................. 135
  Confirmed by Senate ........................................................................ 152
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>MORTGAGES</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>S 1318</td>
<td>82</td>
</tr>
<tr>
<td>MORTICANS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>H 482</td>
<td>143</td>
</tr>
<tr>
<td></td>
<td>H 367</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td>H 369</td>
<td>69</td>
</tr>
<tr>
<td>MOSQUITO ABATEMENT</td>
<td>See PESTS AND PESTICIDES</td>
<td></td>
</tr>
<tr>
<td>MOTOR CARRIERS</td>
<td>Commercial vehicle license plates, same/new number</td>
<td></td>
</tr>
<tr>
<td></td>
<td>H 472</td>
<td>123</td>
</tr>
<tr>
<td></td>
<td>S 1229</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>S 1261</td>
<td>61</td>
</tr>
<tr>
<td>MOTOR FUELS</td>
<td>See FUELS</td>
<td></td>
</tr>
<tr>
<td>MOTOR VEHICLES</td>
<td>Driving privilege cards, eligibility requirements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S 1198</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>S 1310</td>
<td>81</td>
</tr>
<tr>
<td></td>
<td>S 1311</td>
<td>81</td>
</tr>
<tr>
<td></td>
<td>S 1297</td>
<td>74/114/129/283</td>
</tr>
<tr>
<td></td>
<td>S 1256</td>
<td>58/128/150</td>
</tr>
<tr>
<td></td>
<td>H 624</td>
<td>283</td>
</tr>
<tr>
<td></td>
<td>S 1228</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>S 1282</td>
<td>72</td>
</tr>
<tr>
<td></td>
<td>S 1385</td>
<td>156</td>
</tr>
<tr>
<td></td>
<td>H 553</td>
<td>189</td>
</tr>
<tr>
<td></td>
<td>S 1283</td>
<td>72</td>
</tr>
<tr>
<td></td>
<td>S 1312</td>
<td>82/117</td>
</tr>
<tr>
<td></td>
<td>S 1262</td>
<td>61</td>
</tr>
<tr>
<td></td>
<td>S 1254</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>S 1329</td>
<td>89</td>
</tr>
<tr>
<td></td>
<td>S 1313</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>S 1261</td>
<td>61</td>
</tr>
<tr>
<td>MOTORBIKES AND MOTORCYCLES</td>
<td>License plates, provisions related to display of plates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S 1228</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>S 1250</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>S 1281</td>
<td>68</td>
</tr>
<tr>
<td></td>
<td>S 1262</td>
<td>61</td>
</tr>
<tr>
<td></td>
<td>S 1251</td>
<td>54</td>
</tr>
<tr>
<td>MOVIES AND THEATERS</td>
<td>Alcoholic beverages, prohibited acts, licensed premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>H 544</td>
<td>189</td>
</tr>
<tr>
<td>MULTISTATE COMPACTS AND AGREEMENTS</td>
<td>Advanced Practice Registered Nurse Compact</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S 1250</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>S 1281</td>
<td>68</td>
</tr>
<tr>
<td></td>
<td>S 1262</td>
<td>61</td>
</tr>
<tr>
<td></td>
<td>S 1251</td>
<td>54</td>
</tr>
<tr>
<td>MUSIC</td>
<td>Music In Our Schools Month, observance in March</td>
<td></td>
</tr>
<tr>
<td></td>
<td>HCR 31</td>
<td>69</td>
</tr>
</tbody>
</table>

- N -

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAMES</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>See IDENTITY AND NAMES</td>
<td></td>
</tr>
<tr>
<td>NATIONAL GUARD</td>
<td>See MILITARY AND MILITIA</td>
<td></td>
</tr>
<tr>
<td>NATIVE AMERICANS</td>
<td>Child Protective Act, revise certain requirements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S 1328</td>
<td>89/163</td>
</tr>
<tr>
<td>NATURAL RESOURCES</td>
<td>See also ENVIRONMENT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SCR 148</td>
<td>121</td>
</tr>
</tbody>
</table>

125th anniversary, Hecla Mining Company, congratulate
NATURAL RESOURCES (Continued)

<table>
<thead>
<tr>
<th>Bill</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allow demonstration projects on federal land, Congress</td>
<td>HJM 14 257</td>
<td>-</td>
</tr>
<tr>
<td>Eastern Snake Plain Aquifer agreement, support</td>
<td>SCR 138 75</td>
<td>93</td>
</tr>
<tr>
<td>Eastern Snake Plain Aquifer recharge target</td>
<td>SCR 136 48</td>
<td>93</td>
</tr>
<tr>
<td>Idaho Geological Survey, records, use, availability</td>
<td>H 509 150</td>
<td>202</td>
</tr>
<tr>
<td>Invasive species, mussels, citations, inspection</td>
<td>S 1355 123</td>
<td>-</td>
</tr>
<tr>
<td>Oil well, Lands Department duties, track integration, appeals</td>
<td>S 1306 78</td>
<td>-</td>
</tr>
<tr>
<td>Oil well, Lands Department duties, track integration, appeals</td>
<td>S 1339 90</td>
<td>130</td>
</tr>
<tr>
<td>Solar production of energy, taxation</td>
<td>H 534 150</td>
<td>206</td>
</tr>
<tr>
<td>State or federal land, catastrophic public nuisance</td>
<td>S 1338 90</td>
<td>164</td>
</tr>
<tr>
<td>Water Resource Board, evaluate/manage aquifer shortage</td>
<td>SCR 137 48</td>
<td>93</td>
</tr>
</tbody>
</table>

NORTHWEST POWER AND CONSERVATION COUNCIL

Booth, William B.: Appointment, Member

- Appointed by Governor/to Resources and Environment (Feb. 18) - 98
- Committee Report - 147
- Confirmed by Senate - 156

NUISANCES

- State or federal land, catastrophic public nuisance - S 1338 90 164

NURSING AND NURSES

- Advanced Practice Registered Nurse Compact - S 1250 54 112
- Board, revise provisions regarding membership - H 482 143 213
- Licensure board, executive director qualifications - H 480 143 211
- Nurse Licensure Compact - S 1251 54 112
- Patient Freedom of Information Act, certain information - H 341 51 180
- Practice of nursing, definition - S 1252 54 -
- Practice of nursing, definition - S 1382 150 196

NURSING HOMES

See ASSISTED LIVING AND NURSING HOMES

- O -

OATH OF OFFICE

See also SUBSTITUTE SENATORS

Administered:

- Appointed Senator: Kelly Anthon - 2
- Appointed Senator: Mark R. Harris - 3
- Attaches and First Group Pages - 14
- Second Group Pages - 123

OBJECTION

Senator Schmidt, March 14, 2016 - 197

OBSCENITY

- Alcoholic beverages, prohibited acts, licensed premises - H 544 189 252

OCCUPATIONAL LICENSES BUREAU

- Cosmetology license renewal/reinstatement - H 441 99 197
- Mortician/funeral director trainee license duration - H 367 69 180

OCCUPATIONAL THERAPY

- Board, revise provisions regarding membership - H 482 143 213

OFFICERS

- County elected officers, attorney general investigation - S 1255 57 119

OIL

- Idaho Geological Survey, records, use, availability - H 509 150 202
- Oil well, Lands Department duties, track integration, appeals - S 1306 78 -
- Oil well, Lands Department duties, track integration, appeals - S 1339 90 130

OIL AND GAS COMMISSION

Beck, Chris Charles: Appointment, Member

- Appointed by Governor/to Resources and Environment (Jan. 14) - 16
- Committee Report - 107
- Confirmed by Senate - 111
OLYMPICS
See ATHLETICS
OPEN MEETING LAW
See MEETINGS, PUBLIC
OPTOMETRY AND OPTOMETRISTS
Board, revise provisions regarding membership .............................................................. H 482  143  213
Optometrists, license renewal provisions ................................................................. H 333  51  187
Patient Freedom of Information Act, certain information ..................................... H 341  51  180
OUTFITTERS AND GUIDES
Board, revise provisions regarding membership .............................................................. H 482  143  213

- P -

PACKAGING
Auxiliary containers, regulation only by legislature ....................................................... H 372  59  206
PAGES OF THE SENATE
See ATTACHES; INDEX SECTION III
Sworn in, First Group: January 14, 2016 ............................................................... 14
Sworn in, Second Group: February 24, 2016 ......................................................... 123
PARDONS AND PAROLE
Commission, appropriation .............................................................................................. S 1405  204  235
Commission, rule rejected .............................................................................................. HCR 39  140  170
Parole violation hearing, nonviolent/nonsexual conduct ........................................ S 1343  99  183
PARENTS
Child Protective Act, revise certain requirements ......................................................... S 1328  89/163  184
Compromise claim of minor, petition, priority, approval ............................................. H 558  170  219
Delegation of power over minor, nonprofit assistance ............................................. H 573  201  -
Delegation of power over minor/developmentally disabled .................................... S 1375  139  -
Juvenile proceedings, adoption, placement ............................................................... H 556  170/242  251
Minors, inter vivos nomination appointment of guardian ........................................ S 1374  139  -
Parental rights in education, responsibility, notice ............................................... S 1293  73/140  160
Third grade reading instruction, intervention plan ..................................................... H 451  128  197
PARKING
Administration Department, Capitol parking rules rejected ........................................ SCR 152  192  226
PARKS AND RECREATION
Department, appropriation ............................................................................................. S 1401  189  210
Lava Hot Springs Foundation, appropriation ............................................................. H 547  156  220
PARKS AND RECREATION BOARD
Black, Peter J.: Appointment, Member
Appointed by Governor/to Resources and Environment (Jan. 14) ....................... 16
Committee Report ......................................................................................................... 92
Confirmed by Senate ...................................................................................................... 96
PARTNERSHIPS
Idaho Rural Development Partnership Act, revised ............................................... H 417  79  180
PAYNE, SUE A.
Appointment, Member: Commission for the Blind and Visually Impaired
Appointed by Governor/to Health and Welfare (Jan. 13) ........................................ 11
Committee Report ......................................................................................................... 26
Confirmed by Senate ...................................................................................................... 28
PERMITS
See LICENSES
PERSI
See RETIREMENT
PESTS AND PESTICIDES
Aquatic invasive species, continued federal funding ................................................. SJM 104  76  96
Commission on Pesticide Management, repeal ......................................................... S 1215  35  59
Pest Control Deficiency Fund, appropriation ............................................................. H 342  39  46
PETITIONS
Compromise claim of minor, petition, priority, approval ........................................... H 558  170  219
<table>
<thead>
<tr>
<th>PETROLEUM</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petroleum Gas Safety Board, membership</td>
<td>H 482</td>
<td>143</td>
<td>213</td>
</tr>
<tr>
<td>PETS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Companion animals, torture, definitions, penalties</td>
<td>H 524</td>
<td>140</td>
<td>202</td>
</tr>
<tr>
<td>Dangerous and At-Risk Dogs Act</td>
<td>H 525</td>
<td>150</td>
<td>213</td>
</tr>
<tr>
<td>PHARMACIES AND PHARMACISTS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Biological products, pharmacist report to prescriber</td>
<td>H 483</td>
<td>143</td>
<td>206</td>
</tr>
<tr>
<td>Board, authority over durable medical supplies</td>
<td>S 1264</td>
<td>61</td>
<td>120</td>
</tr>
<tr>
<td>Board, durable medical equipment provisions</td>
<td>S 1387</td>
<td>163</td>
<td>195</td>
</tr>
<tr>
<td>Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
<td>213</td>
</tr>
<tr>
<td>Board, terms of office and compensation</td>
<td>H 336</td>
<td>59</td>
<td>166</td>
</tr>
<tr>
<td>Contraceptives and prophylactics, repeal regulations</td>
<td>H 340</td>
<td>62</td>
<td>166</td>
</tr>
<tr>
<td>Controlled substances database, delegate access</td>
<td>H 374</td>
<td>74</td>
<td>174</td>
</tr>
<tr>
<td>Controlled substances database, who may access</td>
<td>H 337</td>
<td>59</td>
<td>166</td>
</tr>
<tr>
<td>Controlled substances, schedule II revised</td>
<td>H 335</td>
<td>59</td>
<td>165</td>
</tr>
<tr>
<td>Controlled substances, storage requirements</td>
<td>H 339</td>
<td>59</td>
<td>166</td>
</tr>
<tr>
<td>Epinephrine auto-injectors, prescribing provisions</td>
<td>S 1322</td>
<td>83/260</td>
<td>145/267</td>
</tr>
<tr>
<td>Legend Drug Donation Act, expanded qualifications</td>
<td>H 373</td>
<td>65</td>
<td>173</td>
</tr>
<tr>
<td>Legend drugs, who may possess</td>
<td>H 338</td>
<td>59</td>
<td>166</td>
</tr>
<tr>
<td>Licensure board, executive director qualifications</td>
<td>H 480</td>
<td>143</td>
<td>211</td>
</tr>
<tr>
<td>Pharmacists, prescribe immunizations to age 6 and older</td>
<td>S 1294</td>
<td>73</td>
<td>120</td>
</tr>
<tr>
<td>PHYSICAL THERAPISTS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
<td>213</td>
</tr>
<tr>
<td>Patient Freedom of Information Act, certain information</td>
<td>H 341</td>
<td>51</td>
<td>180</td>
</tr>
<tr>
<td>Physical therapy, license renewal, reinstatement</td>
<td>H 334</td>
<td>51</td>
<td>187</td>
</tr>
<tr>
<td>PHYSICIANS AND SURGEONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abortion, ultrasound availability information</td>
<td>H 516</td>
<td>143</td>
<td>219</td>
</tr>
<tr>
<td>Biological products, pharmacist report to prescriber</td>
<td>H 483</td>
<td>143</td>
<td>206</td>
</tr>
<tr>
<td>Epinephrine auto-injectors, prescribing provisions</td>
<td>S 1322</td>
<td>83/260</td>
<td>145/267</td>
</tr>
<tr>
<td>Idaho Unborn Infants Dignity Act</td>
<td>S 1349</td>
<td>104</td>
<td>-</td>
</tr>
<tr>
<td>Idaho Unborn Infants Dignity Act</td>
<td>S 1404</td>
<td>194/233</td>
<td>252</td>
</tr>
<tr>
<td>Patient Freedom of Information Act, certain information</td>
<td>H 341</td>
<td>51</td>
<td>180</td>
</tr>
<tr>
<td>Unborn Child Protection from Dismemberment Abortion Act</td>
<td>S 1386</td>
<td>156</td>
<td>-</td>
</tr>
<tr>
<td>PIKE, LINDA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointment, Member: Board of Tax Appeals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointed by Governor/to Local Government and Taxation (Jan. 15)</td>
<td></td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Committee Report</td>
<td></td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>Confirmed by Senate</td>
<td></td>
<td>57</td>
<td></td>
</tr>
<tr>
<td>PLUMBING AND PLUMBERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
<td>213</td>
</tr>
<tr>
<td>PODIATRY AND PODIATRISTS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
<td>213</td>
</tr>
<tr>
<td>Patient Freedom of Information Act, certain information</td>
<td>H 341</td>
<td>51</td>
<td>180</td>
</tr>
<tr>
<td>POLICE, IDAHO STATE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See also LAW ENFORCEMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriation</td>
<td>S 1390</td>
<td>163</td>
<td>185</td>
</tr>
<tr>
<td>Appropriation, add1</td>
<td>H 612</td>
<td>229</td>
<td>255</td>
</tr>
<tr>
<td>Appropriation, revised</td>
<td>H 403</td>
<td>59</td>
<td>69</td>
</tr>
<tr>
<td>College scholarship eligibility, funds investment</td>
<td>S 1208</td>
<td>31</td>
<td>63</td>
</tr>
<tr>
<td>Idaho State Police, alcohol beverage rule rejected</td>
<td>HCR 40</td>
<td>140</td>
<td>170</td>
</tr>
<tr>
<td>Idaho peace officers, recognize, honor</td>
<td>SCR 132</td>
<td>22</td>
<td>61</td>
</tr>
<tr>
<td>Protection orders, malicious harassment, stalking</td>
<td>S 1373</td>
<td>139</td>
<td>183</td>
</tr>
<tr>
<td>Sexual assault evidence kits, testing/duties/procedures</td>
<td>H 528</td>
<td>150</td>
<td>202</td>
</tr>
<tr>
<td>State vehicles, marking and identification exemptions</td>
<td>S 1254</td>
<td>57</td>
<td>-</td>
</tr>
<tr>
<td>State vehicles, marking and identification exemptions</td>
<td>S 1329</td>
<td>89</td>
<td>-</td>
</tr>
<tr>
<td>POLITICAL PARTIES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Political statements, identity of person responsible</td>
<td>H 542</td>
<td>170</td>
<td>251</td>
</tr>
<tr>
<td>Primary elections, selecting/changing party affiliation</td>
<td>S 1203</td>
<td>30</td>
<td>-</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Intro. Page</td>
<td>Vote Page</td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>SJM 104</td>
<td>76</td>
<td>96</td>
<td></td>
</tr>
<tr>
<td>S 1260</td>
<td>58/128</td>
<td>144</td>
<td></td>
</tr>
<tr>
<td>S 1239</td>
<td>50</td>
<td>128</td>
<td></td>
</tr>
<tr>
<td>S 1355</td>
<td>123</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S 1244</td>
<td>51</td>
<td>105</td>
<td></td>
</tr>
<tr>
<td>S 1237</td>
<td>50</td>
<td>128</td>
<td></td>
</tr>
<tr>
<td>S 1238</td>
<td>50</td>
<td>128</td>
<td></td>
</tr>
<tr>
<td>H 544</td>
<td>189</td>
<td>252</td>
<td></td>
</tr>
<tr>
<td>SJM 105</td>
<td>134</td>
<td>152</td>
<td></td>
</tr>
<tr>
<td>H 573</td>
<td>201</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S 1375</td>
<td>139</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HCR 62</td>
<td>283</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCR 148</td>
<td>121</td>
<td>148</td>
<td></td>
</tr>
<tr>
<td>H 483</td>
<td>143</td>
<td>206</td>
<td></td>
</tr>
<tr>
<td>S 1231</td>
<td>43</td>
<td>109</td>
<td></td>
</tr>
<tr>
<td>H 374</td>
<td>74</td>
<td>174</td>
<td></td>
</tr>
<tr>
<td>H 337</td>
<td>59</td>
<td>166</td>
<td></td>
</tr>
<tr>
<td>H 335</td>
<td>59</td>
<td>165</td>
<td></td>
</tr>
<tr>
<td>H 339</td>
<td>59</td>
<td>166</td>
<td></td>
</tr>
<tr>
<td>S 1322</td>
<td>83/260</td>
<td>145/267</td>
<td></td>
</tr>
<tr>
<td>S 1330</td>
<td>89</td>
<td>145</td>
<td></td>
</tr>
<tr>
<td>H 481</td>
<td>139</td>
<td>198</td>
<td></td>
</tr>
<tr>
<td>H 373</td>
<td>65</td>
<td>173</td>
<td></td>
</tr>
<tr>
<td>H 338</td>
<td>59</td>
<td>166</td>
<td></td>
</tr>
<tr>
<td>S 1345</td>
<td>104</td>
<td>144</td>
<td></td>
</tr>
<tr>
<td>S 1351</td>
<td>111</td>
<td>153</td>
<td></td>
</tr>
<tr>
<td>S 1343</td>
<td>99</td>
<td>183</td>
<td></td>
</tr>
<tr>
<td>H 558</td>
<td>170</td>
<td>219</td>
<td></td>
</tr>
<tr>
<td>S 1302</td>
<td>78</td>
<td>171</td>
<td></td>
</tr>
<tr>
<td>S 1300</td>
<td>78/150</td>
<td>164</td>
<td></td>
</tr>
<tr>
<td>S 1303</td>
<td>78/172</td>
<td>185</td>
<td></td>
</tr>
<tr>
<td>H 486</td>
<td>105</td>
<td>198</td>
<td></td>
</tr>
<tr>
<td>H 625</td>
<td>257</td>
<td>272</td>
<td></td>
</tr>
<tr>
<td>H 630</td>
<td>269</td>
<td>275</td>
<td></td>
</tr>
<tr>
<td>S 1210</td>
<td>31</td>
<td>46</td>
<td></td>
</tr>
<tr>
<td>S 1332</td>
<td>89/164</td>
<td>190</td>
<td></td>
</tr>
<tr>
<td>S 1232</td>
<td>43</td>
<td>101</td>
<td></td>
</tr>
<tr>
<td>H 482</td>
<td>143</td>
<td>213</td>
<td></td>
</tr>
<tr>
<td>H 482</td>
<td>143</td>
<td>213</td>
<td></td>
</tr>
<tr>
<td>H 356</td>
<td>131</td>
<td>203</td>
<td></td>
</tr>
<tr>
<td>S 1250</td>
<td>54</td>
<td>112</td>
<td></td>
</tr>
<tr>
<td>S 1318</td>
<td>82</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>H 482</td>
<td>143</td>
<td>213</td>
<td></td>
</tr>
<tr>
<td>H 366</td>
<td>51</td>
<td>198</td>
<td></td>
</tr>
</tbody>
</table>
PROFESSIONS (Continued)

Bail enforcement agents, requirements, prohibitions.......................................................... H 508 150  -
Barber Examiners Board, provisions regarding membership ................................................ H 482 143 213
Barber college licensing, student qualifications..................................................................... H 486 105 198
Chiropractors, revised restrictions related to drugs ................................................................. S 1231 43  109
Contractors Board, revise provisions regarding membership ................................................ H 482 143 213
Cosmetology Board, revise provisions regarding membership ............................................. H 482 143 213
Cosmetology license renewal/reinstatement ......................................................................... H 441 99 197
Counselors/Marriage/Family Therapists Board, membership ................................................ H 482 143 213
Dentistry Board, revise provisions regarding membership ................................................... H 482 143 213
Denturist Board, revise provisions regarding membership ................................................... H 482 143 213
EMS Personnel Licensure Interstate Compact, enact............................................................ S 1281 68 125
EMT/paramedic scholarship eligibility, funds investment...................................................... S 1208 31  63
Education, professional-technical to career technical .......................................................... S 1210 31  46
Engineers/Land Surveyors Board, membership provisions ................................................ H 482 143 213
Engineers/surveyors, exams, restricted licensure................................................................. S 1285 73/113 141
Engineers/surveyors, practicing without license ................................................................. S 1287 73 113
Firefighters, certain occupational diseases ........................................................................... H 554 194 222
Genetic Counselors Licensing Board, membership ............................................................. H 482 143 213
Heating/Ventilation/Air Conditioning Board, membership ................................................ H 482 143 213
Idaho peace officers, recognize, honor................................................................................ S CR 132 22  61
Insurance producer, cause to suspend/revoke license............................................................ S 1345 104 144
Insurance producer, licensing revocation provisions............................................................ S 1221 39 112
Landscape Architects Board, membership provisions ........................................................ H 482 143 213
Massage therapy, student tuition credit program ................................................................ H 519 140 198
Mortician/funeral director trainee license duration............................................................... H 367  69 180
Morticians Board, revise provisions regarding membership ................................................. H 482 143 213
Nurse Licensure Compact..................................................................................................... S 1251 54 112
Nurses, practice of nursing defined...................................................................................... S 1252 54  -
Nurses, practice of nursing defined...................................................................................... S 1382 150 196
Nursing Board, revise provisions regarding membership .................................................... H 482 143 213
Nursing Home Administrators Board, membership provisions ......................................... H 482 143 213
Occupational Therapy Licensure Board, membership ......................................................... H 482 143 213
Optometrists, license renewal provisions ............................................................................. H 333  51 187
Optometry Board, revise provisions regarding membership ............................................... H 482 143 213
Outfitters/Guides Licensing Board, membership provisions .............................................. H 482 143 213
Pharmacists, prescribe immunizations to age 6 and older.................................................. S 1294 73 120
Pharmacy Board, revise provisions regarding membership ................................................ H 482 143 213
Physical Therapy Licensure Board, membership provisions ............................................. H 482 143 213
Physical therapy, license renewal, reinstatement ............................................................... H 334  51 187
Plumbing Board, revise provisions regarding membership ................................................ H 482 143 213
Podiatry Board, revise provisions regarding membership .................................................. H 482 143 213
Professional Geologists Registration Board, membership .................................................. H 482 143 213
Psychologist Examiners Board, membership provisions .................................................... H 482 143 213
Public Works Contractor License Board, membership provisions .................................... H 482 143 213
Real Estate Appraisers Board, membership provisions ...................................................... H 482 143 213
Real Estate Appraisers, revise definitions ............................................................................ H 368  69 198
Residential Care Facility Administrators Board, membership ............................................ H 482 143 213
Retired professional engineer/land surveyor, defined............................................................. S 1286 73 112
School district professional personnel, evaluations............................................................. H 515 140 202
School employee career ladder, compensation, indicators ................................................. H 571  201 237
School employment contracts, remove state form approval .............................................. S 1248  54 109
Shorthand Reporters Board, membership provisions .......................................................... H 482 143 213
Social Work Examiners Board, membership provisions .................................................... H 482 143 213
Social Work Recognition Month, March 2016, support .................................................... HCR 47 143 170
State personnel, add to list of nonclassified employees....................................................... S 1202 27  63
Teacher leadership premiums, revise provisions............................................................... H 627  269 275
Uniform Athlete Agents Act, revised.................................................................................... H 398  93 213
Veterinarians, alternatives to formal discipline .................................................................. H 382 79/209 230
Veterinary Medicine Board, provisions regarding membership ....................................... H 482 143 213
<table>
<thead>
<tr>
<th>PROPERTY</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>See also REAL ESTATE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cemetery lots, resale of unused lots, compensation</td>
<td>H 496</td>
<td>140</td>
<td>198</td>
</tr>
<tr>
<td>Eminent domain property valuation, factors in assessing</td>
<td>S 1245</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>Farm equipment repurchase requirements, charges</td>
<td>S 1359</td>
<td>127</td>
<td>154</td>
</tr>
<tr>
<td>Foreclosure, trustee sale, nontitled personal property</td>
<td>S 1315</td>
<td>82/172/182</td>
<td>196</td>
</tr>
<tr>
<td>Homeowner associations, prohibited conduct</td>
<td>H 511</td>
<td>136</td>
<td>203</td>
</tr>
<tr>
<td>Homeowner's exemption, $100K, no inflation adjuster</td>
<td>H 431</td>
<td>74</td>
<td>174</td>
</tr>
<tr>
<td>Homeowner's exemption, $100K, no inflation adjuster, trailer</td>
<td>H 634</td>
<td>269</td>
<td></td>
</tr>
<tr>
<td>Motorbike Recreation Account funds, recreation easements</td>
<td>H 471</td>
<td>112</td>
<td>186</td>
</tr>
<tr>
<td>Nonsensual common law liens, prohibited, penalties</td>
<td>H 491</td>
<td>131</td>
<td>197</td>
</tr>
<tr>
<td>Operating property not in taxable value for making levy</td>
<td>H 359</td>
<td>54</td>
<td>101</td>
</tr>
<tr>
<td>Owned by public agency, executive session to buy/sell</td>
<td>S 1335</td>
<td>90</td>
<td></td>
</tr>
<tr>
<td>Real Estate Appraisers, revise definitions</td>
<td>H 368</td>
<td>69</td>
<td>198</td>
</tr>
<tr>
<td>Regulatory takings, request by owner for analysis</td>
<td>S 1325</td>
<td>83</td>
<td>145</td>
</tr>
<tr>
<td>Tax deed sale proceeds, unclaimed property</td>
<td>S 1347</td>
<td>104/164</td>
<td>179</td>
</tr>
<tr>
<td>Tax deeds, clarification of the term &quot;encumbrances&quot;</td>
<td>S 1348</td>
<td>104</td>
<td></td>
</tr>
<tr>
<td>Trust deeds, definition of the term &quot;trustee&quot;</td>
<td>H 503</td>
<td>143</td>
<td>219</td>
</tr>
</tbody>
</table>

PROPERTY TAX
See TAX AND TAXATION, PROPERTY

PROSECUTING ATTORNEYS
See ATTORNEYS

PSYCHIATRY AND PSYCHIATRISTS
Animal cruelty, presentence psychological evaluation                    | S 1309      | 79          |           |
Companion animals, torture, definitions, penalties                      | H 524       | 140         | 202       |

PSYCHOLOGY AND PSYCHOLOGISTS
Animal cruelty, presentence psychological evaluation                    | S 1309      | 79          |           |
Companion animals, torture, definitions, penalties                      | H 524       | 140         | 202       |
Psychologist Examiners Board, membership provisions                     | H 482       | 143         | 213       |

PUBLIC ASSISTANCE
Complete Medicaid waiver application, legislative committee              | HCR 63      | 269         |           |
Health grant program for medically underserved                          | H 644       | 269/273     | 276       |
Independent Living Council, revise reference                            | S 1323      | 83          | 154       |
Legend Drug Donation Act, expanded qualifications                      | H 373       | 65          | 173       |
Legend drugs, who may possess                                          | H 338       | 59          | 166       |
Medicaid, expand eligibility to certain persons                         | S 1204      | 31          |           |
Medical assistance, benchmark plan, eligibility                         | S 1205      | 31          |           |
Mental disease institution, Medicaid reimbursement                      | H 500       | 140         | 199       |
Providers, provisions for civil monetary penalties                      | S 1295      | 73          | 133       |
State Public Defense Commission duties, county funds, grants            | H 504       | 150         | 206       |

PUBLIC BROADCASTING
Idaho Public Television, appropriation                                  | S 1370      | 136         | 160       |

PUBLIC EMPLOYEE RETIREMENT SYSTEM
See RETIREMENT

PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO BOARD
Chair, Jeff: Appointment, Member                                       |             |             |           |
Appointment by Governor/Commerce and Human Resources (Jan. 15)          |             | 19          |           |
Committee Report                                                       |             | 42          |           |
Confirmed by Senate                                                    |             |             | 45        |

PUBLIC OFFICERS
Executive sessions, when authorized                                     | S 1335      | 90          |           |

PUBLIC RECORDS
See RECORDS

PUBLIC UTILITIES
See UTILITIES

PUBLIC UTILITIES COMMISSION
Anderson, Eric R.: Appointment, Member                                  |             |             |           |
Appointment by Governor/State Affairs (Jan. 15)                          |             | 18          |           |
Committee Report                                                       |             | 44          |           |
Confirmed by Senate                                                    |             |             | 65        |
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
</table>

**PUBLIC WORKS**
- Division, appropriation .................................................. S 1422 238 257
- Division, appropriation, add'l ............................................... S 1422 238 257
- Public works, award of contracts .......................................... S 1219 39 69

**PUBLICATIONS**
- Public school instruction, when Bible permitted .......................... S 1321 82 -
- Public schools, when religious texts permitted ............................ S 1342 96/140 160

**PURCHASING**
- Exclusions from local government purchasing laws .......................... H 541 170 237
- Public procurement, legislative study committee .............................. HCR 48 170 266
- State Procurement Act ......................................................... H 538 170 266

**PURDY, L.N. NICK**
- Appointment, Member: Board of Environmental Quality
  - Appointed by Governor/to Health and Welfare (Jan. 13) .................. 13
  - Committee Report .................................................................... 143
  - Confirmed by Senate .................................................................. 153

**RACING**
- Horse Racing Commission, certain payment to horse council .............. S 1220 39 -
- Horse Racing Commission, certain payment to horse council .............. S 1298 74 119

**RADIO**
- See TELECOMMUNICATIONS

**RAUBENHEIMER, BRITT**
- Appointment, Member: Commission for the Blind and Visually Impaired
  - Appointed by Governor/to Health and Welfare (Jan. 15) .................. 19
  - Committee Report .................................................................... 26
  - Confirmed by Senate .................................................................. 28

**REAL ESTATE**
- See also PROPERTY
- Appraisal Management Company Registration/Regulation Act ............. S 1318 82 124
- Commission, revise provisions regarding membership ........................ H 482 143 213
- Eminent domain property valuation, factors in assessing .................. S 1245 53 -
- Foreclosure, trustee sale, nontitled personal property ...................... S 1315 82/172/182 196
- Homeowner associations, prohibited conduct .................................. H 511 136 203
- Real Estate Appraisers Board, membership ..................................... H 482 143 213
- Real Estate Appraisers, revise definitions ..................................... H 368 69 198
- Tax deeds, clarification of the term "encumbrances" ......................... S 1348 104 -

**REAL PROPERTY**
- Cemetery lots, resale of unused lots, compensation ......................... H 496 140 198
- Eminent domain property valuation, factors in assessing ................. S 1245 53 -
- Homeowner associations, prohibited conduct .................................. H 511 136 203
- Homeowner's exemption, $100K, no inflation adjuster ..................... H 431 74 174
- Homeowner's exemption, $100K, no inflation adjuster, trailer ............ H 634 269 -
- Nonconsensual common law liens, prohibited, penalties .................. H 491 131 197
- Operating property not in taxable value for making levy .................. H 359 54 101
- Owned by public agency, executive session to buy/sell ..................... S 1335 90 -
- Real Estate Appraisers, revise definitions ..................................... H 368 69 198
- Trust deeds, definition of the term "trustee" .................................. H 503 143 219

**REBERGER, J. PHILIP**
- Appointment, Member: Idaho Judicial Council
  - Appointed by Governor/to Judiciary and Rules (Jan. 14) ................. 16
  - Committee Report .................................................................... 126
  - Confirmed by Senate .................................................................. 152

**RECLAMATION**
- Mining, certain requirements of reclamation activities .................... S 1197 23 41

**RECOGNITION**
- See HONORS AND AWARDS
<table>
<thead>
<tr>
<th>RECORDS</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>City records, historical preservation, nonpaper mediums</td>
<td>H 443</td>
<td>170</td>
<td>214</td>
</tr>
<tr>
<td>Exemption, firearm sales, federally required records</td>
<td>H 478</td>
<td>136</td>
<td>219</td>
</tr>
<tr>
<td>Idaho Geological Survey, records, use, availability</td>
<td>H 509</td>
<td>150</td>
<td>202</td>
</tr>
<tr>
<td>Patient Freedom of Information Act, certain information</td>
<td>H 341</td>
<td>51</td>
<td>180</td>
</tr>
<tr>
<td>Public records exemption, critical infrastructure</td>
<td>H 447</td>
<td>99/151</td>
<td>165</td>
</tr>
<tr>
<td>Public records, access to certain water quality records</td>
<td>S 1238</td>
<td>50</td>
<td>128</td>
</tr>
<tr>
<td>RECREATION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Idaho Multiple Use Sustained Yield Act</td>
<td>H 582</td>
<td>226</td>
<td>-</td>
</tr>
<tr>
<td>Manufactured home residency, reference to park model</td>
<td>S 1194</td>
<td>20</td>
<td>-</td>
</tr>
<tr>
<td>Motorbike Recreation Account funds, recreation easements</td>
<td>H 471</td>
<td>112</td>
<td>186</td>
</tr>
<tr>
<td>Recreational water/sewer districts, annexation</td>
<td>H 406</td>
<td>170</td>
<td>213</td>
</tr>
<tr>
<td>State trust land, oppose use based on exclusivity</td>
<td>HCR 53</td>
<td>229</td>
<td>-</td>
</tr>
<tr>
<td>Taxing Districts, budgeting forgone increases</td>
<td>H 474</td>
<td>99</td>
<td>174</td>
</tr>
<tr>
<td>RECREATIONAL VEHICLES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motorbike Recreation Account funds, recreation easements</td>
<td>H 471</td>
<td>112</td>
<td>186</td>
</tr>
<tr>
<td>REGULATORY TAKINGS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See EMINENT DOMAIN</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>REHABILITATION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vocational rehabilitation, acceptance of federal acts</td>
<td>S 1232</td>
<td>43</td>
<td>101</td>
</tr>
<tr>
<td>RELIGION AND CHURCHES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Congressional Prayer Caucus Foundation, support</td>
<td>HCR 62</td>
<td>283</td>
<td>-</td>
</tr>
<tr>
<td>Public school instruction, when Bible permitted</td>
<td>S 1321</td>
<td>82</td>
<td>-</td>
</tr>
<tr>
<td>Public schools, when religious texts permitted</td>
<td>S 1342</td>
<td>96/140</td>
<td>160</td>
</tr>
<tr>
<td>REPORTS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benefit corporations, annual report filing requirement</td>
<td>H 390</td>
<td>79</td>
<td>197</td>
</tr>
<tr>
<td>Benefit corporations, filing benefit report</td>
<td>S 1227</td>
<td>42</td>
<td>-</td>
</tr>
<tr>
<td>Campaign contributions/expenditures, reporting</td>
<td>S 1299</td>
<td>74</td>
<td>-</td>
</tr>
<tr>
<td>Continuous student improvement plans, requirement</td>
<td>H 560</td>
<td>177</td>
<td>219</td>
</tr>
<tr>
<td>Health and Welfare, reporting requirements, foster care program</td>
<td>H 523</td>
<td>156</td>
<td>214</td>
</tr>
<tr>
<td>Health grant program for medically underserved</td>
<td>H 644</td>
<td>269/273</td>
<td>276</td>
</tr>
<tr>
<td>Lobbyists, reports by certain state entities</td>
<td>H 497</td>
<td>136/234</td>
<td>250</td>
</tr>
<tr>
<td>Tax Commission, certain school district reports, availability</td>
<td>H 391</td>
<td>65</td>
<td>166</td>
</tr>
<tr>
<td>Tax Commission, no taxable value report to Department of Education</td>
<td>H 358</td>
<td>51</td>
<td>70</td>
</tr>
<tr>
<td>Urban renewal, provisions, requirements, reporting</td>
<td>H 606</td>
<td>257/269/274</td>
<td>276</td>
</tr>
<tr>
<td>RESEARCH</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allow INL research quantities of spent fuel, urge AG</td>
<td>HCR 60</td>
<td>269</td>
<td>283</td>
</tr>
<tr>
<td>Global Entrepreneurial Mission Program, provisions</td>
<td>H 377</td>
<td>65</td>
<td>174</td>
</tr>
<tr>
<td>Noxious weeds, privately funded research facilities</td>
<td>H 469</td>
<td>136</td>
<td>202</td>
</tr>
<tr>
<td>RESERVOIRS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water resources, artificial barriers, embankments</td>
<td>H 351</td>
<td>51</td>
<td>206</td>
</tr>
<tr>
<td>RESIDENTIAL CARE FACILITIES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrators license education/training requirements</td>
<td>H 332</td>
<td>51</td>
<td>187</td>
</tr>
<tr>
<td>Board, revise provisions regarding membership</td>
<td>H 482</td>
<td>143</td>
<td>213</td>
</tr>
<tr>
<td>Residential care/assisted living facilities, citations</td>
<td>S 1341</td>
<td>91/150</td>
<td>161</td>
</tr>
<tr>
<td>RESOLUTIONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senate Rule 20, committee chair’s decisions</td>
<td>SR 101</td>
<td>84</td>
<td>149</td>
</tr>
<tr>
<td>RESOLUTIONS, CONCURRENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>125th anniversary, Hecla Mining Company, congratulate</td>
<td>SCR 148</td>
<td>121</td>
<td>148</td>
</tr>
<tr>
<td>2016 U.S. Capitol Christmas tree, Idaho participation</td>
<td>HCR 46</td>
<td>156</td>
<td>226</td>
</tr>
<tr>
<td>Administration Department, Capitol parking rules rejected</td>
<td>SCR 152</td>
<td>192</td>
<td>226</td>
</tr>
<tr>
<td>Agency fee rules approved, except ISP and Health and Welfare</td>
<td>SCR 153</td>
<td>231</td>
<td>261</td>
</tr>
<tr>
<td>Agency temporary rules approved and extended</td>
<td>SCR 154</td>
<td>232</td>
<td>261</td>
</tr>
<tr>
<td>Allow INL research quantities of spent fuel, urge AG</td>
<td>HCR 60</td>
<td>269</td>
<td>283</td>
</tr>
<tr>
<td>Associated Logging Contractors of Idaho, honor 50 years</td>
<td>HCR 35</td>
<td>123</td>
<td>193</td>
</tr>
<tr>
<td>Black History Month, February, commemorate in Idaho</td>
<td>SCR 133</td>
<td>29</td>
<td>50</td>
</tr>
<tr>
<td>Celebrating 125th anniversary, Great Seal of Idaho</td>
<td>HCR 41</td>
<td>160</td>
<td>201</td>
</tr>
<tr>
<td>Civics test, include Idaho specific questions</td>
<td>HCR 50</td>
<td>170</td>
<td>-</td>
</tr>
<tr>
<td>Commemorating pulse crop for singular recognition</td>
<td>HCR 32</td>
<td>93</td>
<td>159</td>
</tr>
<tr>
<td>Commerce Department, investigate improving broadband</td>
<td>HCR 58</td>
<td>257</td>
<td>-</td>
</tr>
</tbody>
</table>
RESOLUTIONS, CONCURRENT (Continued)

Commission of Pardons and Parole rule rejected................................. HCR 39  140  170
Community water fluoridation, great health achievement........................ HCR 34  87  149
Complete Medicaid waiver application, legislative committee................... HCR 63  269 -
Congressional Prayer Caucus Foundation, support.................................... HCR 62  283 -
Eastern Snake Plain Aquifer agreement, support...................................... SCR 138  75  93
Education Board/Department Rule Docket 08-0203-1503 rejected.................. SCR 139  80  96
Education Board/Department Rule Docket 08-0203-1506 rejected.................. SCR 140  80  96
Education Board/Department Rule Docket 08-0203-1509 rejected.................. HCR 44  140  177
Education Board/Department Rule Docket 08-0203-1511 rejected.................. SCR 141  80  96
Education Board opportunity scholarship rules rejected........................... HCR 45  140  177
Education, support progress toward "60 by 20" goal................................. SCR 134  30  57
Fish and Game Department Rule Docket 13-0116-1501 rejected...................... HCR 55  226  241
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage................................ HCR 57  216  241
Foster care/conservators/guardians, legislative study................................ HCR 59  258  264
Health and Welfare plan for behavioral health services, request report........... HCR 54  216 -
Honoring Idaho author Anthony Doerr for his work................................ HCR 30  87  127
Idaho Power's 100th anniversary, recognize and honor.............................. HCR 43  131  193
Idaho State Police, alcohol beverage rule rejected................................ HCR 40  140  170
Idaho peace officers, recognize, honor................................................. SCR 132  22  61
Income tax structure in Idaho, legislative study committee....................... SCR 155  259  267
Joint Rule 18, statements of purpose, fiscal notes.................................... SCR 142  85 -
Joint Rule 18, statements of purpose, fiscal notes.................................... SCR 150  161  177
Joint Rule 20, transmittal of Joint Resolution.......................................... SCR 143  85  148
Joint Rule 21, certain recorded proceedings........................................... SCR 144  86  148
Matt Paradis, Denver Broncos, Super Bowl Championship............................ HCR 42  96  127
Mitigating bias, contested cases, legislative study................................... SCR 151  178  193
Music In Our Schools Month, observance in March.................................... HCR 31  69  108
National Apprenticeship Week, recognize............................................... HCR 36  93  152
National Day of the Cowboy, declared................................................. HCR 38  150  226
National Women's History Month, recognized......................................... SCR 147  110  127
Public Utilities Commission safety, accident reporting rules rejected............ HCR 51  177  241
Public procurement, legislative study committee....................................... HCR 48  170  266
Public school funding formula, legislative study committee....................... HCR 33  99  182
Purple Heart Day, State of Idaho, designate........................................ HCR 146  86  108
Social Work Recognition Month, March 2016, support................................. HCR 47  143  170
State employee group insurance plan, legislative study.............................. HCR 61  277  277
State trust land, oppose use based on exclusivity...................................... HCR 53  229 -
Statue of Liberty, commemorating 130th anniversary................................ HCR 29  87  170
Surface water/ground water settlement, support..................................... SCR 135  47 -
Veterans cemetery in Eastern Idaho, endorse need.................................... SCR 145  86  108
Veterans cemetery in Eastern Idaho, endorse need.................................... SCR 149  121  148
Water Resource Board, evaluate/manage aquifer shortage.......................... SCR 137  48  93
Wheat Commission rules rejected....................................................... HCR 49  170  193
Year of Idaho Military Families, observe in 2016.................................... HCR 28  131  170

RESOLUTIONS, JOINT
Legislative response to administrative rules......................................... HJR 5  201  280
Legislative session for vetoed bills................................................... SJR 101  44  105

RESEARCH
See also FOOD

RETIREMENT
Public Employee Retirement System of Idaho, appropriation..................... S 1363  135  157
Retired professional engineer/land surveyor, defined................................ S 1286  73  112

REVENUE AND TAXATION
See TAX AND TAXATION

RIGHT-OF-WAY
See EASEMENTS

RISCH, JAMES E.
US Senator Address, February 16, 2016............................................... 92
RIVERS
Columbia River Treaty, urge continuance...................................................... SJM 106 134 152
Submersible well pumps, approved locations........................................ H 643 277 281
ROADS
See HIGHWAYS
ROLL CALL VOTE REQUEST
Pursuant to Rule 39(C):
SCR 137, Senator Davis.................................................................................. 93
SCR 136, Senator Davis.................................................................................. 93
RONK, MEGAN
Appointment: Director of the Department of Commerce
Appointed by Governor/to Commerce and Human Resources (Jan. 20)........ 27
Committee Report......................................................................................... 52
Confirmed by Senate...................................................................................... 57
RULES
Administration Department, Capitol parking rules rejected....................... SCR 152 192 226
Administrative Code, certain electronic copies ........................................... S 1234 45 153
Agency fee rules approved, except ISP and Health and Welfare................. SCR 153 231 261
Agency rules, continue in full force and effect........................................... H 639 278 282
Agency temporary rules approved and extended........................................ SCR 154 232 261
Amendments to Administrative Rules, requirement................................. S 1360 127 190
Commission of Pardons and Parole rule rejected........................................ HCR 39 140 170
Education Board/Department Rule Docket 08-0203-1503 rejected................ SCR 139 80 96
Education Board/Department Rule Docket 08-0203-1506 rejected................ SCR 140 80 96
Education Board/Department Rule Docket 08-0203-1509 rejected................ HCR 44 140 177
Education Board/Department Rule Docket 08-0203-1511 rejected................ SCR 141 80 96
Education Board opportunity scholarship rules rejected............................ HCR 45 140 177
Fish and Game Department Rule Docket 13-0116-1501 rejected................... HCR 55 226 241
Idaho State Police, alcohol beverage rule rejected...................................... HCR 40 140 170
Joint Rule 18, statements of purpose, fiscal notes........................................ SCR 142 85 -
Joint Rule 18, statements of purpose, fiscal notes........................................ SCR 150 161 177
Joint Rule 20, transmittal of Joint Resolution................................................ SCR 143 85 148
Joint Rule 21, certain recorded proceedings................................................ SCR 144 86 148
Legislative response to administrative rules............................................... HJR 5 201 280
Public Utilities Commission safety, accident reporting rules rejected .......... HCR 51 177 241
Senate Rule 20, committee chair’s decisions.............................................. SR 101 84 149
Wheat Commission rules rejected............................................................... HCR 49 170 193
RULES, SENATE AND JOINT RULES SENATE/HOUSE
Senate Rule 12(A), Petitions, Memorials and Resolutions and Joint Rule 6:
SCR 135, February 9, 2016........................................................................... 67
Senate Rule 39(C), Roll Call Vote:
SCR 137, February 16, 2016...................................................................... 93
SCR 136, February 16, 2016...................................................................... 93
Senate Rule 14(E), Calling for a Bill:
S 1205, March 14, 2016......................................................................... 197
Joint Rule 20, Petition to Waive:
HJR 5, March 23, 2016............................................................................. 259

SAFETY
Food safety modernization, Department of Agriculture regulate................ H 499 136 198
Idaho School Safety and Security Act............................................................. H 514 150 206
Protection orders, malicious harassment, stalking...................................... S 1373 139 183
Public Utilities Commission safety, accident reporting rules rejected........ HCR 51 177 241
Public records exemption, critical infrastructure........................................ H 447 99/151 165
Seat belt violations, warning period, increased fine..................................... S 1312 82/117 142
Underground Facilities Damage Prevention Board..................................... H 454 123 213

- S -
SALARIES
See WAGES

SALES
Alcohol beverage catering permits, provisions................................................. S 1354 123/261 171/268
Cemetery lots, resale of unused lots, compensation ........................................... H 496 140 198
Electronic cigarettes, permit to sell, required sign............................................. H 498 140 -
Farm equipment repurchase requirements, charges............................................. S 1359 127 154
Firearm sales, federally required records not public........................................... H 478 136 219
Foreclosure, trustee sale, nontitled personal property....................................... S 1315 82/172/182 196
Girl Scout/Boy Scout food products, sales tax exemption................................... H 449 99 -
Retail sale of liquor by the drink, "person" defined........................................... H 362 54/113 165
Tax deed sale proceeds, unclaimed property..................................................... S 1347 104/164 179

SAVINGS ACCOUNTS
State employee health savings account, employer portion.................................... S 1319 82 -
State employee health savings account, employer portion.................................... S 1346 104 144

SCHNEIDER, ALLAN R.
Appointment, Member: Commission for the Blind and Visually Impaired
Appointed by Governor/to Health and Welfare (Jan. 13)........................................ 11
Committee Report.................................................................................................... 26
Confirmed by Senate.................................................................................................. 28

SCHNEIDER, PAUL J.
Appointment, Member: Idaho State Racing Commission
Appointed by Governor/to State Affairs (Mar. 3)..................................................... 148
Committee Report.................................................................................................... 228
Confirmed by Senate.................................................................................................. 241

SCHOLARSHIPS
Adult degree completion scholarship, provisions.................................................... S 1291 73/117 142
Advanced opportunities, rulemaking, support program........................................ H 458 123/150 165
College scholarship eligibility, funds investment..................................................... S 1208 31 63
Education Board opportunity scholarship rules rejected ........................................ HCR 45 140 177
Postsecondary credit scholarship, requirements, funds.......................................... H 477 170/218 230

SCHOOLS AND SCHOOL DISTRICTS
Advanced opportunities, rulemaking, support program........................................ H 458 123/150 165
Broadband Infrastructure Improvement Grant Fund................................................ S 1333 89 137
Career technical education, additional allocation for staff...................................... H 630 269 275
Certificated employees, supplemental duty/day contracts...................................... H 537 177 219
Charter School Debt Reserve Fund, appropriation................................................ S 1430 266 273
Charter holders, petition, replication charter schools.............................................. S 1376 149 185
Civics test or school alternative, exception............................................................. S 1247 54 -
Civics test, applicability to special education pupils............................................... S 1336 90 144
Civics test, include Idaho specific questions.......................................................... HCR 50 170 -
College and career advisors, provisions, reporting................................................ S 1290 73 113
Community College Districts, powers of board..................................................... S 1320 82 136
Community College Districts, zones, trustees...................................................... H 387 62 -
Community colleges, creation/provisions trustee zones....................................... H 512 136 205
Continuous student improvement plans, requirement............................................. H 560 177 219
Education Department, appropriation, public schools, Central Service................. H 647 278 282
Education Department, appropriation, public schools, Children's Programs............ H 647 278 282
Education Department, appropriation, public schools, Operations Division............. H 647 278 282
Education Opportunity Resource Act...................................................................... S 1334 90 137
Education, professional-technical to career technical............................................ S 1210 31 46
Educational support program, calculations, grades 8-12........................................ H 629 269 275
Educational support program, literacy intervention............................................... H 526 136 203
Educational support, program calculations............................................................ S 1289 73 -
Idaho School Safety and Security Act.................................................................... H 514 150 206
Insulin and blood glucose supplies, district policy............................................... S 1330 89 145
Leadership premiums, moneys distributed to school districts............................... S 1266 62 119
Leadership premiums, revise provisions................................................................. H 627 269 275
Local Innovation School Act.................................................................................. H 570 201 237
Mastery-based education, activity provisions......................................................... S 1267 62 119
SCHOOLS AND SCHOOL DISTRICTS (Continued)

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1293</td>
<td>73/140</td>
<td>160</td>
</tr>
<tr>
<td>S 1337</td>
<td>90</td>
<td>-</td>
</tr>
<tr>
<td>S 1321</td>
<td>82</td>
<td>-</td>
</tr>
<tr>
<td>H 379</td>
<td>54/129</td>
<td>165</td>
</tr>
<tr>
<td>S 1342</td>
<td>96/140</td>
<td>160</td>
</tr>
<tr>
<td>S 1429</td>
<td>265</td>
<td>273</td>
</tr>
<tr>
<td>H 1273</td>
<td>65</td>
<td>-</td>
</tr>
<tr>
<td>S 1272</td>
<td>65</td>
<td>146</td>
</tr>
<tr>
<td>H 426</td>
<td>83</td>
<td>199</td>
</tr>
<tr>
<td>H 515</td>
<td>140</td>
<td>202</td>
</tr>
<tr>
<td>H 571</td>
<td>201</td>
<td>237</td>
</tr>
<tr>
<td>S 1248</td>
<td>54</td>
<td>109</td>
</tr>
<tr>
<td>H 603</td>
<td>238</td>
<td>272</td>
</tr>
<tr>
<td>H 452</td>
<td>105/172</td>
<td>186</td>
</tr>
<tr>
<td>H 476</td>
<td>112</td>
<td>186</td>
</tr>
<tr>
<td>H 474</td>
<td>99</td>
<td>174</td>
</tr>
<tr>
<td>H 451</td>
<td>128</td>
<td>197</td>
</tr>
<tr>
<td>S 1308</td>
<td>79</td>
<td>-</td>
</tr>
<tr>
<td>S 1257</td>
<td>58/261</td>
<td>124/267</td>
</tr>
<tr>
<td>S 1307</td>
<td>79</td>
<td>-</td>
</tr>
<tr>
<td>S 1342</td>
<td>265</td>
<td>273</td>
</tr>
<tr>
<td>S 1279</td>
<td>68</td>
<td>113</td>
</tr>
</tbody>
</table>

SCIENCE AND TECHNOLOGY

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 630</td>
<td>269</td>
<td>275</td>
</tr>
<tr>
<td>H 469</td>
<td>136</td>
<td>202</td>
</tr>
<tr>
<td>H 379</td>
<td>54/129</td>
<td>165</td>
</tr>
<tr>
<td>S 1249</td>
<td>54</td>
<td>101</td>
</tr>
<tr>
<td>H 357</td>
<td>69</td>
<td>171</td>
</tr>
<tr>
<td>S 1425</td>
<td>238</td>
<td>256</td>
</tr>
<tr>
<td>S 1429</td>
<td>265</td>
<td>273</td>
</tr>
<tr>
<td>S 1279</td>
<td>68</td>
<td>113</td>
</tr>
</tbody>
</table>

SCOTT, DANIEL

<table>
<thead>
<tr>
<th>Appointment, Member: Aeronautics Advisory Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointed by Governor/to Transportation (Feb. 11)</td>
</tr>
<tr>
<td>Committee Report</td>
</tr>
<tr>
<td>Confirmed by Senate</td>
</tr>
</tbody>
</table>

SEAT ASSIGNMENTS

January 11, 2016... 9

SEAT BELTS

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1312</td>
<td>82/117</td>
<td>142</td>
</tr>
</tbody>
</table>

SECRETARY OF STATE

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 563</td>
<td>177</td>
<td>223</td>
</tr>
<tr>
<td>S 1418</td>
<td>229</td>
<td>255</td>
</tr>
<tr>
<td>H 384</td>
<td>54</td>
<td>66</td>
</tr>
<tr>
<td>H 390</td>
<td>79</td>
<td>197</td>
</tr>
<tr>
<td>S 1227</td>
<td>42</td>
<td>-</td>
</tr>
<tr>
<td>S 1195</td>
<td>22</td>
<td>-</td>
</tr>
<tr>
<td>S 1297</td>
<td>74/114/129/283</td>
<td>145/284</td>
</tr>
<tr>
<td>H 389</td>
<td>79</td>
<td>201</td>
</tr>
</tbody>
</table>

SECURITY

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 514</td>
<td>150</td>
<td>206</td>
</tr>
</tbody>
</table>

SELF-GOVERNING AGENCIES

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 383</td>
<td>87</td>
<td>180</td>
</tr>
<tr>
<td>S 1379</td>
<td>149</td>
<td>179</td>
</tr>
<tr>
<td>H 365</td>
<td>41</td>
<td>54</td>
</tr>
<tr>
<td>H 635</td>
<td>277</td>
<td>278</td>
</tr>
<tr>
<td>H 552</td>
<td>156</td>
<td>221</td>
</tr>
</tbody>
</table>
### SENATE INDEX

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 609</td>
<td>229</td>
<td>254</td>
</tr>
<tr>
<td>H 598</td>
<td>209</td>
<td>231</td>
</tr>
<tr>
<td>S 1199</td>
<td>27</td>
<td>36</td>
</tr>
<tr>
<td>S 1372</td>
<td>136</td>
<td>160</td>
</tr>
<tr>
<td>S 1407</td>
<td>204</td>
<td>235</td>
</tr>
<tr>
<td>S 1365</td>
<td>136</td>
<td>157</td>
</tr>
<tr>
<td>S 1392</td>
<td>163</td>
<td>185</td>
</tr>
<tr>
<td>S 1429</td>
<td>265</td>
<td>273</td>
</tr>
</tbody>
</table>

**SENIOR CITIZENS**

- Nursing Home Administrators Board, provisions regarding membership: H 482, 143, 213
- Residential care/assisted living facilities, citations: S 1341, 91/150, 161

**SENTENCING**

- Animal cruelty, presentence psychological evaluation: S 1309, 79, -
- Companion animals, torture, definitions, penalties: H 524, 140, 202

**SETTLES, KEVIN COYNE**

- Appointment, Member: Idaho Commission on Human Rights
  - Appointed by Governor/to State Affairs (Jan. 27): 37
  - Committee Report: 76
  - Confirmed by Senate: 95

**SEWERS**

- Recreational water/sewer districts, annexation: H 406, 170, 213

**SEX DISCRIMINATION**

- Sexual orientation/gender identity, no discrimination: S 1196, 23, -

**SEX OFFENSES AND OFFENDERS**

- Sex offenses, rape gender neutral: H 580, 229, 261
- Sexual assault evidence kits, testing/duties/procedures: H 528, 150, 202
- Sexual battery of adult, rape gender neutral: S 1277, 68, 132
- Sexual exploitation of child, electronically, penalties: H 555, 177/216, 230

**SEXUAL OFFENDER MANAGEMENT BOARD**

- Betts, Jeffrey: Appointment, Member
  - Appointed by Governor/to Judiciary and Rules (Feb. 10): 71
  - Committee Report: 88
  - Confirmed by Senate: 95

- Crawford, William Dale: Appointment, Member
  - Appointed by Governor/to Judiciary and Rules (Jan. 20): 27
  - Committee Report: 88
  - Confirmed by Senate: 108

- Johnston, Michael David: Appointment, Member
  - Appointed by Governor/to Judiciary and Rules (Jan. 27): 38
  - Committee Report: 88
  - Confirmed by Senate: 95

**SELF-GOVERNING AGENCIES (Continued)**

- Department, appropriation, add'l, Public Defense Commission: H 609, 229, 254
- Department, appropriation, medical boards: H 598, 209, 231
- Department, appropriation, medical boards, add'l: S 1199, 27, 36
- Department, appropriation, regulatory boards: S 1372, 136, 160
- Idaho State Historical Society, appropriation: S 1407, 204, 235
- Idaho State Lottery, appropriation: S 1365, 136, 157
- Library Commission, appropriation: S 1392, 163, 185
- Library Commission, appropriation, add'l: S 1429, 265, 273

*SENATE*

- See also LEGISLATURE
- See also SEAT ASSIGNMENTS, COMMITTEE ASSIGNMENTS
- See also SENATE OFFICERS; SPECIAL COMMITTEES
- See also RULES, ADOPTION
- Senate Rule 20, committee chair's decisions: SR 101, 84, 149

**SENATORS**

- Acting: Troy Rohn, March 22, 2016: 240
- Appointed:
  - Kelly Anthon, District 27, Effective July 2, 2015: 2
  - Mark R. Harris, District 32, Effective July 22, 2015: 3
- Memorialized:
  - Steven L. Herndon, February 15, 2016: 88
- Resigned:
  - Dean L. Cameron, June 15, 2015: 2
  - John H. Tippets, July 5, 2015: 2
SEXUAL OFFENDER MANAGEMENT BOARD (Continued)

Lynch, Moira A.: Appointment, Member
  Appointed by Governor/to Judiciary and Rules (Jan. 14) .................................................. 16
  Committee Report .................................................................................................................. 88
  Confirmed by Senate ............................................................................................................... 96

Sonnenberg, Erwin L.: Appointment, Member
  Appointed by Governor/to Judiciary and Rules (Feb. 1) ....................................................... 45
  Committee Report .................................................................................................................. 88
  Confirmed by Senate ............................................................................................................... 95

Thomas, Matthew Allen: Appointment, Member
  Appointed by Governor/to Judiciary and Rules (Jan. 15) ...................................................... 20
  Committee Report .................................................................................................................. 88
  Confirmed by Senate ............................................................................................................... 95

SHERIFFS
  Concealed weapons law, repeal, add new section ................................................................. S 1378 149 -
  Protection orders, malicious harassment, stalking ............................................................... S 1373 139 183

SILVER
  See PRECIOUS METALS

SINE DIE ADJOURNMENT
  Second Regular Session, March 24, 2016 at 9:02 p.m. ............................................................ 284

SMOKING
  Cigarette taxes, wholesaler bonding requirements ................................................................. H 376 59 101
  Electronic cigarettes, permit to sell, required sign ................................................................. H 498 140 -
  Millennium Income Fund, appropriation, tobacco/drug programs .................................... S 1410 204 236
  Youth Education Account, repeal ......................................................................................... H 392 65 167

SOCIAL WORK
  Board, revise provisions regarding membership ................................................................. H 482 143 213
  Social Work Recognition Month, March 2016, support .................................................. HCR 47 143 170

SOIL
  Soil and Water Conservation Commission, appropriation ............................................... S 1416 222 253
  Watershed Improvement Districts, dissolution ................................................................. H 569 201 236

SOLAR ENERGY
  Solar production of energy, taxation ................................................................................... H 534 150 206

SOLID WASTES
  See WASTES

SONNENBERG, ERWIN L.
  Appointment, Member: Sexual Offender Management Board
    Appointed by Governor/to Judiciary and Rules (Feb. 1) .................................................. 45
    Committee Report ............................................................................................................. 88
    Confirmed by Senate .......................................................................................................... 95

SPECIAL COMMITTEES
  Lincoln Day: Senators Lee and Souza, Co-chairmen ....................................................... 81
  Memorial Service: Senators Souza and Lee, Co-chairmen .............................................. 88
  Idaho Day: Senator Burgoyne Chair, and Senators Anthon and Den Hartog .................... 158

SPEED LIMITS
  Off-road vehicles, when permitted on highways ............................................................... H 553 189 220

SPORTS
  See ATHLETICS

STANDING COMMITTEE, ASSIGNMENTS
  See COMMITTEES, STANDING

STARK, LOUISE D.
  Appointment, Member: Idaho Outfitters and Guides Licensing Board
    Appointed by Governor/to Resources and Environment (Jan. 14) ............................... 16
    Committee Report ............................................................................................................ 49
    Confirmed by Senate ........................................................................................................ 53

STATE AGENCIES
  See GOVERNMENT
STATE APPELLATE PUBLIC DEFENDER
Appropriation................................................................. H 600 209 235
Provisions related to powers and duties.............................. H 439 105 205

STATE BOARD OF CORRECTION
Wilson, Cindy P.: Appointment, Member
Appointed by Governor/to Judiciary and Rules (Jan. 13) .................. 12
Committee Report.............................................................. 56
Confirmed by Senate......................................................... 61

STATE BOARD OF EDUCATION
Atchley, Emma Lou: Appointment, Member
Appointed by Governor/to Education (Jan. 13)............................ 12
Committee Report............................................................. 103
Confirmed by Senate......................................................... 108
Clark, Linda: Appointment, Member
Appointed by Governor/to Education (Jan. 15)............................ 19
Committee Report............................................................. 71
Confirmed by Senate......................................................... 77

STATE BUILDING AUTHORITY
Enderud, Shelly Jo: Appointment, Member
Appointed by Governor/to State Affairs (Mar. 1)......................... 138
Committee Report............................................................. 233
Confirmed by Senate......................................................... 241
Tracy, Bud: Appointment, Member
Appointed by Governor/to State Affairs (Mar. 1)......................... 138
Committee Report............................................................. 233
Confirmed by Senate......................................................... 241

STATE INSURANCE FUND BOARD
Gestrin, Terry: Appointment, Member
Appointed by Governor/to Commerce and Human Resources (Feb. 1) .... 45
Committee Report............................................................. 100
Confirmed by Senate......................................................... 108
Lakey, Todd: Appointment, Member
Appointed by Governor/to Commerce and Human Resources (Jan. 15) .... 18
Committee Report............................................................. 60
Confirmed by Senate......................................................... 66

STATE OF THE JUDICIARY MESSAGE
Chief Justice Jim Jones, January 20, 2016.................................... 24

STATE OF THE STATE AND BUDGET ADDRESS
Governor C. L. "Butch" Otter, January 11, 2016............................. 4

STATE PUBLIC DEFENSE COMMISSION
Appropriation........................................................................ H 578 189 224
Appropriation, adj1............................................................... H 609 229 254
State Public Defense Commission duties, county funds, grants............ H 504 150 206

STATE SOIL AND WATER CONSERVATION COMMISSION
Gier, Glen R.: Appointment, Member
Appointed by Governor/to Agricultural Affairs (Jan. 14)............... 16
Committee Report............................................................. 77
Confirmed by Senate......................................................... 95

STATE SYMBOLS
Celebrating 125th anniversary, Great Seal of Idaho.......................... HCR 41 160 201
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage......................... HCR 57 216 241

STATEHOUSE
See CAPITOL

STATEMENT OF PURPOSE
Joint Rule 18, statements of purpose, fiscal notes.......................... SCR 142 85 -
Joint Rule 18, statements of purpose, fiscal notes.......................... SCR 150 161 177

STATUES
See MONUMENTS

STATUTES
See CODES
STREAMS
Submersible well pumps, approved locations

STUDENTS
Advanced opportunities, rulemaking, support program
Barber college licensing, student qualifications
Civics test or school alternative, exception
Civics test, applicability to special education pupils
Civics test, include Idaho specific questions
Continuous student improvement plans, requirement
Education Department, appropriation, public schools, Children's Programs
Education Opportunity Resource Act
Educational support program, calculations, grades 8-12
Educational support program, literacy intervention
Insulin and blood glucose supplies, district policy
Massage therapy, student tuition credit program
Parental rights in education, responsibility, notice
Postsecondary credit scholarship, requirements, funds
Residency requirements for public higher education
Statewide average class size, calculation of
Third grade reading instruction, intervention plan
Undergraduate students, tuition lock plan
Youth athletes, permission, post-concussion protocol

STUDIES
Complete Medicaid waiver application, legislative committee
Foster care/conservators/guardians, legislative study
Health grant program for medically underserved
Income tax structure in Idaho, legislative study committee
Mitigating bias, contested cases, legislative study
Public procurement, legislative study committee
Public school funding formula, legislative study committee
State employee group insurance plan, legislative study

SUBSTANCE ABUSE
Millennium Income Fund, appropriation, tobacco/drug programs
Youth Education Account, repeal

SUICIDE
Health and Welfare Department, duties include suicide prevention services

SUPERINTENDENT OF PUBLIC INSTRUCTION
See also EDUCATION
Appropriation
Appropriation, adj1
Appropriation, revised

SUPREME COURT
See COURTS
See also COURTS, JUDICIARY
Chief Justice Jim Jones
State of the Judiciary Message, January 20, 2016

SURVEYING AND SURVEYORS
Engineers and Surveyors Board to promulgate plat rules
Engineers/Land Surveyors Board, membership provisions
Engineers/surveyors, exams, restricted licensure
Engineers/surveyors, practicing without license

TAX AND TAXATION
Cigarette taxes, wholesaler bonding requirements
Commission, no taxable valuation report to Department of Education
Commission, school district report, delete need for submission

- T -
TAX AND TAXATION (Continued)

Fuels, special fuels, distribution of revenues from tax
Highway Distribution Account, apportionment revised
Highway Distribution Account, apportionment/hybrid fee
IRS tax code update, language regarding marriage
Insurance premium tax, portion to high risk reinsurance
Operating property not in taxable value for making levy
PUC/Tax/Industrial commissioner salary increase
Solar production of energy, taxation
Tax Appeals Board, appropriation
Tax Commission, appropriation
Tax deed sale proceeds, unclaimed property
Tax on production of wine/certain grapes
Taxing Districts, formed by certain date to make levy
Withholding tax, certain employers to pay monthly
Withholding tax, employer payment/correction deadlines

TAX AND TAXATION, INCOME

Certain rates, credits, individuals and corporations
Deductions, capital gains, cattle/horses/livestock
IRS tax code update, language regarding marriage
Income tax structure in Idaho, legislative study committee
STEM Action Center contributions, tax credit
Withholding tax, certain employers to pay monthly
Withholding tax, employer payment/correction deadlines

TAX AND TAXATION, PROPERTY

Appeal process if no longer assessed as forest land
Homeowner's exemption, $100K, no inflation adjuster
Operating property not in taxable value for making levy
Property tax relief, hardship application deadline
School district reports, Tax Commission procedures, availability
Tax Commission, no taxable value report to Department of Education
Tax deeds, clarification of the term "encumbrances"
Tax deeds, nonapplication, municipality easements
Taxing Districts, budgeting forgone increases
Taxing Districts, formed by certain date to make levy

TAX AND TAXATION, SALES AND USE

Aircraft, certain parts exempt, remove sunset
Exemption, Girl Scout/Boy Scout food products
Exemption, certain aircraft for wildfire activity
Exemption, certain hand tools from certain taxes
Exemptions, production exemption
Paddleboards, similar vessels taxable to nonresident

TEACHING AND TEACHERS

Career technical education, additional allocation for staff
Certificated employees, supplemental duty/day contracts
Civics test or school alternative, exception
Civics test, applicability to special education pupils
Civics test, include Idaho specific questions
College and career advisors, provisions, reporting
Computer science initiative for public schools
Education Department, appropriation, public schools, Teachers Division
Leadership premiums, moneys distributed to school districts
Leadership premiums, revise provisions
Local Innovation School Act
Parental rights in education, responsibility, notice
Public school instruction, when Bible permitted
Public schools, when religious texts permitted
School district professional personnel, evaluations
School employee career ladder, compensation, indicators
TEACHING AND TEACHERS (Continued)
Staff allowance, determination provisions........................................... H 603 238 272
Third grade reading instruction, intervention plan........................................... H 451 128 197

TELECOMMUNICATIONS
Commerce Department, investigate improving broadband ...................... HCR 58 257 -
Public Safety Communications Commission, established............................ S 1212 33 128

TELEVISION
Idaho Public Television, appropriation.................................................... S 1370 136 160

THERAPISTS AND THERAPY
Massage therapy, student tuition credit program.................................. H 519 140 198
Occupational Therapy Licensure Board, membership................................ H 482 143 213
Physical Therapy Licensure Board, membership provisions.................. H 482 143 213
Physical therapy, license renewal, reinstatement......................................... H 334 51 187

THOMAS, MATTHEW ALLEN
Appointment, Member: Sexual Offender Management Board
Appointed by Governor/to Judiciary and Rules (Jan. 15).......................... 20
Committee Report.................................................................................. 88
Confirmed by Senate.............................................................................. 95

TIPPETS, JOHN H.
Resignation Letter, January 11, 2016..................................................... 2
Appointment: Director of the Department of Environmental Quality
Appointed by Governor/to Health and Welfare (Jan. 15).......................... 20
Committee Report.................................................................................. 143
Confirmed by Senate.............................................................................. 153

TOBACCO
Cigarette taxes, wholesaler bonding requirements.................................... H 376 59 101
Electronic cigarettes, permit to sell, required sign.................................... H 498 140 -
Millennium Income Fund, appropriation, tobacco/drug programs........... S 1410 204 236
Youth Education Account, repeal......................................................... H 392 65 167

TRACY, BUD
Appointment, Member: State Building Authority
Appointed by Governor/to State Affairs (Mar. 1)...................................... 138
Committee Report.................................................................................. 233
Confirmed by Senate.............................................................................. 241

TRANSPORTATION
Commercial vehicle license plates, same/new number............................. H 472 123 187
Department, appropriation......................................................................... S 1423 238 263
Department, appropriation, addl............................................................... H 363 41 51
Department, appropriation, addl............................................................... S 1423 238 263
Electric/hybrid vehicles, fee provisions.................................................... S 1311 81 125
Electronic voter registration for persons with DMV IDs.......................... S 1297 74/114/129/283 145/284
Federal REAL ID Act, implement certain provisions................................ H 513 170/190 205
Highway Distribution Account, apportionment revised............................ S 1230 42 88
Highway transportation, bonding for certain project................................. S 1263 61 99
Interstates in Idaho, classification based on purpose................................. S 1229 42 62
License plates, special, Idaho Friends Orofino H/S Mascot...................... H 413 177 -
License plates, special, veterans surviving spouse.................................... H 385 69 165
Off-road vehicles, when permitted on highways....................................... H 553 189 220
Seat belt violations, warning period, increased fine................................. S 1312 82/117 142
Transportation Board, bases for removal of director................................ S 1246 53 100
Vehicles, certain allowable lengths, extensions........................................ S 1261 61 99

TRAPPING
Fish and Game Department Rule Docket 13-0116-1501 rejected................ HCR 55 226 241
Fish and Game education programs, trapping.......................................... H 378 65 202

TRAVEL
Limited Lines Travel Insurance Act....................................................... S 1384 156 -

TREASURER, STATE
Appropriation.......................................................................................... H 601 209 235
Highway Distribution Account, apportionment revised............................ S 1230 42 88
Highway Distribution Account, apportionment/hybrid fee........................ H 624 283 -
TREASURER, STATE (Continued)
  Idaho Bond Bank Authority, funds, costs ............................................... H 427  87   199
  Investment of endowment funds, other funds, authorized ......................... H 464  123  199
  STEM education fund, creation, provisions ............................................. S 1279  68  113
  Tax deed sale proceeds, unclaimed property ......................................... S 1347 104/164  179
TRUSTS
  Trust deeds, definition of the term "trustee" ........................................ H 503  143  219
  Trusts, certain persons/trustees don't require charter ................................ S 1314  82  120
TUITION
  Advanced opportunities, rulemaking, support program ................................ H 458 123/150  165
  Community colleges, tuition, out-of-district students ................................ H 527  140  211
  Massage therapy, student tuition credit program .................................... H 519  140  198
  Undergraduate students, tuition lock plan ............................................ S 1292  73  -

- U -

UNDERGROUND STORAGE TANKS
  Revises funding, fees regarding state program ....................................... S 1244  51  105
UNEMPLOYMENT
  See EMPLOYMENT SECURITY LAW
UNFAIR COMPETITION
  Noncompete clause violation, key employee, breach ................................ H 487  201  248
UNIFORM AND MODEL LAWS
  Uniform Athlete Agents Act, revised .................................................. H 398  93  213
  Uniform Fiduciary Access to Digital Assets Act ..................................... S 1303 78/172  185
UNIONS
  See LABOR
UNIVERSITIES
  See COLLEGES AND UNIVERSITIES
UNIVERSITY OF IDAHO
  See COLLEGES AND UNIVERSITIES
URBAN RENEWAL
  Urban renewal, provisions, requirements, reporting ................................ H 606  257/269/274  276
UTILITIES
  PUC/Tax/Industrial commissioner salary increase .................................... H 575  189  223
  Public Utilities Commission safety, accident reporting rules rejected .......... HCR 51  177  241
  Public Utilities Commission, appropriation ........................................... H 548  156  220
  Underground Facilities Damage Prevention Board ..................................... H 454  123  213

- V -

VASSAR, JANICE B.
  Appointment, Member: Idaho Transportation Board
  Appointed by Governor/to Transportation (Feb. 11) .................................. 77
  Committee Report...................................................................................... 141
  Confirmed by Senate.................................................................................. 152

VEHICLES
  See MOTOR VEHICLES
VESSELS
  See BOATS
VETERANS
  Purple Heart Day, State of Idaho, designate ......................................... SCR 146  86  108
  Veteran license plate, when surviving spouse may obtain ......................... H 385  69  165
  Veterans Services Division, appropriation ............................................. H 552  156  221
  Veterans cemetery in Eastern Idaho, endorse need ................................... SCR 145  86  108
  Veterans cemetery in Eastern Idaho, endorse need ................................. SCR 149 121  148
VETERINARY MEDICINE
Board, revise provisions regarding membership ................................................................. H 482  143  213
Humane Euthanasia Committee instead of task force ......................................................... H 381  79  186
U of I Animal/Veterinary Science Department, Fish and Game Account funds .................. S 1258  58  106
Veterinarians, alternatives to formal discipline ....................................................................... H 382  79/209  230

VETO MESSAGES, GOVERNOR'S
S 1342, as amended .............................................................................................................. 288

VETOED BILLS
Health and Welfare Department, appropriation, health care policy initiatives, add'l ............. H 650  283  284
Legislative session for vetoed bills ......................................................................................... SJR 101  44  105
Public schools, when religious texts permitted ..................................................................... S 1342  96/140  160

VICTIMS
Sexual assault evidence kits, testing/duties/procedures ......................................................... H 528  150  202

VIDEOS
Sexual exploitation of child, electronically, penalties ............................................................. H 555  177/216  230

VISITORS
See also MEMORIAL SERVICE, VISITORS
See also LINCOLN DAY, VISITORS
Jones, Jim, Chief Justice Idaho Supreme Court, January 20, 2016 ................................. 24
Crapo, Mike, United States Senator, February 16, 2016 .................................................. 92
Risch, Jim, United States Senator, February 16, 2016 ....................................................... 92
Hill, James, Consul General of Canada, March 15, 2016 .................................................. 203

VISUALLY IMPAIRED
See BLIND

VOCATIONAL REHABILITATION
Acceptance of federal acts, to revise reference ........................................................................ S 1232  43  101
Division, appropriation .......................................................................................................... S 1395  177  196

VOLUNTEERS
Workers compensation, firefighter occupational diseases ................................................... H 554  194  222

VOTE, RECONSIDERATION
S 1225, Notice Given Senator Davis ................................................................................... 102
   Lack of motion to reconsider, transmitted to the House .................................................. 104
S 1257, Notice Given Senator Brackett ................................................................................. 125
   Lack of motion to reconsider, transmitted to the House .................................................. 127
H 536, Notice Given Senator Davis ...................................................................................... 221
   Lack of motion to reconsider, transmitted to the House .................................................. 222

VOTE, TIE
S 1264 [President of the Senate voted Nay] ......................................................................... 120

VOTING AND VOTERS
Absentee ballot application deadline revised ......................................................................... S 1274  65  145
Early voting, eligible counties, tabulation system ................................................................. S 1275  65  145
Election results posting at polling place not required ......................................................... S 1377  149  190
Electronic voter registration for persons with DMV IDs ..................................................... S 1297  74/114/129/283  145/284
Hydroelectric plant, when Irrigation District vote unneeded .............................................. S 1304  78  133
Identification, additional forms allowed at polls ................................................................. H 604  257  -
Political statements, identity of person responsible ............................................................ H 542  170  251
Primary elections, provisions ................................................................................................. S 1195  22  -
Primary elections, selecting/changing party affiliation ..................................................... S 1203  30  -
School trustees, elector qualifications, uniform date ......................................................... S 1308  79  -

VOTING, CONFLICT, DISCLOSURE
See also CONFLICT OF INTEREST

- W -

WAGES
Architectural Examiners Board, revise compensation ......................................................... H 366  51  198
Career technical education, additional allocation for staff ................................................. H 630  269  275
District judges, salary set ....................................................................................................... S 1420  229  251
Minimum wage, political subdivision no higher than Code ............................................. H 463  109  183
**WAGES (Continued)**

- PUC/Tax/Industrial commissioner salary increase
- School employee career ladder, compensation, indicators
- Teacher leadership premiums, revise provisions

**WASTES**

- Department of Agriculture/DEQ, management of cattle byproduct
- Recreational water/sewer districts, annexation

**WATER**

- Aquatic invasive species, continued federal funding
- Community water fluoridation, great health achievement
- Department of Agriculture/DEQ, management of cattle byproduct
- Eastern Snake Plain Aquifer agreement, support
- Eastern Snake Plain Aquifer recharge target
- Ground Water District, assessments, indebtedness
- Ground Water District, certain assessments, indebtedness
- Ground Water District, petition/assessments, annexed lands
- Ground Water Districts, participation by nonmembers
- Ground water management plan, when not on time priority
- Invasive species, mussels, citations, inspection
- Irrigation corporations, maximum administrative charge
- Recreational water/sewer districts, annexation
- Soil and Water Conservation Commission, appropriation
- Submersible well pumps, approved locations
- Surface water/ground water settlement, support
- Water Resource Board, evaluate/manage aquifer shortage
- Water body classifications, risk levels
- Water diversion, incidental hydropower use, conditions
- Water quality, authorizing access to certain records
- Water resources, artificial barriers, embankments

**WATER RESOURCES DEPARTMENT**

- Appropriation
- Appropriation, add'l
- Eastern Snake Plain Aquifer recharge target
- Water Resource Board, evaluate/manage aquifer shortage
- Water body classifications, risk levels
- Water resources, artificial barriers, embankments

**WATERSHEDS**

- Idaho Multiple Use Sustained Yield Act
- Watershed Improvement Districts, dissolution

**WEAPONS**

- Concealed weapons law, repeal, add new section
- Concealed weapons, prohibited conduct
- Firearm rights not restored, certain felony convictions
- Firearm rights not restored, certain felony convictions
- Firearm sales, federally required records not public

**WEEDS**

- Noxious weeds, privately funded research facilities

**WELFARE**

- See PUBLIC ASSISTANCE

**WELLS**

- Irrigation District contract authority to construct wells
- Oil well, Lands Department duties, track integration, appeals
- Oil well, Lands Department duties, track integration, appeals
- Submersible well pumps, approved locations

**WHEAT**

- Wheat Commission rules rejected

**WIDOWS AND WIDowers**

- Estates, surviving spouse qualifications
- Veteran license plate, when surviving spouse may obtain
WILDERNESS
Tax exemption, certain aircraft for wildfire activity.................................................. H 540 170 214

WILDLIFE
See also ANIMALS
Compensation for damage to bees/beehives by bears.................................................. S 1340 91 128
Controlled hunt drawings, contract with private entity.................................................. S 1305 78 -
Controlled hunt drawings, contract with private entity.................................................. S 1344 104 133
Fish and Game Department Rule Docket 13-0116-1501 rejected.................................. HCR 55 226 241
Game animal, penalty for killing, possession, waste.................................................... S 1226 41 -
Governor's wildlife partnership tags, annual issuance.................................................. S 1236 50 -
Hunting, prohibit use of unmanned aircraft...................................................................... S 1213 35 59
Hunting/trapping/fishing, license exceptions................................................................... H 462 131 -
Sage-grouse, protect state conservation plans............................................................... HJM 13 99 193
Upland game bird permit, revised age provision.............................................................. H 350 51 202
Wolf Control Fund, appropriation.................................................................................. S 1414 222 252

WILLS
Estate, remove reference to a family allowance............................................................... S 1302 78 171
Surviving spouse, qualifications, revocation by divorce.................................................. S 1300 78/150 164
Uniform Fiduciary Access to Digital Assets Act.............................................................. S 1303 78/172 185

WILSON, CINDY P.
Appointment, Member: State Board of Correction
   Appointed by Governor/to Judiciary and Rules (Jan. 13) ........................................... 12
   Committee Report...................................................................................................... 56
   Confirmed by Senate................................................................................................. 61

WINDEL, CHARLES L.
Appointment, Member: Idaho Endowment Fund Investment Board
   Appointed by Governor/to State Affairs (Jan. 13)...................................................... 12
   Committee Report...................................................................................................... 67
   Confirmed by Senate................................................................................................. 77

WINE
See LIQUOR

WOLVES
See WILDLIFE

WOMEN
Abortion, ultrasound availability information................................................................... H 516 143 219
Idaho Unborn Infants Dignity Act.................................................................................. S 1349 104 -
Idaho Unborn Infants Dignity Act.................................................................................. S 1404 194/233 252
National Women's History Month, recognized.............................................................. SCR 147 110 127
Unborn Child Protection from Dismemberment Abortion Act...................................... S 1386 156 -

WORKERS COMPENSATION
Firefighters, certain occupational diseases ..................................................................... H 554 194 222
Workers compensation insurance, security instruments................................................. H 501 150 213
## SECTION V

### NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition columns cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. Session Law chapter numbers for bills which became law are also noted. House amendments to Senate bills can be found in the House Journal.

<table>
<thead>
<tr>
<th>Senate Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Intro-duction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1194</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>MANUFACTURED HOME RESIDENCY ACT - Amends existing law to remove references to a park model.................</td>
<td>20</td>
<td>-</td>
<td>22</td>
</tr>
<tr>
<td>1195</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Amends existing law to provide that write-in ballots shall not be counted in a presidential primary election.........................................................</td>
<td>22</td>
<td>-</td>
<td>23</td>
</tr>
<tr>
<td>1196</td>
<td>Buckner-Webb and Burgyone</td>
<td>S St Aff</td>
<td>CIVIL RIGHTS - Amends existing law to provide that freedom from discrimination because of sexual orientation or gender identity is a civil right.................................</td>
<td>23</td>
<td>-</td>
<td>26</td>
</tr>
<tr>
<td>1197</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>MINES AND MINING - Amends existing law to revise certain required reclamation activities; to revise bond amount provisions and to provide for written notice by the State Board of Land Commissioners to an operator of rejection of a request for bond release upon the board's determination that the requirements of a reclamation plan or permanent closure plan have not been met...............</td>
<td>23</td>
<td>41</td>
<td>135</td>
</tr>
<tr>
<td>1198</td>
<td>Burgyone</td>
<td>S Transp</td>
<td>MOTOR VEHICLES - Amends and adds to existing law to authorize the Idaho Transportation Department to issue driving privilege cards to certain individuals..........................</td>
<td>23</td>
<td>-</td>
<td>26</td>
</tr>
<tr>
<td>1199</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - MEDICAL BOARDS - Appropriates an additional $80,000 to the Board of Dentistry for fiscal year 2016; appropriates an additional $21,100 to the Board of Pharmacy for fiscal year 2016; and authorizes an additional position to the Board of Pharmacy........................</td>
<td>27</td>
<td>36</td>
<td>72</td>
</tr>
<tr>
<td>1200</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates an additional $379,000 to the Department of Lands for fiscal year 2016; and authorizes 3.33 additional full-time equivalent positions........................................</td>
<td>27</td>
<td>36</td>
<td>72</td>
</tr>
<tr>
<td>1201</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Appropriates and transfers $28,892,700 from the Catastrophic Health Care Cost Fund to the General Fund for fiscal year 2016................................................</td>
<td>27</td>
<td>39</td>
<td>287</td>
</tr>
<tr>
<td>1202</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>STATE PERSONNEL SYSTEM - Amends existing law to provide that all employees of the STEM Action Center, the Office of Species Conservation, the Office of Drug Policy and the Office of Energy Resources shall be nonclassified employees..........................................................</td>
<td>27</td>
<td>63</td>
<td>181</td>
</tr>
</tbody>
</table>

**Session Law Chapter No. 22**

**Session Law Chapter No. 3**

**Session Law Chapter No. 2**

**Session Law Chapter No. 275**

**Session Law Chapter No. 33**
| Senate | Introduced | Final | Subject                    | Introdu | Senate | Final |
|Bill    | by         | Action| Matter                     | duction| Vote   | Disp. |
|        |            |       |                           | Page    | Page   | Page  |
| 1203   | Jordan &   | S St | PRIMARY ELECTIONS - Repeals| 30      | -      | 34    |
|        | Buckner-   | Aff   | to existing law to       |         |        |       |
|        | Webb       |       | provide for changing or  |         |        |       |
|        |            |       | selecting party affiliation|         |        |       |
| 1204   | Schmidt    | S Health/Wel | MEDICAID - Amends and adds | 31      | -      | 34    |
|        |            |       | to existing law to provide|         |        |       |
|        |            |       | that the state shall      |         |        |       |
|        |            |       | expand Medicaid eligibility|         |        |       |
|        |            |       | to certain persons.      |         |        |       |
| 1205   | Schmidt    | S Health/Wel | MEDICAL ASSISTANCE - Amends and adds | 31      | -      | 34    |
|        |            |       | to existing law to provide|         |        |       |
|        |            |       | Medicaid eligibility       |         |        |       |
|        |            |       | standards and for certain |         |        |       |
|        |            |       | low-income individuals    |         |        |       |
|        |            |       | certain medical assistance.|         |        |       |
| 1206   | Finance    | LA    | APPROPRIATIONS - DEPARTMENT | 31      | 41     | 135   |
|        |            |       | OF HEALTH AND WELFARE -   |         |        |       |
|        |            |       | DOMESTIC VIOLENCE         |         |        |       |
|        |            |       | COUNCIL/INDIRECT SUPPORT  |         |        |       |
|        |            |       | SERVICES - Appropriates    |         |        |       |
|        |            |       | an additional $14,900 to  |         |        |       |
|        |            |       | the Department of Health   |         |        |       |
|        |            |       | and Welfare for the       |         |        |       |
|        |            |       | Domestic Violence Council; |         |        |       |
|        |            |       | increases the number of   |         |        |       |
|        |            |       | authorized full-time       |         |        |       |
|        |            |       | equivalent positions by 1.0|         |        |       |
|        |            |       | to the Department of Health|         |        |       |
|        |            |       | and Welfare for the       |         |        |       |
|        |            |       | Domestic Violence Council; |         |        |       |
|        |            |       | and appropriates an       |         |        |       |
|        |            |       | additional $1,349,800 to  |         |        |       |
|        |            |       | the Department of Health   |         |        |       |
|        |            |       | and Welfare for Indirect  |         |        |       |
|        |            |       | Support Services for a     |         |        |       |
|        |            |       | total of $1,364,700 for    |         |        |       |
|        |            |       | fiscal year 2016.          |         |        |       |
|        |            |       | Session Law Chapter No. 23 |         |        |       |
| 1207   | Finance    | LA    | APPROPRIATIONS - DEPARTMENT | 31      | 43     | 135   |
|        |            |       | OF HEALTH AND WELFARE -    |         |        |       |
|        |            |       | PSYCHIATRIC HOSPITALIZATION |         |        |       |
|        |            |       | - Appropriates an additional|         |        |       |
|        |            |       | $511,600 for State Hospital|         |        |       |
|        |            |       | South for fiscal year 2016.|         |        |       |
|        |            |       | Session Law Chapter No. 24 |         |        |       |
| 1208   | Education  | LA    | EDUCATION - Amends existing | 31      | 63     | 181   |
|        |            |       | law regarding the Armed    |         |        |       |
|        |            |       | Forces and Public Safety   |         |        |       |
|        |            |       | Officer Scholarship; and   |         |        |       |
|        |            |       | the investment of surplus  |         |        |       |
|        |            |       | moneys in the Opportunity  |         |        |       |
|        |            |       | Scholarship Program Account.|         |        |       |
|        |            |       | Session Law Chapter No. 32 |         |        |       |
| 1209   | Education  | S 3rd | EDUCATION - Amends existing | 31      | -      | 51    |
|        |            | Rdg   | law regarding the general  |         |        |       |
|        |            |       | powers of the board of     |         |        |       |
|        |            |       | trustees of each community  |         |        |       |
|        |            |       | college district.          |         |        |       |
| 1210   | Education  | LA    | EDUCATION - Amends existing | 31      | 46     | 135   |
|        |            |       | law to replace references  |         |        |       |
|        |            |       | to professional-technical  |         |        |       |
|        |            |       | education with career      |         |        |       |
|        |            |       | technical education.       |         |        |       |
|        |            |       | Session Law Chapter No. 25 |         |        |       |
| 1211   | Local      | H Loc | CATASTROPHIC HEALTH CARE   | 32      | 63     | 63    |
|        | Government  | Gov   | COST PROGRAM - Amends     |         |        |       |
|        | and        |       | existing law to authorize  |         |        |       |
|        | Taxation   |       | reimbursement for county   |         |        |       |
|        |            |       | commissioner members of the|         |        |       |
|        |            |       | Catastrophic Health Care   |         |        |       |
|        |            |       | Cost Program Board.        |         |        |       |
| 1212   | State Affairs | LA | EMERGENCY COMMUNICATIONS ACT | 33      | 128    | 265   |
|        |            |       | - Amends, repeals and adds |         |        |       |
|        |            |       | to existing law to create   |         |        |       |
|        |            |       | the Idaho Public Safety    |         |        |       |
|        |            |       | Communications Commission  |         |        |       |
|        |            |       | and charge it with the      |         |        |       |
|        |            |       | duties formerly held by the |         |        |       |
|        |            |       | Idaho Emergency             |         |        |       |
|        |            |       | Communications Commission   |         |        |       |
|        |            |       | and the Statewide           |         |        |       |
|        |            |       | Interoperability Executive |         |        |       |
|        |            |       | Council.                    |         |        |       |
|        |            |       | Session Law Chapter No. 127 |         |        |       |
SENATE INDEX

<table>
<thead>
<tr>
<th>Senate Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1213</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>FISH AND GAME - Amends existing law to prohibit the use of unmanned aircraft systems for hunting, molesting or locating game animals, game birds and furbearing animals.....</td>
<td>35</td>
<td>59</td>
<td>135</td>
</tr>
<tr>
<td>1214</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>LIVESTOCK - Adds to existing law to define terms; and to provide for livestock removal requirements. .........................</td>
<td>35</td>
<td>106</td>
<td>215</td>
</tr>
<tr>
<td>1215</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>PESTICIDE MANAGEMENT COMMISSION - Repeals and amends existing law relating to the Commission on Pesticide Management; removing reference to the commission and providing for the transfer of certain moneys. .......................</td>
<td>35</td>
<td>59</td>
<td>130</td>
</tr>
<tr>
<td>1216</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - BLIND AND VISUALLY IMPAIRED - Appropriates an additional $92,400 to the Commission for the Blind and Visually Impaired for fiscal year 2016.........</td>
<td>38</td>
<td>54</td>
<td>135</td>
</tr>
<tr>
<td>1217</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates an additional $229,300 to the Department of Administration for the Purchasing Program; transfers $176,000 from the Idaho Education Network Fund; and appropriates an additional $461,800 for the Information Technology Program for fiscal year 2016.....</td>
<td>38</td>
<td>54</td>
<td>130</td>
</tr>
<tr>
<td>1218</td>
<td>State Affairs</td>
<td>LAW</td>
<td>CODIFIER'S CORRECTIONS - Amends existing law to make codifier's corrections and to provide correct terminology and code references. .............................................</td>
<td>38</td>
<td>119</td>
<td>212</td>
</tr>
<tr>
<td>1219</td>
<td>State Affairs</td>
<td>LAW</td>
<td>PUBLIC WORKS CONTRACTS - Amends existing law to provide for compensation of construction managers and general contractors, to provide that certain costs may be incorporated into a contract, to provide that certain bids shall be handled in a particular manner, to clarify how construction managers and general contractors may bid, to provide that certain terms shall be included in certain contracts and to remove a provision relating to compensation. .....................</td>
<td>39</td>
<td>69</td>
<td>208</td>
</tr>
<tr>
<td>1220</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>RACING COMMISSION - Adds to existing law to direct the commission to make certain payment to the Idaho Horse Council under specified conditions. ...........................................</td>
<td>39</td>
<td>-</td>
<td>40</td>
</tr>
<tr>
<td>1221</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>INSURANCE PRODUCER LICENSING - Amends existing law to revise provisions regarding suspension, revocation, refusal to continue or denial of licenses. ............................................</td>
<td>39</td>
<td>112</td>
<td>215</td>
</tr>
<tr>
<td>1222</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>GROUND WATER DISTRICTS - Amends existing law to revise provisions regarding the content of petitions for annexation into a district; and to revise provisions regarding assessments against annexed lands...........................................</td>
<td>40</td>
<td>101</td>
<td>249</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-duction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>------------</td>
<td>--------------</td>
<td>--------------</td>
<td>----------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>1223</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>GROUND WATER DISTRICTS - Amends existing law to revise provisions regarding the participation of nonmembers in ground water districts for mitigation purposes and to remove provisions regarding nonmembers deemed participants in districts and collection of a proportional share of costs.</td>
<td>40</td>
<td>102</td>
<td>249</td>
</tr>
<tr>
<td>1224</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>GROUND WATER DISTRICTS - Amends existing law to provide an alternative means of determining a member's proportionate share of the total of all amounts to be assessed; to revise provisions relating to the total dollar amount of certain warrants; and to provide an alternative means of determining certain aggregate ground water rights.</td>
<td>41</td>
<td>112</td>
<td>249</td>
</tr>
<tr>
<td>1225</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>GROUND WATER DISTRICTS - Amends existing law to provide that certain assessments to repay debt must be approved at an election; to provide that certain obligations or contract indebtedness must be submitted to a vote of qualified electors in the district; and to revise provisions regarding judicial examination prior to incurring debt.</td>
<td>41</td>
<td>102</td>
<td>249</td>
</tr>
<tr>
<td>1226</td>
<td>Resources and Environment</td>
<td>S Res/Env</td>
<td>FISH AND GAME - Amends existing law to increase certain penalties for the illegal killing, possession or waste of certain game animals.</td>
<td>41</td>
<td>-</td>
<td>42</td>
</tr>
<tr>
<td>1227</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>CORPORATE BENEFIT REPORT - Amends existing law to remove the requirement of filing a benefit corporation's benefit report with the Secretary of State.</td>
<td>42</td>
<td>-</td>
<td>44</td>
</tr>
<tr>
<td>1228</td>
<td>Transportation</td>
<td>S Transp</td>
<td>MOTOR VEHICLES - Amends existing law to revise provisions regarding the display of license plates.</td>
<td>42</td>
<td>-</td>
<td>44</td>
</tr>
<tr>
<td>1229</td>
<td>Transportation</td>
<td>LAW</td>
<td>MOTOR VEHICLES - Adds to existing law to provide that for specified purposes the interstate system, which shall be considered to consist of specified routes, in Idaho is deemed a noninterstate highway and to provide that for specified purposes the interstate system, which shall be considered to consist of specified routes, in Idaho is deemed a designated state route.</td>
<td>42</td>
<td>62</td>
<td>208</td>
</tr>
<tr>
<td>1230</td>
<td>Transportation</td>
<td>S FAILED</td>
<td>HIGHWAY DISTRIBUTION ACCOUNT - Amends existing law to revise apportionment regarding the Highway Distribution Account and to remove provisions regarding apportionment to the law enforcement account.</td>
<td>42</td>
<td>88</td>
<td>88</td>
</tr>
<tr>
<td>1231</td>
<td>Health and Welfare</td>
<td>H Health/Wel</td>
<td>CHIROPRACTORS - Amends existing law to revise restrictions on prescribing, dispensing, independently administering, distributing, directing or suggesting to patients certain drugs, substances or products.</td>
<td>43</td>
<td>109</td>
<td>109</td>
</tr>
<tr>
<td>1232</td>
<td>Education</td>
<td>LAW</td>
<td>VOCATIONAL REHABILITATION - Amends existing law to revise a reference to a federal act.</td>
<td>43</td>
<td>101</td>
<td>212</td>
</tr>
</tbody>
</table>

Session Law Chapter No. 110

Session Law Chapter No. 112

Session Law Chapter No. 113

Session Law Chapter No. 36

Session Law Chapter No. 41
<table>
<thead>
<tr>
<th>Senate Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1233</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - JUVENILE CORRECTIONS - Appropriates to the Department of Juvenile Corrections an additional $296,200 from the General Fund for fiscal year 2016; and reduces the General Fund appropriation to the Department of Juvenile Corrections by $247,000 for fiscal year 2016, for an overall net increase of $49,200 from the General Fund. ..........................................................</td>
<td>45</td>
<td>62</td>
<td>130</td>
</tr>
<tr>
<td>1234</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ADMINISTRATIVE PROCEDURE ACT - Amends existing law to remove reference to certain electronic copies. ............</td>
<td>45</td>
<td>153</td>
<td>280</td>
</tr>
<tr>
<td>1235</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>JUVENILE CORRECTIONS - Amends existing law to remove reference to an admission or denial hearing and to remove reference to an application by a juvenile offender.....</td>
<td>50</td>
<td>124</td>
<td>215</td>
</tr>
<tr>
<td>1236</td>
<td>Resources and Environment</td>
<td>S Res/Env</td>
<td>FISH AND GAME - Amends existing law to require the annual issuance of certain Governor's Wildlife Partnership Tags. ..................................................................................</td>
<td>50</td>
<td>-</td>
<td>52</td>
</tr>
<tr>
<td>1237</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>ENVIRONMENTAL QUALITY - Amends existing law to revise priority classifications for certain water bodies in regard to the development of total maximum daily load or equivalent processes. ...............................</td>
<td>50</td>
<td>128</td>
<td>249</td>
</tr>
<tr>
<td>1238</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>PUBLIC RECORDS - Amends existing law to authorize inspection and copying of certain records relating to water quality.................................................................</td>
<td>50</td>
<td>128</td>
<td>265</td>
</tr>
<tr>
<td>1239</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>ENVIRONMENTAL QUALITY - Adds to existing law to require public notice and opportunity to comment on tentative decisions by the Department of Environmental Quality regarding Idaho Pollutant Discharge Elimination System (IPDES) permits, to provide for appeals of final decisions and for judicial review, to prohibit conflicts of interest; and to provide that provisions of Idaho's Environmental Protection and Health Act shall apply to the IPDES Program and to provide for the enforcement of pretreatment standards.........</td>
<td>50</td>
<td>128</td>
<td>265</td>
</tr>
<tr>
<td>1240</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>IRRIGATION - Amends existing law to increase the maximum amount of administrative charges that may be levied.................................................................</td>
<td>50</td>
<td>132</td>
<td>265</td>
</tr>
<tr>
<td>1241</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>IRRIGATION - Amends existing law to revise provisions regarding delinquency of assessments. ..............................</td>
<td>51</td>
<td>132</td>
<td>265</td>
</tr>
<tr>
<td>1242</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>IRRIGATION - Amends existing law to clarify when persons shall be entitled to purchase the rights of the district in unredeemed delinquency entries. ..........................................................</td>
<td>51</td>
<td>132</td>
<td>265</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>-------------</td>
<td>---------------</td>
<td>--------------</td>
<td>----------------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>1243</td>
<td>Resources and Environment</td>
<td>S Res/Env</td>
<td>IRRIGATION DISTRICTS - Adds to existing law to provide that certain irrigation districts shall have the power to enter into contracts to construct or deepen wells and to provide conditions.</td>
<td>51</td>
<td>-</td>
<td>52</td>
</tr>
<tr>
<td>1244</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>UNDERGROUND STORAGE TANKS - Amends existing law regarding provisions relating to the funding of the state underground storage tank program and to provide for reporting; to remove a provision that certain training by the department shall be offered at no cost; and to revise a provision regarding fees for department inspections.</td>
<td>51</td>
<td>105</td>
<td>215</td>
</tr>
<tr>
<td>1245</td>
<td>Transportation</td>
<td>S Loc Gov</td>
<td>EMINENT DOMAIN - Amends existing law to provide that the value of property to be taken in an eminent domain proceeding shall not include certain increases or decreases in value.</td>
<td>53</td>
<td>-</td>
<td>56</td>
</tr>
<tr>
<td>1246</td>
<td>Transportation</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to remove provisions regarding the removal of the director of the Idaho Transportation Department by the Idaho Transportation Board.</td>
<td>53</td>
<td>100</td>
<td>215</td>
</tr>
<tr>
<td>1247</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends existing law to provide an exception to a certain testing requirement.</td>
<td>54</td>
<td>-</td>
<td>56</td>
</tr>
<tr>
<td>1248</td>
<td>Education</td>
<td>LAW</td>
<td>PUBLIC CHARTER SCHOOLS - Amends existing law to revise requirements regarding certain written contracts.</td>
<td>54</td>
<td>109</td>
<td>215</td>
</tr>
<tr>
<td>1249</td>
<td>Education</td>
<td>LAW</td>
<td>STEM ACTION CENTER - Adds to existing law to establish provisions regarding the STEM Action Center Board's meetings, honorarium and expenses, and organization.</td>
<td>54</td>
<td>101</td>
<td>208</td>
</tr>
<tr>
<td>1250</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>ADVANCED PRACTICE REGISTERED NURSE COMPACT - Adds to existing law to enact the Advanced Practice Registered Nurse Compact.</td>
<td>54</td>
<td>112</td>
<td>215</td>
</tr>
<tr>
<td>1251</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>NURSE LICENSURE COMPACT - Repeals and adds to existing law to enact the Nurse Licensure Compact.</td>
<td>54</td>
<td>112</td>
<td>215</td>
</tr>
<tr>
<td>1252</td>
<td>Health and Welfare</td>
<td>S Health/Wel</td>
<td>NURSING - Amends existing law to revise the definition of &quot;practice of nursing.&quot;</td>
<td>54</td>
<td>-</td>
<td>56</td>
</tr>
<tr>
<td>1253</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>CHILD PROTECTION - Amends and adds to existing law to provide that caregivers exercise a certain standard of care.</td>
<td>57</td>
<td>132</td>
<td>288</td>
</tr>
<tr>
<td>1254</td>
<td>Judiciary and Rules</td>
<td>S Jud</td>
<td>MOTOR VEHICLES - Amends existing law to revise provisions regarding certain government vehicles exempt from certain markings; and to revise a provision regarding lighting on Idaho State Police vehicles.</td>
<td>57</td>
<td>-</td>
<td>60</td>
</tr>
<tr>
<td>1255</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>ATTORNEY GENERAL - Amends existing law to revise the duties of the Attorney General regarding investigations and actions against county elected officers in certain criminal law matters.</td>
<td>57</td>
<td>119</td>
<td>265</td>
</tr>
</tbody>
</table>

Session Law Chapter No. 52
Session Law Chapter No. 53
Session Law Chapter No. 54
Session Law Chapter No. 37
Session Law Chapter No. 55
Session Law Chapter No. 56
Session Law Chapter No. 360
Session Law Chapter No. 135
<table>
<thead>
<tr>
<th>Senate Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Intro-duction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1256</td>
<td>Judiciary and Rules</td>
<td>H Transp</td>
<td>MOTOR VEHICLE FINANCIAL RESPONSIBILITY - Amends existing law to increase a fine.</td>
<td>58</td>
<td>128</td>
<td>164</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the Senate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the Senate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1257</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law regarding elections for school district board trustees.</td>
<td>58</td>
<td>124</td>
<td>287</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the House (See House Journal)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 261</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1258</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>FISH AND GAME - Amends existing law to remove reference to the University of Idaho Caine Veterinary Teaching and Research Center and to provide for the annual transfer of certain moneys to the College of Agricultural and Life Sciences, Department of Animal and Veterinary Science</td>
<td>58</td>
<td>106</td>
<td>215</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 57</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1259</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>IDAHO DAIRY PRODUCTS COMMISSION - Amends existing law to remove provisions regarding ex officio members of the commission; and to revise provisions regarding nominating committees and petitions for nomination of producer members.</td>
<td>58</td>
<td>79</td>
<td>208</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 38</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1260</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>ANIMALS AND THE ENVIRONMENT - Amends, repeals and adds to existing law regarding beef cattle feeding operations and dairy farms to revise the authorities and duties of the director of the Department of Agriculture; to provide that certain specified law shall not affect the authority of the Department of Environmental Quality to administer and enforce an NPDES permit program; to revise design and construction provisions, provisions relating to nutrient management plans and inspection provisions; to provide for compliance with environmental management plans; to revise provisions relating to unauthorized discharges and releases; to provide the manner in which the Department of Agriculture shall address noncompliance; and to provide for civil penalties.</td>
<td>58</td>
<td>-</td>
<td>265</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the Senate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 129</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1261</td>
<td>Transportation</td>
<td>LAW</td>
<td>VEHICLES - Amends existing law to revise provisions regarding allowable lengths of certain vehicles, overhangs and extensions of loads.</td>
<td>61</td>
<td>99</td>
<td>215</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 58</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1262</td>
<td>Transportation</td>
<td>LAW</td>
<td>MOTOR VEHICLE SERVICE CONTRACTS - Amends existing law to provide that certain agreements shall not be considered motor vehicle service contracts or contracts of insurance.</td>
<td>61</td>
<td>109</td>
<td>215</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 59</td>
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<td>1263</td>
<td>Transportation</td>
<td>S FAILED</td>
<td>HIGHWAYS - Amends existing law to authorize GARVEE bonding to finance highway transportation projects.</td>
<td>61</td>
<td>99</td>
<td>99</td>
</tr>
<tr>
<td>1264</td>
<td>Commerce and Human Resources</td>
<td>S FAILED</td>
<td>PHARMACY ACT - Amends existing law to add certain requirements for registration of a supplier of durable medical equipment.</td>
<td>61</td>
<td>120</td>
<td>120</td>
</tr>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1265</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>INSURANCE PREMIUM TAX - Amends existing law to appropriate one-quarter of the insurance premium tax exceeding $45 million to the Individual High Risk Reinsurance Pool.</td>
<td>62</td>
<td>124</td>
<td>288</td>
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<td>Session Law Chapter No. 361</td>
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<td>1266</td>
<td>Education</td>
<td>H Educ</td>
<td>EDUCATION - Amends existing law to increase the amount of moneys distributed to school districts for leadership activities.</td>
<td>62</td>
<td>119</td>
<td>119</td>
</tr>
<tr>
<td>1267</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to clarify the number of local education agencies identified for a certain initial cohort and to allow the State Department of Education to expend or distribute certain moneys.</td>
<td>62</td>
<td>119</td>
<td>212</td>
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<td>Session Law Chapter No. 45</td>
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<td>1268</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>DEVELOPMENTAL DISABILITIES COUNCIL - Amends existing law to revise provisions regarding council membership.</td>
<td>62</td>
<td>120</td>
<td>212</td>
</tr>
<tr>
<td>1269</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>ENVIRONMENTAL QUALITY - Amends existing law to provide for the Environmental Protection Trust, to provide for the Environmental Protection Trust Fund and to provide for the investment of moneys with the Idaho Endowment Fund Investment Board under certain conditions.</td>
<td>62</td>
<td>146</td>
<td>265</td>
</tr>
<tr>
<td>1270</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - BENEFIT PAYMENTS/HEALTHCARE POLICY INITIATIVES - Appropriates an additional $2,114,300 to the Department of Health and Welfare for the Benefit Payments Program; and appropriates an additional $1,263,800 to the Department of Health and Welfare for the Healthcare Policy Initiatives Program for a total of $3,378,100 for fiscal year 2016.</td>
<td>64</td>
<td>100</td>
<td>208</td>
</tr>
<tr>
<td>1271</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAID - Appropriates an additional $30,667,900 to the Department of Health and Welfare for the Division of Medicaid; and reduces the appropriation by $9,000,600 to the Department of Health and Welfare for the Division of Medicaid for a net appropriation increase of $21,667,300 for fiscal year 2016.</td>
<td>64</td>
<td>100</td>
<td>208</td>
</tr>
<tr>
<td>1272</td>
<td>State Affairs</td>
<td>LAW</td>
<td>SCHOOL DISTRICT BOND CREDIT ENHANCEMENT PROGRAM - Amends existing law to increase the aggregate and per district guarantee limits.</td>
<td>65</td>
<td>146</td>
<td>265</td>
</tr>
<tr>
<td>1273</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>EDUCATION - Amends existing law to provide requirements regarding vacancies on a school district board when trustees are subject to a recall election.</td>
<td>65</td>
<td>-</td>
<td>67</td>
</tr>
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<td>1274</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ABSENTEE VOTING - Amends existing law to revise a certain application deadline.</td>
<td>65</td>
<td>145</td>
<td>265</td>
</tr>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1275</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ABSENTEE VOTING - Amends existing law to revise provisions regarding early voting...............................</td>
<td>65</td>
<td>145</td>
<td>265</td>
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<td></td>
<td></td>
<td>State Judiciary</td>
<td></td>
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<tr>
<td>1276</td>
<td>Judiciary and Rules</td>
<td>S FAILED</td>
<td>CIVIL RIGHTS OF PERSONS CONVICTED OF CRIME - Amends existing law to provide the right to ship, transport, possess or receive a firearm shall not be restored following felony convictions for certain crimes..................</td>
<td>67</td>
<td>132</td>
<td>132</td>
</tr>
<tr>
<td>1277</td>
<td>Judiciary and Rules</td>
<td>H Jud</td>
<td>SEX CRIMES - Repeals, amends and adds to existing law to prohibit sexual battery of an adult and to provide a punishment for sexual battery of an adult; to revise terminology in the definition of &quot;rape&quot; to make it gender neutral, to provide a circumstance where rape can occur and to provide that both males and females are capable of committing rape; and to provide that the Sexual Offender Registration Notification and Community Right-to-Know Act shall apply to certain persons who commit sexual battery of an adult......................................................</td>
<td>68</td>
<td>132</td>
<td>132</td>
</tr>
<tr>
<td>1278</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>WATER - Amends existing law to provide that a person or entity operating a canal or conduit for irrigation or other beneficial uses authorized by a water right that permits water to be diverted from a natural watercourse for such purposes shall not be required to obtain an additional water right for the incidental use of that same water where the water is diverted for irrigation or other beneficial use and thereafter used to generate hydroelectricity in the canal or conduit, to provide conditions, to provide that the incidental hydropower use shall be junior to and fully subordinated to all existing and future uses, and shall be nonconsumptive and to provide for certain written notice..........................................................</td>
<td>68</td>
<td>133</td>
<td>265</td>
</tr>
<tr>
<td>1279</td>
<td>Education</td>
<td>LAW</td>
<td>STEM ACTION CENTER - Adds to existing law to establish the STEM Education Fund and related provisions.............</td>
<td>68</td>
<td>113</td>
<td>265</td>
</tr>
<tr>
<td>1280</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to revise residency requirements for students of an Idaho public institution of higher education.................................................................</td>
<td>68</td>
<td>-</td>
<td>249</td>
</tr>
<tr>
<td>1281</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>EMERGENCY MEDICAL SERVICES - Adds to existing law to establish the EMS Personnel Licensure Interstate Compact..........................................................</td>
<td>68</td>
<td>125</td>
<td>215</td>
</tr>
<tr>
<td>1282</td>
<td>Transportation</td>
<td>S Transp</td>
<td>MOTOR VEHICLES - Amends existing law to provide that a motor vehicle originally manufactured without a bracket, device or other means to display and secure a front license plate shall be allowed to display one plate attached to the rear of the vehicle..........................................................</td>
<td>72</td>
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<td>76</td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
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<tr>
<td>1283</td>
<td>Transportation</td>
<td>LAW</td>
<td>MOTOR VEHICLE INSURANCE - Amends and adds to existing law to provide that the Idaho Transportation Department shall promulgate rules to provide insurers an alternative method for verifying motor vehicle insurance policy data; and to provide that failure to comply with specified law regarding uninsured vehicle tracking shall constitute a wrongful practice and subject an insurer to penalties.</td>
<td>72</td>
<td>112</td>
<td>265</td>
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<td>1284</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>PLATS AND SURVEYS - Amends existing law to provide that the Board of Licensure of Professional Engineers and Professional Land Surveyors shall promulgate certain rules; and to provide that records of survey shall have certain minimum requirements.</td>
<td>72</td>
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<tr>
<td>1285</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>ENGINEERS AND SURVEYORS - Amends existing law to revise provisions regarding examinations that are offered and regarding a candidate who fails an examination and to provide that the board may issue a contingent license to engineering faculty under certain conditions.</td>
<td>73</td>
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<td>265</td>
</tr>
<tr>
<td>1286</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>ENGINEERS AND SURVEYORS - Amends existing law to define &quot;retired professional engineer&quot; and &quot;retired professional land surveyor.&quot;</td>
<td>73</td>
<td>112</td>
<td>215</td>
</tr>
<tr>
<td>1287</td>
<td>Commerce and Human Resources</td>
<td>H FAILED</td>
<td>ENGINEERS AND SURVEYORS - Amends existing law to provide that certain actions shall be a violation and to provide a civil penalty.</td>
<td>73</td>
<td>113</td>
<td>182</td>
</tr>
<tr>
<td>1288</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>WORKFORCE DEVELOPMENT - Amends existing law to remove language for transferring training funds to the Employment Security Reserve Fund, to revise language describing appropriate uses for the training fund and to extend the sunset provision by four years.</td>
<td>73</td>
<td>142</td>
<td>249</td>
</tr>
<tr>
<td>1289</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends existing law to revise provisions regarding the Educational Support Program calculation.</td>
<td>73</td>
<td>-</td>
<td>76</td>
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<tr>
<td>1290</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to revise provisions regarding college and career advisors and reporting requirements.</td>
<td>73</td>
<td>113</td>
<td>212</td>
</tr>
<tr>
<td>1291</td>
<td>Education</td>
<td>S FAILED</td>
<td>EDUCATION - Adds to provide for the Adult Degree Completion Scholarship and related provisions and to require the State Board of Education to promulgate certain rules.</td>
<td>73</td>
<td>-</td>
<td>142</td>
</tr>
<tr>
<td>1292</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends and adds to existing law to provide for the Tuition Lock Plan for undergraduate students; and to provide for the Tuition Lock Stabilization Account in the Higher Education Stabilization Fund.</td>
<td>73</td>
<td>-</td>
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<tr>
<td>1293</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to provide for parental rights in education.</td>
<td>73</td>
<td>-</td>
<td>265</td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-duction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1294</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PRACTICE OF PHARMACY - Amends existing law to provide that pharmacists may prescribe immunizations for persons 6 years or older.</td>
<td>73</td>
<td>120</td>
<td>215</td>
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<td><strong>Session Law Chapter No. 62</strong></td>
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<td>1295</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PUBLIC ASSISTANCE - Amends existing law to revise provisions regarding civil monetary penalties for providers.</td>
<td>73</td>
<td>133</td>
<td>249</td>
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<td><strong>Session Law Chapter No. 106</strong></td>
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<td>1296</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>BACKGROUND CHECKS - Amends existing law to remove obsolete language regarding a federal pilot project.</td>
<td>74</td>
<td>133</td>
<td>249</td>
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<td><strong>Session Law Chapter No. 107</strong></td>
<td></td>
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<tr>
<td>1297</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Adds to existing law to provide for electronic voter registration.</td>
<td>74</td>
<td>-</td>
<td>288</td>
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<td><strong>Amended in the Senate</strong></td>
<td>114</td>
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<td><strong>Amended in the Senate</strong></td>
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<td><strong>Session Law Chapter No. 359</strong></td>
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<td>1298</td>
<td>State Affairs</td>
<td>LAW</td>
<td>RACING COMMISSION - Adds to existing law to direct the commission to make a certain payment to the Idaho Horse Council under specified conditions.</td>
<td>74</td>
<td>119</td>
<td>215</td>
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<td><strong>Session Law Chapter No. 63</strong></td>
<td></td>
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<td>1299</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Amends and adds to existing law to revise definitions; to require reporting in all state and local elections and ballot measures in this state and to provide that reports shall be made to certain persons; and to remove a certain exception regarding elections of school district trustees.</td>
<td>74</td>
<td>-</td>
<td>76</td>
</tr>
<tr>
<td>1300</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>ESTATES - Amends and adds to existing law to provide that certain probate transfers are revoked upon divorce.</td>
<td>78</td>
<td>-</td>
<td>288</td>
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<td><strong>Amended in the Senate</strong></td>
<td>150</td>
<td>164</td>
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<td><strong>Session Law Chapter No. 362</strong></td>
<td></td>
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<tr>
<td>1301</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>PROPERTY - Adds to existing law to clarify property as community or joint property.</td>
<td>78</td>
<td>154</td>
<td>288</td>
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<td><strong>Session Law Chapter No. 363</strong></td>
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<td>1302</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>ESTATES - Amends existing law to remove reference to a family allowance.</td>
<td>78</td>
<td>171</td>
<td>287</td>
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<td><strong>Session Law Chapter No. 262</strong></td>
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<td>1303</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>ESTATES - Adds to existing law to create the Revised Uniform Fiduciary Access to Digital Assets Act.</td>
<td>78</td>
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<td>287</td>
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<td><strong>Amended in the Senate</strong></td>
<td>172</td>
<td>185</td>
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<td><strong>Amended in the Senate</strong></td>
<td>175</td>
<td>181</td>
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<td><strong>Session Law Chapter No. 263</strong></td>
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<td>1304</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>IRRIGATION DISTRICTS - Amends existing law to provide that no election or confirmation proceedings shall be required when the contract for construction of a hydroelectric plant by an irrigation district does not involve questions of indebtedness incurred by the district.</td>
<td>78</td>
<td>133</td>
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<td><strong>Session Law Chapter No. 144</strong></td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1305</td>
<td>Resources and Environment</td>
<td>S Res/Env</td>
<td>FISH AND GAME - Amends and adds to existing law to revise provisions regarding controlled hunts; and to provide for contracts with private entities to conduct drawings for controlled hunt permits</td>
<td>78</td>
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<td>81</td>
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<tr>
<td>1306</td>
<td>Resources and Environment</td>
<td>S Res/Env</td>
<td>OIL AND GAS - Amends existing law to provide a procedure regarding applications for permits or certain authorizations to drill or treat wells; to provide that the Department of Lands shall have specified responsibilities associated with spacing units and unit operations, to revise provisions regarding the integration of tracts and integration orders and to provide for the confidentiality of certain information; and to revise and to set forth provisions and procedures associated with rulemaking, complaints, application for orders, petitions, orders and appeals.</td>
<td>78</td>
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<tr>
<td>1307</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends existing law to revise the election date for school district trustees and to provide a term expiration date for incumbent trustees</td>
<td>79</td>
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<tr>
<td>1308</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends existing law to remove a certain qualification requirement of school electors and to revise provisions regarding elections of trustees</td>
<td>79</td>
<td>-</td>
<td>81</td>
</tr>
<tr>
<td>1309</td>
<td>Agricultural Affairs</td>
<td>S Agric Aff</td>
<td>ANIMALS - Amends existing law to provide that the court may order presentence psychological evaluations prior to sentencing for violations of specified law</td>
<td>79</td>
<td>-</td>
<td>81</td>
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<tr>
<td>1310</td>
<td>Transportation</td>
<td>S Transp</td>
<td>DYED FUEL - Adds to existing law to provide that any vehicle shall be subject to inspection for dyed diesel fuel in the motor vehicle's diesel fuel tank under specified conditions</td>
<td>81</td>
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<td>1311</td>
<td>Transportation</td>
<td>H Transp</td>
<td>VEHICLES - Amends existing law to provide an exception regarding fees for electric vehicles and to remove fee provisions regarding hybrid vehicles</td>
<td>81</td>
<td>125</td>
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<tr>
<td>1312</td>
<td>Transportation</td>
<td>S FAILED</td>
<td>SAFETY RESTRAINTS - Repeals, amends and adds to existing law to establish provisions regarding the issuance of a certain warning and of a certain citation and to increase a certain fine</td>
<td>82</td>
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<td>142</td>
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<td>Amended in the Senate</td>
<td>117</td>
<td>142</td>
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<td>1313</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>AUTO INSURANCE - Adds to existing law to prohibit unfair practices by insurance companies in auto body repair, with exceptions</td>
<td>82</td>
<td>-</td>
<td>87</td>
</tr>
<tr>
<td>1314</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>TRUST INSTITUTIONS - Amends existing law to provide that certain persons acting as a trustee shall not require a charter</td>
<td>82</td>
<td>120</td>
<td>212</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 44</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1315</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>FORECLOSURE - Amends existing law to provide that a purchaser at a trustee's sale shall be entitled to dispose of any non-title personal property under certain conditions</td>
<td>82</td>
<td>-</td>
<td>288</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the Senate</td>
<td>172</td>
<td></td>
<td></td>
</tr>
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<td></td>
<td>Amended in the Senate</td>
<td>182</td>
<td>196</td>
<td></td>
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<td>Session Law Chapter No. 364</td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>1316</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>LIFE INSURANCE - Adds to existing law to provide that life insurers shall offer lapse or termination protection to holders of life insurance policies</td>
<td>82</td>
<td>-</td>
<td>87</td>
</tr>
<tr>
<td>1317</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>HOMEOWNER'S ASSOCIATIONS - Amends existing law to provide that attorney's fees and costs may be collected, as well as a lien filed for attorney's fees and costs by a homeowner's association, only after being awarded in an amount found to be reasonable by a court of competent jurisdiction.</td>
<td>82</td>
<td>-</td>
<td>288</td>
</tr>
<tr>
<td>1318</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>APPRAISAL MANAGEMENT COMPANY REGISTRATION AND REGULATION ACT - Adds to existing law to provide that appraisal management companies shall register with the Real Estate Appraiser Board and to provide requirements for registration</td>
<td>82</td>
<td>124</td>
<td>265</td>
</tr>
<tr>
<td>1319</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>STATE EMPLOYEE HEALTH PLANS - Amends existing law to clarify that the Department of Administration shall offer a health savings account program and to provide that state employers shall deposit a certain amount into a health savings account</td>
<td>82</td>
<td>-</td>
<td>87</td>
</tr>
<tr>
<td>1320</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law regarding the general powers of the board of trustees of each community college district.</td>
<td>82</td>
<td>136</td>
<td>249</td>
</tr>
<tr>
<td>1321</td>
<td>Education</td>
<td>S St Aff</td>
<td>PUBLIC SCHOOLS - Repeals and adds to existing law to provide when the Bible is permitted to be used in the public schools</td>
<td>82</td>
<td>-</td>
<td>87</td>
</tr>
<tr>
<td>1322</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>EPINEPHRINE AUTO-INJECTORS - Amends and adds to existing law to provide that epinephrine auto-injectors may be prescribed and dispensed to certain entities</td>
<td>83</td>
<td>145</td>
<td>287</td>
</tr>
<tr>
<td>1323</td>
<td>State Affairs</td>
<td>LAW</td>
<td>INDEPENDENT LIVING COUNCIL - Amends existing law to revise references to federal law; and to revise the funding mechanism for the State Independent Living Council</td>
<td>83</td>
<td>154</td>
<td>285</td>
</tr>
<tr>
<td>1324</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ALCOHOLIC BEVERAGES - Amends existing law to allow persons under 21 to enter or be on the premises of a winery</td>
<td>83</td>
<td>-</td>
<td>87</td>
</tr>
<tr>
<td>1325</td>
<td>State Affairs</td>
<td>LAW</td>
<td>REGULATORY TAKINGS - Amends existing law to provide that an owner of private property may submit a written request for a regulatory takings analysis with the clerk or the agency or entity taking the regulatory or administrative action and to provide that a private property owner is not required to submit a request under the regulatory takings chapter and the failure to submit a written request shall not prevent or prohibit the private property owner from seeking any legal or equitable remedy including, but not limited to, the payment of just compensation</td>
<td>83</td>
<td>145</td>
<td>285</td>
</tr>
</tbody>
</table>

Session Law Chapter No. 225
<table>
<thead>
<tr>
<th>Senate Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1326</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>SUICIDE PREVENTION - Amends existing law to grant certain authority to the director of the Department of Health and Welfare. ..........................................................</td>
<td>87</td>
<td>146</td>
<td>249</td>
</tr>
<tr>
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<td></td>
<td><strong>Session Law Chapter No. 97</strong></td>
<td></td>
<td></td>
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<tr>
<td>1327</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>VULNERABLE ADULTS - Amends existing law to revise the definition of &quot;neglect.&quot; ..................................................</td>
<td>89</td>
<td>153</td>
<td>265</td>
</tr>
<tr>
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<td></td>
<td><strong>Session Law Chapter No. 147</strong></td>
<td></td>
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</tr>
<tr>
<td>1328</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>CHILD PROTECTIVE ACT - Amends existing law to revise the requirements and criteria for various hearings and plans required by the Child Protective Act. .................................</td>
<td>89</td>
<td>-</td>
<td>287</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the Senate .............................................</td>
<td>163</td>
<td>184</td>
<td></td>
</tr>
<tr>
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<td></td>
<td></td>
<td><strong>Session Law Chapter No. 265</strong></td>
<td></td>
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</tr>
<tr>
<td>1329</td>
<td>Judiciary and Rules</td>
<td>S Jud</td>
<td>MOTOR VEHICLES - Amends existing law to revise provisions regarding certain government vehicles exempt from certain markings; and to revise a provision regarding lighting on Idaho State Police vehicles. ......................................</td>
<td>89</td>
<td>-</td>
<td>92</td>
</tr>
<tr>
<td>1330</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide the board of trustees of each school district shall adopt a certain policy and to allow certain students to possess and use certain medications and supplies. .............................................</td>
<td>89</td>
<td>145</td>
<td>280</td>
</tr>
<tr>
<td>1331</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends existing law to revise provisions regarding the Public Education Stabilization Fund, to provide for an annual transfer of certain moneys from the General Fund to the Public Education Stabilization Fund, to provide conditions for such transfer; and to revise an amount to be transferred from the General Fund to the Budget Stabilization Fund. ..........................................................</td>
<td>89</td>
<td>-</td>
<td>92</td>
</tr>
<tr>
<td>1332</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to establish the Industry Partner Fund and related provisions and to grant rulemaking authority. ..........................................................</td>
<td>89</td>
<td>-</td>
<td>287</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the Senate .............................................</td>
<td>164</td>
<td>190</td>
<td></td>
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<td><strong>Session Law Chapter No. 266</strong></td>
<td></td>
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<tr>
<td>1333</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to provide the Broadband Infrastructure Improvement Grant Fund and related provisions and to require rulemaking ..................................</td>
<td>89</td>
<td>137</td>
<td>280</td>
</tr>
<tr>
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<td></td>
<td><strong>Session Law Chapter No. 183</strong></td>
<td></td>
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<tr>
<td>1334</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Repeals, amends and adds to existing law to establish the Education Opportunity Resource Act...........................................</td>
<td>90</td>
<td>137</td>
<td>280</td>
</tr>
<tr>
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<td></td>
<td><strong>Session Law Chapter No. 182</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1335</td>
<td>Education</td>
<td>S St Aff</td>
<td>OPEN MEETINGS LAW - EXECUTIVE SESSIONS - Amends existing law to revise conditions when an executive session is authorized regarding the acquisition, sale or lease of an interest in real property by a public agency. ..................</td>
<td>90</td>
<td>-</td>
<td>92</td>
</tr>
<tr>
<td>1336</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide an exception to a certain testing requirement ..........................................................</td>
<td>90</td>
<td>144</td>
<td>249</td>
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<td><strong>Session Law Chapter No. 98</strong></td>
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<td>1337</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends and adds to existing law regarding public charter schools. ..........................................................</td>
<td>90</td>
<td>-</td>
<td>92</td>
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<tr>
<td>Senate</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-duction Page</td>
<td>Senate Vote Page</td>
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<td>1338</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>PUBLIC NUISANCE ABATEMENT - Adds to existing law to provide procedures for counties to declare and demand abatement of a catastrophic public nuisance.-session Law Chapter No. 366 90 164 288</td>
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</tr>
<tr>
<td>1339</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>OIL AND GAS - Amends existing law regarding applications for permits or certain authorizations to drill or treat wells; to provide that the Department of Lands shall have specified responsibilities associated with spacing units and unit operations; to revise provisions regarding the integration of tracts and integration orders and to provide for the confidentiality of certain information; and to revise and to set forth provisions and procedures associated with rulemaking, complaints, application for orders, petitions, orders and appeals. Session Law Chapter No. 48 90 130 212</td>
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<tr>
<td>1340</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>FISH AND GAME - Amends existing law to provide a process for claims in the event of damage to bees and beehives by bears. Session Law Chapter No. 104 91 128 249</td>
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</tr>
<tr>
<td>1341</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES - Amends existing law to provide that residential care or assisted living facilities may be cited only for violations of a requirement that is specified in applicable law or rule. Amended in the Senate 91 285</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1342</td>
<td>State Affairs</td>
<td>VETOED</td>
<td>PUBLIC SCHOOL INSTRUCTION - Repeals and adds to existing law to provide when the Bible is permitted to be used in public schools, with exceptions. Amended in the Senate 96 288</td>
<td></td>
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<tr>
<td>1343</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>PAROLE - Amends existing law to revise a provision regarding allegations of a violation of parole conditions. Session Law Chapter No. 267 99 183 287</td>
<td></td>
<td></td>
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<tr>
<td>1344</td>
<td>State Affairs</td>
<td>LAW</td>
<td>FISH AND GAME - Amends and adds to existing law to revise provisions regarding controlled hunts; and to provide for contracts with private entities to conduct drawings for controlled hunt permits and tags. Session Law Chapter No. 103 104 133 249</td>
<td></td>
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<tr>
<td>1345</td>
<td>State Affairs</td>
<td>H Bus</td>
<td>INSURANCE PRODUCER LICENSING - Amends existing law to provide a cause or violation for the director of the Department of Insurance to suspend, revoke or refuse to issue or to continue a producer license. 104 144 144</td>
<td></td>
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<tr>
<td>1346</td>
<td>State Affairs</td>
<td>H Com/HuRes</td>
<td>STATE EMPLOYEE HEALTH PLANS - Amends existing law to clarify that the Department of Administration shall offer a health savings account program, to provide for a health savings account administrator and to provide that state employers shall deposit a certain amount into a health savings account. 104 144 144</td>
<td></td>
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</tr>
<tr>
<td>1347</td>
<td>State Affairs</td>
<td>LAW</td>
<td>TAX DEED SALES - Amends existing law to transfer authority of handling excess proceeds from tax deed sales to the State Treasurer. Amended in the Senate 104 285</td>
<td></td>
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<td>Session Law Chapter No. 211 164 179</td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1348</td>
<td>State Affairs</td>
<td>S Loc Gov</td>
<td>TAX DEEDS - Amends existing law to provide that for tax deed purposes the term &quot;encumbrances&quot; does not include easements, highways and rights-of-way.</td>
<td>104</td>
<td>-</td>
<td>107</td>
</tr>
<tr>
<td>1349</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>UNBORN INFANTS DIGNITY ACT - Adds to existing law to enact the Idaho Unborn Infants Dignity Act.</td>
<td>104</td>
<td>-</td>
<td>107</td>
</tr>
<tr>
<td>1350</td>
<td>State Affairs</td>
<td>S FAILED</td>
<td>IDAHO LIMITED ARTICLE V CONVENTION ACT - Adds to existing law to provide for the Idaho Limited Article V Convention Act.</td>
<td>111</td>
<td>178</td>
<td>178</td>
</tr>
<tr>
<td>1351</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>PRISONERS - Amends existing law to provide that certain confined persons may be required to perform labor on community service projects.</td>
<td>111</td>
<td>153</td>
<td>285</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 212</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1352</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>GUARDIANS OF MINORS - Amends existing law to provide that a guardian's authority and responsibility shall terminate upon termination of the guardianship and to revise a provision regarding the resignation of a guardian; and to provide for proceedings for the modification or termination of a guardianship.</td>
<td>111</td>
<td>153</td>
<td>265</td>
</tr>
<tr>
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<td></td>
<td><strong>Session Law Chapter No. 148</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1353</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates to the Department of Correction an additional $1,146,500 from the General Fund, $441,100 from dedicated funds, and $263,700 from federal funds for a total of $1,851,300 for fiscal year 2016; and reduces the General Fund appropriation to the Department of Correction by $3,029,900 for fiscal year 2016. These changes represent a net reduction of $1,883,400 in the General Fund and an overall net reduction of $1,178,600 in all funds.</td>
<td>118</td>
<td>145</td>
<td>215</td>
</tr>
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<td></td>
<td><strong>Session Law Chapter No. 64</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1354</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ALCOHOL BEVERAGE CATERING PERMITS - Amends existing law to revise provisions regarding alcohol beverage catering permits.</td>
<td>123</td>
<td>171</td>
<td>287</td>
</tr>
<tr>
<td></td>
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<td><strong>Amended in the House (See House Journal)</strong></td>
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<td><strong>Session Law Chapter No. 268</strong></td>
<td></td>
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<tr>
<td>1355</td>
<td>State Affairs</td>
<td>S Agric Aff</td>
<td>INVASIVE SPECIES - Amends existing law to clarify that peace officers may issue a citation for certain persons and to provide that peace officers shall accompany a vehicle to an inspection station in certain instances; and to revise penalties.</td>
<td>123</td>
<td>-</td>
<td>129</td>
</tr>
<tr>
<td>1356</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ALCOHOL BEVERAGE CATERING PERMIT - Amends existing law to provide that two or more wineries may use a winery's licensed premises to host an event under an alcohol beverage catering permit to serve and sell their respective wines at that event.</td>
<td>123</td>
<td>160</td>
<td>280</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 181</strong></td>
<td></td>
<td></td>
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<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>1357</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>BINGO AND RAFFLES - Amends and adds to existing law to provide deadlines for conducting raffle drawings; to revise qualifications for Bingo-Raffle Advisory Board members; to reduce the minimum number of board meetings; to authorize approval of electronic bill payment of bingo expenses; and to provide conditions and procedures for the suspension or revocation of licenses.</td>
<td>123</td>
<td>-</td>
<td>212</td>
</tr>
<tr>
<td>1358</td>
<td>Judiciary and Rules</td>
<td>S Com/HuRes</td>
<td>EQUIPMENT DEALER PROTECTION LAW - Amends existing law to revise terminology, to provide clarification regarding competitive circumstances; and to revise provisions regarding notice.</td>
<td>127</td>
<td>-</td>
<td>131</td>
</tr>
<tr>
<td>1359</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>FARM IMPLEMENTS AND EQUIPMENT - Amends existing law to revise provisions associated with the repurchase of certain equipment from retailers by wholesalers, manufacturers and distributors and to revise provisions regarding sums to be paid for repurchase; and to provide for the purchase price of repair tools in complete and usable condition.</td>
<td>127</td>
<td>154</td>
<td>285</td>
</tr>
<tr>
<td>1360</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>ADMINISTRATIVE PROCEDURE ACT - Amends existing law to provide a requirement regarding certain amendments to administrative rules.</td>
<td>127</td>
<td>190</td>
<td>288</td>
</tr>
<tr>
<td>1361</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>PUBLIC DEFENSE - Amends existing law to provide that money to administer public defense may be appropriated from certain funds.</td>
<td>127</td>
<td>161</td>
<td>285</td>
</tr>
<tr>
<td>1362</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>JUDGMENTS - Amends existing law to increase the time a renewed judgment on a lien may be continued for certain judgments.</td>
<td>127</td>
<td>161</td>
<td>287</td>
</tr>
<tr>
<td>1363</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - PERSI - Appropriates $7,825,800 to the Public Employee Retirement System of Idaho for fiscal year 2017; limits the number of authorized full-time equivalent positions to 66; and provides legislative intent.</td>
<td>135</td>
<td>157</td>
<td>215</td>
</tr>
<tr>
<td>1364</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates $649,200 to the State Independent Living Council for fiscal year 2017; limits the number of full-time equivalent positions to 4; and appropriates and transfers up to $89,900 to the State Independent Living Council (Ded) Fund within the State Independent Living Council on July 1, 2016, or as soon thereafter as is practicable.</td>
<td>136</td>
<td>157</td>
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<td>1365</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE LOTTERY - Appropriates $5,902,600 to the Idaho State Lottery for fiscal year 2017; limits the number of authorized full-time equivalent positions to 45; and provides legislative intent with regard to certain continuous appropriations.</td>
<td>136</td>
<td>157</td>
<td>249</td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
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<td>1366</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - STATE LIQUOR DIVISION - Appropriates $19,670,900 to the State Liquor Division for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 222. Session Law Chapter No. 100</td>
<td>136</td>
<td>157</td>
<td>249</td>
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<td>1367</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Appropriates $1,808,200 to the Division of Human Resources for fiscal year 2017; limits the number of authorized full-time equivalent positions to 12; provides legislative intent; and provides guidance on employee compensation. Session Law Chapter No. 115</td>
<td>136</td>
<td>157</td>
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<tr>
<td>1368</td>
<td>Finance</td>
<td>H FAILED</td>
<td>APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates $1,956,000 to the Commission on the Arts for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 10. Session Law Chapter No. 96</td>
<td>136</td>
<td>158</td>
<td>188</td>
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<tr>
<td>1369</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - MILITARY DIVISION - Appropriates an additional $3,500,000 from the Federal Grant Fund to the Military Division for the Federal/State Agreements Program for fiscal year 2016; appropriates $69,685,700 to the Military Division for fiscal year 2017; limits the number of authorized full-time equivalent positions to 319.8; and grants a continuous appropriation for the Bureau of Homeland Security's Miscellaneous Revenue Fund for the purpose of covering incurred costs arising out of hazardous substance incidents. Session Law Chapter No. 95</td>
<td>136</td>
<td>158</td>
<td>249</td>
</tr>
<tr>
<td>1370</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - PUBLIC TELEVISION - Appropriates $9,294,600 to Idaho Public Television for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 64.48. Session Law Chapter No. 101</td>
<td>136</td>
<td>160</td>
<td>249</td>
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<td>1371</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates $8,170,300 to the Department of Finance for fiscal year 2017; limits the number of authorized full-time equivalent positions to 64; and provides legislative intent relating to certain continuous appropriations. Session Law Chapter No. 102</td>
<td>136</td>
<td>160</td>
<td>249</td>
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<tr>
<td>1372</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - REGULATORY BOARDS - Appropriates $7,583,800 to the Regulatory Boards for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 68. Session Law Chapter No. 270</td>
<td>136</td>
<td>160</td>
<td>249</td>
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<td>1373</td>
<td>Judiciary and</td>
<td>LA</td>
<td>PROTECTION ORDERS - Adds to existing law to provide actions for a protection order and an ex parte temporary protection order against harassment and stalking; and to provide that certain fees shall be waived. Session Law Chapter No. 270</td>
<td>139</td>
<td>183</td>
<td>287</td>
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<tr>
<td>1374</td>
<td>Judiciary and</td>
<td>S Jud</td>
<td>GUARDIANS - Amends and adds to existing law to authorize the inter vivos nomination appointment of a guardian of a minor.</td>
<td>139</td>
<td>143</td>
<td>143</td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1375</td>
<td>Judiciary and Rules</td>
<td>S Jud</td>
<td>PARENTAL POWERS - Amends existing law to clarify the duration and revocation of a power of attorney from a parent or guardian, and to authorize a parent or guardian to delegate certain powers over a minor or person with a developmental disability upon the occurrence of certain conditions.</td>
<td>139</td>
<td>-</td>
<td>143</td>
</tr>
<tr>
<td>1376</td>
<td>State Affairs</td>
<td>LAW</td>
<td>EDUCATION - Amends and adds to existing law regarding public charter schools.</td>
<td>149</td>
<td>185</td>
<td>287</td>
</tr>
<tr>
<td>1377</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Amends existing law to remove the requirement that election judges must post a correct copy of results at the polling place.</td>
<td>149</td>
<td>190</td>
<td>287</td>
</tr>
<tr>
<td>1378</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>CONCEALED WEAPONS - Repeals, amends and adds to existing law to establish provisions regarding concealed weapons; and to revise provisions regarding prohibited conduct.</td>
<td>149</td>
<td>-</td>
<td>155</td>
</tr>
<tr>
<td>1379</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - BUILDING SAFETY - Appropriates $12,707,600 to the Division of Building Safety for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 126.</td>
<td>149</td>
<td>179</td>
<td>265</td>
</tr>
<tr>
<td>1380</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates $16,691,000 to the Industrial Commission for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 138.25.</td>
<td>150</td>
<td>179</td>
<td>265</td>
</tr>
<tr>
<td>1381</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF INSURANCE - Appropriates $9,556,900 to the Department of Insurance for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 73.5.</td>
<td>150</td>
<td>179</td>
<td>265</td>
</tr>
<tr>
<td>1382</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>NURSES - Amends existing law to revise the definition of &quot;practice of nursing.&quot;</td>
<td>150</td>
<td>196</td>
<td>285</td>
</tr>
<tr>
<td>1383</td>
<td>Judiciary and Rules</td>
<td>H 3rd Rdg</td>
<td>CIVIL RIGHTS OF PERSONS CONVICTED OF CRIME - Amends existing law to provide that the right to ship, transport, possess or receive a firearm shall not be restored following felony convictions for certain crimes.</td>
<td>150</td>
<td>179</td>
<td>179</td>
</tr>
<tr>
<td>1384</td>
<td>State Affairs</td>
<td>S Com/HuRes</td>
<td>LIMITED LINES TRAVEL INSURANCE ACT - Adds to existing law to provide requirements for limited lines travel insurance producers.</td>
<td>156</td>
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<td>159</td>
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<tr>
<td>1385</td>
<td>State Affairs</td>
<td>S Com/HuRes</td>
<td>MOTOR VEHICLES - FINANCIAL RESPONSIBILITY - Amends existing law to revise a definition.</td>
<td>156</td>
<td>-</td>
<td>159</td>
</tr>
<tr>
<td>1386</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ABORTION - Repeals, amends and adds to existing law to prohibit dismemberment abortions, to provide for protection of privacy in court proceedings, to provide for injunctions against dismemberment abortions and to provide civil remedies.</td>
<td>156</td>
<td>-</td>
<td>159</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1387</td>
<td>State Affairs</td>
<td>H Health/Wel</td>
<td>PHARMACY ACT - Amends existing law to add certain requirements for registration of a supplier of certain types of durable medical equipment..................................................</td>
<td>163</td>
<td>195</td>
<td>195</td>
</tr>
<tr>
<td>1388</td>
<td>State Affairs</td>
<td>LAW</td>
<td>TAX DEEDS - Amends existing law to further define &quot;party in interest&quot;; and to revise what a tax deed conveys.................</td>
<td>163</td>
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<td>287</td>
</tr>
<tr>
<td>1389</td>
<td>State Affairs</td>
<td>LAW</td>
<td>CONCEALED WEAPONS - Amends existing law to revise provisions regarding concealed weapons; and regarding prohibited conduct ..........................................................</td>
<td>163</td>
<td>209</td>
<td>285</td>
</tr>
<tr>
<td>1390</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE POLICE - Appropriates $77,449,600 to the Idaho State Police for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 572.85...............................</td>
<td>163</td>
<td>185</td>
<td>280</td>
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<tr>
<td>1391</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Appropriates $2,233,804,500 for the Medicaid Division in the Department of Health and Welfare for fiscal year 2017; limits the number of authorized full-time equivalent positions to 209; provides for transfers to the Cooperative Welfare Fund; limits transfers from trustee and benefit payments; provides legislative intent regarding program integrity; requires monthly Medicaid tracking reports; provides for transfers between programs; requires biannual reports regarding managed care implementation; and requires an annual report on flexible spending authority.......</td>
<td>163</td>
<td>185</td>
<td>280</td>
</tr>
<tr>
<td>1392</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Appropriates $5,525,500 to the Idaho Commission for Libraries for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 37.5...............................</td>
<td>163</td>
<td>185</td>
<td>280</td>
</tr>
<tr>
<td>1393</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Appropriates $18,000,000 from the General Fund and directs the transfer to the Catastrophic Health Care Cost Fund for fiscal year 2017...............................................</td>
<td>163</td>
<td>185</td>
<td>287</td>
</tr>
<tr>
<td>1394</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates $4,964,500 to the Commission for the Blind and Visually Impaired for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 40.12...................................................</td>
<td>163</td>
<td>186</td>
<td>280</td>
</tr>
<tr>
<td>1395</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Appropriates $27,791,900 to the Division of Vocational Rehabilitation for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 152.5.........................................................</td>
<td>177</td>
<td>196</td>
<td>285</td>
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<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
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<td>1396</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - LIEUTENANT GOVERNOR - Appropriates $170,000 to the Office of the Lieutenant Governor for fiscal year 2017; limits the number of authorized full-time equivalent positions to 3; and authorizes lump sum spending authority.</td>
<td>177</td>
<td>196</td>
<td>285</td>
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<td>1397</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE CONTROLLER - Appropriates $15,322,700 to the Idaho State Controller for fiscal year 2017; limits the number of authorized full-time equivalent positions to 95; provides for the recovery of State Controller service costs to the General Fund; provides certain dedicated fund reappropriation authority; and provides certain General Fund reappropriation authority.</td>
<td>177</td>
<td>196</td>
<td>285</td>
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<td>1398</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SPECIAL PROGRAMS - Appropriates $17,154,500 to Special Programs under the State Board of Education for fiscal year 2017; limits the number of authorized full-time equivalent positions to 42.13; provides for the transfer of any unexpended and unencumbered General Fund moneys to the Opportunity Scholarship Program Account at the end of fiscal year 2016; and provides legislative intent on the level of services by the Geological Survey Program in eastern Idaho.</td>
<td>189</td>
<td>210</td>
<td>285</td>
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<td>1399</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - EDUCATION BOARD, HEALTH EDUCATION PROGRAMS - Appropriates $13,831,200 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2017; limits the number of authorized full-time equivalent positions to 24.8; provides a lump sum appropriation for dedicated funds; and reappropriates unexpended and unencumbered dedicated fund balances for the Dental Education Programs.</td>
<td>189</td>
<td>210</td>
<td>285</td>
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<td>1400</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - LABOR DEPARTMENT - Appropriates $104,819,200 to the Department of Labor for fiscal year 2017; limits the number of authorized full-time equivalent positions to 700; and provides legislative intent requiring a report on operations of local Department of Labor offices and services provided.</td>
<td>189</td>
<td>210</td>
<td>285</td>
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<tr>
<td>1401</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - PARKS AND RECREATION DEPARTMENT - Appropriates $39,630,900 to the Idaho Department of Parks and Recreation for fiscal year 2017; limits the number of authorized full-time equivalent positions to 150.89; permits the department to exceed the 10% transfer limitations between programs for certain project grants; and provides carryover authority for the Capital Development Program.</td>
<td>189</td>
<td>210</td>
<td>285</td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
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<td>Senate Vote Page</td>
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<td>APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates $28,274,300 to the Department of Water Resources for fiscal year 2017; limits the number of authorized full-time equivalent positions to 155; appropriates and transfers $716,000 from the Revolving Development Fund to the Aquifer Planning and Management Fund; transfers $2,500,000 of the appropriation from the Economic Recovery Reserve Fund to the Secondary Aquifer Planning, Management and Implementation Fund; transfers $5,000,000 of the appropriation from the General Fund to the Secondary Aquifer Planning, Management and Implementation Fund; appropriates and transfers $100,400 from the General Fund to the Priest Lake Outlet Subaccount; and expresses legislative intent concerning the sale of the Pristine Springs property.</td>
<td>189</td>
<td>210</td>
<td>280</td>
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<td>1403</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - CHILD WELFARE/DEVELOPMENTALLY DISABLED SERVICES/SERVICE INTEGRATION - Appropriates $103,048,600 to the Department of Health and Welfare for the divisions of Child Welfare, Services for the Developmentally Disabled, and Service Integration for fiscal year 2017; limits the number of authorized full-time equivalent positions for the three divisions to 731.46; provides for General Fund transfers to the Cooperative Welfare Fund; limits transfers for trustee and benefit payments; provides for program integrity; provides legislative intent on educating children in the department's care; and directs expenditures for Head Start.</td>
<td>189</td>
<td>210</td>
<td>285</td>
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<tr>
<td>1404</td>
<td>State Affairs</td>
<td>LAW</td>
<td>UNBORN INFANTS DIGNITY ACT - Adds to existing law to enact the Idaho Unborn Infants Dignity Act.</td>
<td>194</td>
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<td>288</td>
</tr>
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<td>1405</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - PARDONS AND PAROLE COMMISSION - Appropriates $2,969,000 to the Commission for Pardons and Parole for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 33.</td>
<td>204</td>
<td>235</td>
<td>288</td>
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<td>1406</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE CAPITOL COMMISSION - Appropriates $2,342,000 to the Idaho State Capitol Commission for fiscal year 2017; provides a cash transfer; provides certain reappropriation authority; and provides legislative intent.</td>
<td>204</td>
<td>235</td>
<td>287</td>
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<td>1407</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Appropriates $14,253,000 to the Idaho State Historical Society for fiscal year 2017; designates moneys for museum renovation and expansion; and limits the number of authorized full-time equivalent positions to 49.</td>
<td>204</td>
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<td>Senate Bill</td>
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<td>Intro-duction Page</td>
<td>Senate Vote Page</td>
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<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENT PROGRAM - Appropriates $12,303,000 to the Department of Administration for the Bond Payment Program for fiscal year 2017.</td>
<td>204</td>
<td>235</td>
<td>287</td>
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<td>1409</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates $240,321,600 to the Department of Correction for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 1,972.85</td>
<td>204</td>
<td>236</td>
<td>288</td>
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<td>1410</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - MILLENNIUM FUND - Appropriates, distributes and transfers a total of $9,587,000 from the Idaho Millennium Income Fund for fiscal year 2017; provides that certain unexpended and unencumbered moneys shall revert to the Idaho Millennium Income Fund at the end of fiscal year 2017; and provides that any remaining unexpended and unencumbered moneys in the Idaho Millennium Income Fund shall be transferred to the Idaho Millennium Permanent Endowment Fund at the end of fiscal year 2017.</td>
<td>204</td>
<td>236</td>
<td>288</td>
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<td>1411</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - LEGISLATIVE BRANCH - Appropriates $8,582,000 to the Legislative Branch for fiscal year 2017; reappropriates any unexpended and unencumbered balances in the Professional Services Fund; and exempts the appropriation from object transfer limitations.</td>
<td>205</td>
<td>236</td>
<td>289</td>
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<td>1412</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - OFFICE OF STATE BOARD OF EDUCATION - Appropriates $7,081,000 to the Office of the State Board of Education for fiscal year 2017; limits the number of authorized full-time equivalent positions to 28.75; and authorizes the reappropriation of certain funds.</td>
<td>205</td>
<td>236</td>
<td>287</td>
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<td>1413</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - INDEPENDENT COUNCILS/INDIRECT SUPPORT SERVICES/HEALTHCARE POLICY INITIATIVES/LICENSING AND CERTIFICATION - Appropriates $67,479,300 to the Department of Health and Welfare for the divisions of Independent Councils, Indirect Support Services, Healthcare Policy Initiatives and Licensing and Certification for fiscal year 2017; limits the number of authorized full-time equivalent positions to 376.5; provides for General Fund transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; limits services to available resources; requires a report on VOCA funds; requires a monthly Medicaid tracking report; requires a biannual Medicaid Integrity Unit report; requires quarterly transfer reports; requires monthly vacancy reports; requires a report on the implementation of the SHIP grant; and requires a report on facility licensing and certification.</td>
<td>205</td>
<td>236</td>
<td>287</td>
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<td>1414</td>
<td>Finance</td>
<td>LA</td>
<td>APPROPRIATIONS - WOLF CONTROL BOARD - Appropriates and transfers $400,000 from the General Fund to the Wolf Control Fund for fiscal year 2017.</td>
<td>222</td>
<td>252</td>
<td>287</td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-duction Page</td>
<td>Senate Vote Page</td>
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<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - ENVIRONMENTAL QUALITY DEPARTMENT - Appropriates $67,332,600 to the Department of Environmental Quality for fiscal year 2017; limits the number of authorized full-time equivalent positions to 372; transfers $1.5 million from the Water Pollution Control Fund to the Environmental Remediation Basin Fund; expresses legislative intent regarding an annual report; and expresses legislative intent regarding uses of the Water Pollution Control Fund.</td>
<td>222</td>
<td>253</td>
<td>288</td>
</tr>
<tr>
<td>1416</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Appropriates $3,158,500 to the Soil and Water Conservation Commission for fiscal year 2017; limits the number of authorized full-time equivalent positions to 17.75; provides legislative intent regarding distributions to the districts; and provides legislative intent regarding the use of moneys for North Central Idaho Wildfire Restoration.</td>
<td>222</td>
<td>253</td>
<td>288</td>
</tr>
<tr>
<td>1417</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates an additional $300,000 to the Department of Agriculture for fiscal year 2016; appropriates $40,428,500 to the Department of Agriculture for fiscal year 2017; limits the number of authorized full-time equivalent positions to 200; and provides legislative intent regarding use of the Invasive Species Fund.</td>
<td>222</td>
<td>253</td>
<td>287</td>
</tr>
<tr>
<td>1418</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SECRETARY OF STATE - Appropriates an additional $258,000 to the Secretary of State for fiscal year 2016 for an online voter registration system.....</td>
<td>229</td>
<td>255</td>
<td>287</td>
</tr>
<tr>
<td>1419</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates and transfers an additional $13,140,000 from the General Fund to the Department of Administration for fiscal year 2016; appropriates $20,274,700 to the Department of Administration for fiscal year 2017; limits the number of authorized full-time equivalent positions to 138; provides a dedicated fund cash transfer; provides notification of a contract renewal or extension; directs continuation of health insurance premium cost sharing with state employees; and provides legislative intent regarding the employee group insurance plan structure.</td>
<td>229</td>
<td>256</td>
<td>287</td>
</tr>
<tr>
<td>1420</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>DISTRICT JUDGES - Amends existing law regarding salaries of district judges.</td>
<td>229</td>
<td>251</td>
<td>288</td>
</tr>
<tr>
<td>1421</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - Appropriates and transfers $2,000,000 from the General Fund to the Constitutional Defense Fund in fiscal year 2016; and appropriates $971,700 from the General Fund to the Department of Administration for the Purchasing Program for fiscal year 2016.</td>
<td>229</td>
<td>256</td>
<td>287</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-duction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>1422</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - PERMANENT BUILDING FUND - Appropriates an additional $2,897,000 for the Permanent Building Fund for fiscal year 2016; authorizes the allocation of funds for specific projects for fiscal year 2016; appropriates $26,729,700 from the Permanent Building Fund for fiscal year 2017; authorizes the allocation of funds for specific projects for fiscal year 2017; provides legislative intent relating to utilization of matching funds; exempts the appropriation from certain provisions; and provides legislative intent relating to reallocation of project savings.</td>
<td>238</td>
<td>257</td>
<td>288</td>
</tr>
<tr>
<td>1423</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates an additional $55,839,00 to the Idaho Transportation Department for fiscal year 2016; appropriates $655,885,100 for fiscal year 2017; limits the number of authorized full-time equivalent positions to 1,678; expresses legislative intent for continuously appropriated funds; authorizes the transfer of moneys to the Tourism and Promotion Fund; provides reappropriation authority for dedicated funds; provides reappropriation authority for airport development grants; authorizes a transfer of funds for debt service; provides a cash transfer to the GARVEE Debt Service Fund; and provides a cash transfer to the Local Highway Trust Fund.</td>
<td>238</td>
<td>263</td>
<td>287</td>
</tr>
<tr>
<td>1424</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Reduces the fiscal year 2016 appropriation by $5,500,000; appropriates $38,190,800 to the Superintendent of Public Instruction for fiscal year 2017; limits the number of authorized full-time equivalent positions to 142; and provides legislative intent related to school district broadband services.</td>
<td>238</td>
<td>257</td>
<td>287</td>
</tr>
<tr>
<td>1425</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STEM ACTION CENTER - Appropriates $2,421,700 to the STEM Action Center for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 2.</td>
<td>238</td>
<td>256</td>
<td>287</td>
</tr>
<tr>
<td>1426</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Appropriates $30,540,700 to the Agricultural Research and Cooperative Extension Service for fiscal year 2017; and exempts object transfer limitations.</td>
<td>248</td>
<td>267</td>
<td>287</td>
</tr>
<tr>
<td>1427</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SUPREME COURT - Appropriates to the Supreme Court an additional $815,700 from the General Fund for fiscal year 2017; and exempts the appropriation from object and program transfer limitations.</td>
<td>257</td>
<td>268</td>
<td>287</td>
</tr>
<tr>
<td>1428</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - Appropriates and transfers $8,000,000 from the General Fund to the Legislative Legal Defense Fund in fiscal year 2016.</td>
<td>261</td>
<td>269</td>
<td>287</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-</td>
<td>Senate</td>
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<td>1429</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - EDUCATIONAL EFFORT - Appropriates a total of $9,979,000 to the</td>
<td>265</td>
<td>273</td>
<td>287</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Idaho Commission for Libraries, Community Colleges, the Superintendent of Public</td>
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<td></td>
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<td>Instruction, the Office of the State Board of Education, and the STEM Action</td>
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<td>Center for fiscal year 2017; and authorizes one additional full-time equivalent</td>
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<td>position.................. Session Law Chapter No. 323</td>
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<td></td>
<td></td>
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<td>1430</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - Appropriates and transfers $750,000 from the</td>
<td>266</td>
<td>273</td>
<td>288</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Economic Recovery Reserve Fund to the Charter School Debt Reserve Fund for fiscal</td>
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### SECTION VI

**SENATE JOINT RESOLUTIONS**

<table>
<thead>
<tr>
<th>Senate Joint Resolution</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>VETO POWER - Proposing an amendment to the Constitution of the State of Idaho to provide that upon the veto of a bill following adjournment of the Legislature, the Governor, at the request of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, shall call the Legislature back into session to reconsider the vetoed bill...............................................</td>
<td>44</td>
<td>105</td>
<td>105</td>
</tr>
<tr>
<td>Senate Joint Memorial</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>104</td>
<td>Resources and Environment</td>
<td>ADOPTED</td>
<td>AQUATIC INVASIVE SPECIES PREVENTION - Stating findings of the Legislature and requesting that Congress ensure the continued appropriation of funds in the fiscal year 2017 budget to significantly enhance aquatic invasive species prevention efforts and to implement the intent of the Water Resources Reform and Development Act.</td>
<td>76</td>
<td>96</td>
<td>287</td>
</tr>
<tr>
<td>105</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>MAIL PROCESSING PLANTS - Stating findings of the Legislature and requesting Congress to pass legislation that would direct USPS to restructure its budget priorities, rethink its administrative model, make appropriate budget cuts if necessary, focus on customer service and acceptable delivery times, and reopen shuttered mail processing plants throughout the United States.</td>
<td>134</td>
<td>152</td>
<td>287</td>
</tr>
<tr>
<td>106</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>COLUMBIA RIVER TREATY - Stating findings of the Legislature and urging the United States Department of State to continue the Columbia River Treaty, to consult with British Columbia and the states of the pacific northwest regarding any review of the treaty, and to receive and consider input from British Columbia and the states of the pacific northwest regarding any negotiations with respect to the treaty.</td>
<td>134</td>
<td>152</td>
<td>152</td>
</tr>
</tbody>
</table>
**SECTION VIII**

**SENATE RESOLUTIONS**

<table>
<thead>
<tr>
<th>Senate Resolution</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
<td>Judiciary and Rules</td>
<td>ADOPTED</td>
<td>SENATE RULE 20 - Stating findings of the Senate and proposing an amendment to Senate Rule 20 regarding a committee chair's decision</td>
<td>84</td>
<td>149</td>
<td>149</td>
</tr>
</tbody>
</table>
### SECTION IX

#### SENATE CONCURRENT RESOLUTIONS

<table>
<thead>
<tr>
<th>Senate Concurrent Resolution</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>132</td>
<td>Martin</td>
<td>ADOPTED</td>
<td>PEACE OFFICERS - Stating findings of the Legislature and recognizing Idaho peace officers for their service to the state.</td>
<td>22</td>
<td>61</td>
<td>110</td>
</tr>
<tr>
<td>133</td>
<td>Buckner-Webb, Burgoyne, Lacey, Ward-Engelking</td>
<td>ADOPTED</td>
<td>BLACK HISTORY MONTH - Stating findings of the Legislature and recognizing February as Black History Month, and recognizing the contributions of Black citizens to the state and nation.</td>
<td>29</td>
<td>50</td>
<td>107</td>
</tr>
<tr>
<td>134</td>
<td>Education</td>
<td>ADOPTED</td>
<td>EDUCATION - Stating findings of the Legislature and supporting the State Board of Education's goal that 60% of Idaho citizens ages 25-34 earn a postsecondary degree or certificate by 2020 to meet the state's workforce needs.</td>
<td>30</td>
<td>57</td>
<td>240</td>
</tr>
<tr>
<td>135</td>
<td>Resources and Environment S Res/Env</td>
<td>ADOPTED</td>
<td>WATER - Stating findings of the Legislature and supporting the settlement agreement entered into on June 30, 2015, between participating members of the Surface Water Coalition and participating members of the Idaho Ground Water Appropriaors, Inc.</td>
<td>47</td>
<td>-</td>
<td>67</td>
</tr>
<tr>
<td>136</td>
<td>Resources and Environment</td>
<td>ADOPTED</td>
<td>ESPA MANAGED RECHARGE - Stating findings of the Legislature and recognizing the need for managed recharge of the ESPA and resolving that the state establish certain managed recharge goals.</td>
<td>48</td>
<td>93</td>
<td>264</td>
</tr>
<tr>
<td>137</td>
<td>Resources and Environment</td>
<td>ADOPTED</td>
<td>AQUIFERS - Stating findings of the Legislature and requesting that the Idaho Water Resource Board address statewide aquifer stabilization and sustainability projects, including managed recharge.</td>
<td>48</td>
<td>93</td>
<td>264</td>
</tr>
<tr>
<td>138</td>
<td>Resources and Environment</td>
<td>ADOPTED</td>
<td>WATER - Stating findings of the Legislature and supporting the settlement agreement entered into on June 30, 2015, between participating members of the Surface Water Coalition and participating members of the Idaho Ground Water Appropriaors, Inc.</td>
<td>75</td>
<td>93</td>
<td>264</td>
</tr>
<tr>
<td>139</td>
<td>Education</td>
<td>ADOPTED</td>
<td>EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness.</td>
<td>80</td>
<td>96</td>
<td>274</td>
</tr>
<tr>
<td>140</td>
<td>Education</td>
<td>ADOPTED</td>
<td>EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness.</td>
<td>80</td>
<td>96</td>
<td>274</td>
</tr>
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<td>141</td>
<td>Education</td>
<td>ADOPTED</td>
<td>EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness.</td>
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<td>96</td>
<td>274</td>
</tr>
<tr>
<td>142</td>
<td>Judiciary and Rules S Jud</td>
<td>ADOPTED</td>
<td>JOINT RULE 18 - Stating findings of the Legislature and providing for the amendment of Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives of the State of Idaho to revise provisions relating to statements of purpose and fiscal notes.</td>
<td>85</td>
<td>-</td>
<td>148</td>
</tr>
<tr>
<td>Senate Concurrent Resolution</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp Page</td>
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<tr>
<td>143</td>
<td>Judiciary and Rules</td>
<td>ADOPTED</td>
<td>JOINT RULE 20 - Stating findings of the Legislature and proposing an amendment to Joint Rule 20 revising language regarding a transmittal date of a joint resolution.</td>
<td>85</td>
<td>148</td>
<td>274</td>
</tr>
<tr>
<td>144</td>
<td>Judiciary and Rules</td>
<td>ADOPTED</td>
<td>JOINT RULE 21 - Stating findings of the Legislature and providing for the amendment of Joint Rule 21 regarding provisions relating to certain recorded proceedings.</td>
<td>86</td>
<td>148</td>
<td>274</td>
</tr>
<tr>
<td>145</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>VETERANS CEMETERY - Stating findings of the Legislature and endorsing the need for a second veterans cemetery in Eastern Idaho.</td>
<td>86</td>
<td>108</td>
<td>108</td>
</tr>
<tr>
<td>146</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>PURPLE HEART DAY - Stating findings of the Legislature and designating Idaho as a Purple Heart state and permanently setting August 7 as Purple Heart Day.</td>
<td>86</td>
<td>108</td>
<td>274</td>
</tr>
<tr>
<td>147</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>WOMEN'S HISTORY MONTH - Stating findings of the Legislature and recognizing Women's History Month in March.</td>
<td>110</td>
<td>127</td>
<td>274</td>
</tr>
<tr>
<td>148</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>HECLA MINING COMPANY - Stating findings of the Legislature and recognizing the contributions and accomplishments of Hecla Mining Company and its employees and congratulating Hecla Mining Company on its 125th anniversary.</td>
<td>121</td>
<td>148</td>
<td>240</td>
</tr>
<tr>
<td>149</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>VETERANS CEMETERY - Stating findings of the Legislature and endorsing the need for a veterans cemetery in Eastern Idaho.</td>
<td>121</td>
<td>148</td>
<td>274</td>
</tr>
<tr>
<td>150</td>
<td>Judiciary and Rules</td>
<td>ADOPTED</td>
<td>JOINT RULE 18 - Stating findings of the Legislature and providing for the amendment of Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives of the State of Idaho to revise provisions relating to statements of purpose and fiscal notes.</td>
<td>161</td>
<td>177</td>
<td>274</td>
</tr>
<tr>
<td>151</td>
<td>Judiciary and Rules</td>
<td>ADOPTED</td>
<td>ADMINISTRATIVE HEARING OFFICER INTERIM COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of potential approaches to mitigate the risk of bias in contested cases by the appointment of administrative hearing officers.</td>
<td>178</td>
<td>193</td>
<td>287</td>
</tr>
<tr>
<td>152</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>DEPARTMENT OF ADMINISTRATION - RULE REJECTION - Stating findings of the Legislature and rejecting certain rules of the Department of Administration relating to Rules Governing Capitol Mall Parking.</td>
<td>192</td>
<td>226</td>
<td>226</td>
</tr>
<tr>
<td>153</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>ADMINISTRATIVE FEE RULES - Stating findings of the Legislature and approving administrative rules that impose a fee or charge, with exceptions, and rejecting certain agency rule docket required to be approved.</td>
<td>231</td>
<td>261</td>
<td>287</td>
</tr>
<tr>
<td>154</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>ADMINISTRATIVE TEMPORARY RULES - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature.</td>
<td>232</td>
<td>261</td>
<td>287</td>
</tr>
<tr>
<td>Senate Concurrent Resolution</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>155</td>
<td>State Affairs</td>
<td>H Held at Desk</td>
<td>INCOME TAX STUDY COMMITTEE - Stating findings of the Legislature and authorizing the creation of an interim study committee to study state income tax policy and structure .................................................................</td>
<td>259</td>
<td>267</td>
<td>267</td>
</tr>
</tbody>
</table>
### SECTION X

**ENROLLED 2016 SENATE BILLS**

**WITH EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED**

<table>
<thead>
<tr>
<th>Senate Bill No.</th>
<th>Session Laws Chapter No.</th>
<th>Introduced by</th>
<th>Signed by Governor</th>
<th>Effective Date(s)</th>
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<tbody>
<tr>
<td>1197</td>
<td>22</td>
<td>Resources and Environment</td>
<td>02/25/2016</td>
<td>07/01/2016</td>
</tr>
<tr>
<td>1199</td>
<td>3</td>
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<td>02/10/2016</td>
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<td>275</td>
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<td>03/30/2016</td>
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<td>1202</td>
<td>33</td>
<td>Commerce and Human Resources</td>
<td>03/09/2016</td>
<td>07/01/2016</td>
</tr>
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<td>23</td>
<td>Finance</td>
<td>02/25/2016</td>
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</tr>
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<td>32</td>
<td>Education</td>
<td>03/09/2016</td>
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<td>03/22/2016</td>
<td>07/01/2016</td>
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<td>02/25/2016</td>
<td>07/01/2016</td>
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<td>07/01/2016</td>
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<td>04/05/2016</td>
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<td>Law w/o Signature</td>
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<td>07/01/2016</td>
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<td>07/01/2016</td>
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<td>03/31/2016 - Sections 1 &amp; 4; 07/01/2016 - Sections 2 &amp; 3</td>
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<td>371</td>
<td>Judiciary and Rules</td>
<td>04/05/2016</td>
<td>07/01/2016</td>
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<td>03/31/2016</td>
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<td>372</td>
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<td>04/05/2016 - Sections 1 &amp; 2; 07/01/2016 - All other sections</td>
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<td>318</td>
<td>Finance</td>
<td>03/31/2016</td>
<td>03/31/2016 - Sections 1, 9 &amp; 10; 07/01/2016 - All other sections</td>
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<td>319</td>
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<td>03/31/2016 - Section 1; 07/01/2016 - Sections 2, 3 &amp; 4</td>
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<td>07/01/2016</td>
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<td>03/31/2016</td>
<td>07/01/2016</td>
</tr>
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<td>07/01/2016</td>
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<td>07/01/2016</td>
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<td>338</td>
<td>Finance</td>
<td>03/31/2016</td>
<td>07/01/2016</td>
</tr>
</tbody>
</table>
## SECTON XI

NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

<table>
<thead>
<tr>
<th>House Bill No.</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>331</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ALCOHOLIC BEVERAGES - Amends existing law to define &quot;powdered alcohol,&quot; to prohibit the possession, use, sale or purchase of powdered alcohol and to provide for the revocation of liquor licenses held by violators. Amended in the House (See House Journal)</td>
<td>136</td>
<td>-</td>
<td>271</td>
</tr>
<tr>
<td>332</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>RESIDENTIAL CARE FACILITY ADMINISTRATORS - Repeals and amends existing law regarding license renewal and reinstatement.</td>
<td>51</td>
<td>187</td>
<td>200</td>
</tr>
<tr>
<td>333</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>OPTOMETRISTS - Amends existing law to revise license renewal provisions.</td>
<td>51</td>
<td>187</td>
<td>200</td>
</tr>
<tr>
<td>334</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PHYSICAL THERAPY - Repeals and amends existing law relating to license renewal and reinstatement.</td>
<td>51</td>
<td>187</td>
<td>200</td>
</tr>
<tr>
<td>335</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>CONTROLLED SUBSTANCES - Amends existing law to revise the list of Schedule II Uniform Controlled Substances.</td>
<td>59</td>
<td>165</td>
<td>188</td>
</tr>
<tr>
<td>336</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PHARMACY BOARD - Amends existing law to remove obsolete language; to eliminate officer term limits; and to increase board member compensation.</td>
<td>59</td>
<td>166</td>
<td>188</td>
</tr>
<tr>
<td>337</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PRESCRIPTIONS - Amends existing law to provide that medical examiners or coroners may access information in the prescriptions database.</td>
<td>59</td>
<td>166</td>
<td>188</td>
</tr>
<tr>
<td>338</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>LEGEND DRUGS - Amends existing law to clarify persons who may possess legend drugs.</td>
<td>59</td>
<td>166</td>
<td>188</td>
</tr>
<tr>
<td>339</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>CONTROLLED SUBSTANCES - Amends existing law to clarify drug storage requirements.</td>
<td>59</td>
<td>166</td>
<td>188</td>
</tr>
<tr>
<td>340</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>CONTRACEPTIVES AND PROPHYLACTICS - Repeals existing law relating to regulation of contraceptives and prophylactics.</td>
<td>62</td>
<td>166</td>
<td>188</td>
</tr>
<tr>
<td>341</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PATIENT FREEDOM OF INFORMATION ACT - Repeals, amends, and adds to existing law relating to the Patient Freedom of Information Act.</td>
<td>51</td>
<td>180</td>
<td>193</td>
</tr>
<tr>
<td>342</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers $324,000 from the General Fund to the Pest Control Deficiency Fund.</td>
<td>39</td>
<td>46</td>
<td>56</td>
</tr>
<tr>
<td>343</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>FUELS - Amends existing law to clarify certain revenue distribution provisions; and to provide for the distribution of revenues received from tax imposed on certain special fuels.</td>
<td>136</td>
<td>198</td>
<td>216</td>
</tr>
<tr>
<td>344</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>PROPERTY TAX RELIEF - Amends existing law to change the filing deadline to apply for a hardship application with the Board of Equalization.</td>
<td>43</td>
<td>66</td>
<td>77</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
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<tr>
<td>345</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>FOREST LAND ASSESSMENT - Amends existing law to provide an appeals process for a taxpayer when an assessor has determined that a property no longer meets the criteria of forest land.</td>
<td>51</td>
<td>69</td>
<td>81</td>
</tr>
<tr>
<td>346</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>ALCOHOLIC BEVERAGES - Amends existing law to update a code reference to the Idaho Income Tax Act.</td>
<td>65</td>
<td>167</td>
<td>188</td>
</tr>
<tr>
<td>347</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>SALES AND USE TAX - Amends existing law to exempt certain hand tools up to $100 from the sales and use tax and to remove reference to a definition.</td>
<td>51</td>
<td>69</td>
<td>81</td>
</tr>
<tr>
<td>348</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>SALES AND USE TAX - Amends existing law to add paddleboards and similar vessels to the list of watercraft that are taxable to nonresident purchasers.</td>
<td>51</td>
<td>69</td>
<td>81</td>
</tr>
<tr>
<td>349</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - FISH AND GAME DEPARTMENT - Appropriates an additional $1,638,700 to the Department of Fish and Game for fiscal year 2016.</td>
<td>39</td>
<td>46</td>
<td>56</td>
</tr>
<tr>
<td>350</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>FISH AND GAME - Amends existing law to revise age provisions associated with the purchase of wildlife management area upland game bird permits.</td>
<td>51</td>
<td>202</td>
<td>225</td>
</tr>
<tr>
<td>351</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER RESOURCES - Amends existing law to provide for written reports that certain artificial barriers are unsafe and endangering life or property; to provide for inspection; to revise criteria regarding those owners required to submit duplicate plans, drawings and specifications of proposed construction, enlargement, alteration or repair of dams to the director of the Department of Water Resources, to revise provisions regarding professional engineers and the authentication of plans, drawings and specifications and to provide for design and construction criteria.</td>
<td>51</td>
<td>206</td>
<td>225</td>
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<td>352</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAX - Amends existing law to revise the deadline by which an employer must report certain information to the State Tax Commission and to provide a time period for employers to correct any errors in an electronic filing.</td>
<td>51</td>
<td>101</td>
<td>122</td>
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<td>353</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAX WITHHOLDING - Amends existing law to allow certain employers to pay income tax withholding on a monthly basis.</td>
<td>51</td>
<td>69</td>
<td>81</td>
</tr>
<tr>
<td>355</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>IDAHO OFFICE OF EMERGENCY MANAGEMENT - Amends existing law to change the name of the Bureau of Homeland Security to the Idaho Office of Emergency Management.</td>
<td>87</td>
<td>186</td>
<td>200</td>
</tr>
<tr>
<td>356</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>MILITARY DIVISION - Repeals and amends existing law regarding the duties of the Adjutant General.</td>
<td>131</td>
<td>-</td>
<td>225</td>
</tr>
<tr>
<td>357</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>STEM ACTION CENTER - Amends existing law to allow a certain income tax credit for a charitable contribution to the Idaho STEM Action Center.</td>
<td>69</td>
<td>171</td>
<td>188</td>
</tr>
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<td>358</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>REVENUE AND TAXATION - Amends existing law to remove a requirement that the Tax Commission provide certain property valuation information by school district; and to clarify a past code reference.</td>
<td>51</td>
<td>70</td>
<td>81</td>
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<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>359</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>PROPERTY TAXES - Amends existing law to provide that operating property shall not be included in the taxable value for the purpose of making a levy that is to be made against real property only</td>
<td>54</td>
<td>101</td>
<td>122</td>
</tr>
<tr>
<td>360</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>PROPERTY TAXES - Amends existing law to remove an exception to the rule that any taxing district must be formed or organized by the first day of January in order to make a levy for that calendar year</td>
<td>54</td>
<td>101</td>
<td>122</td>
</tr>
<tr>
<td>361</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>SALES TAX - AIRCRAFT - Amends existing law to remove a sunset clause</td>
<td>51</td>
<td>70</td>
<td>81</td>
</tr>
<tr>
<td>362</td>
<td>State Affairs</td>
<td>LAW</td>
<td>RETAIL SALE OF LIQUOR BY THE DRINK - Amends existing law to revise the definition of &quot;person&quot; for retail sale of liquor by the drink</td>
<td>54</td>
<td>-</td>
<td>216</td>
</tr>
<tr>
<td>363</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT- Appropriates an additional $104,586,700 to the Idaho Transportation Department for fiscal year 2016</td>
<td>41</td>
<td>51</td>
<td>61</td>
</tr>
<tr>
<td>364</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - LABOR DEPARTMENT - Appropriates an additional $1,808,100 to the Department of Labor for the State Longitudinal Data System, a fraud prevention award, and other activities for fiscal year 2016</td>
<td>41</td>
<td>51</td>
<td>61</td>
</tr>
<tr>
<td>365</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - BUILDING SAFETY DIV - Appropriates an additional $300,000 to the Division of Building Safety for a new school security inspections program for fiscal year 2016</td>
<td>41</td>
<td>54</td>
<td>64</td>
</tr>
<tr>
<td>366</td>
<td>Business</td>
<td>LAW</td>
<td>ARCHITECTURAL EXAMINERS BOARD - Amends existing law to revise board compensation provisions</td>
<td>51</td>
<td>198</td>
<td>216</td>
</tr>
<tr>
<td>367</td>
<td>Business</td>
<td>LAW</td>
<td>MORTICIANS - Amends existing law to revise license eligibility provisions for resident trainees</td>
<td>69</td>
<td>180</td>
<td>193</td>
</tr>
<tr>
<td>368</td>
<td>Business</td>
<td>LAW</td>
<td>REAL ESTATE APPRAISERS - Amends existing law to revise definitions</td>
<td>69</td>
<td>198</td>
<td>216</td>
</tr>
<tr>
<td>369</td>
<td>Business</td>
<td>LAW</td>
<td>FUNERAL AND CEMETERY MERCHANDISE AND SERVICES - Amends existing law to provide that licensed morticians and funeral directors shall designate the licensed funeral establishment responsible for merchandise or services under prearrangement sales and to provide that the licensed funeral establishment shall maintain all contracts and documents associated with prearrangement sales</td>
<td>69</td>
<td>180</td>
<td>193</td>
</tr>
<tr>
<td>371</td>
<td>Business</td>
<td>LAW</td>
<td>FACTORY BUILT STRUCTURES - Amends existing law to redesignate the Modular Building Advisory Board as the Factory Built Structures Advisory Board and to provide that the board shall have certain powers and duties</td>
<td>65</td>
<td>-</td>
<td>285</td>
</tr>
</tbody>
</table>

Amended in the Senate

<table>
<thead>
<tr>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>155</td>
<td>176</td>
<td>216</td>
</tr>
<tr>
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<td>216</td>
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<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
</tr>
<tr>
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<td>Business</td>
<td>LAW</td>
</tr>
<tr>
<td>373</td>
<td>Health and Welfare</td>
<td>LAW</td>
</tr>
<tr>
<td>374</td>
<td>Health and Welfare</td>
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<tr>
<td>375</td>
<td>Health and Welfare</td>
<td>LAW</td>
</tr>
<tr>
<td>376</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
</tr>
<tr>
<td>377</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
</tr>
<tr>
<td>378</td>
<td>Resources and Conservation</td>
<td>LAW</td>
</tr>
<tr>
<td>379</td>
<td>Education</td>
<td>LAW</td>
</tr>
<tr>
<td>380</td>
<td>Revenue and Taxation</td>
<td>S Loc Gov</td>
</tr>
<tr>
<td>381</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
</tr>
<tr>
<td>382</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
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<td>383</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
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<tr>
<td>384</td>
<td>Appropriations</td>
<td>LAW</td>
</tr>
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<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
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<td>385</td>
<td>Transportation and Defense</td>
<td>LAW</td>
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<td>386</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
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<td>387</td>
<td>State Affairs</td>
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<td>389</td>
<td>State Affairs</td>
<td>LAW</td>
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<td>State Affairs</td>
<td>LAW</td>
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<td>391</td>
<td>Education</td>
<td>LAW</td>
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<td>392</td>
<td>Education</td>
<td>LAW</td>
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<td>396</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
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<td>397</td>
<td>Commerce and Human Resources</td>
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<td>398</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
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<td>403</td>
<td>Appropriations</td>
<td>LAW</td>
</tr>
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<td>405</td>
<td>Local Government</td>
<td>LAW</td>
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<td>Introduced by</td>
<td>Final Action</td>
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<td>406</td>
<td>Local Government</td>
<td>LAW</td>
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<td>413</td>
<td>Transportation and Defense</td>
<td>S Transp</td>
</tr>
<tr>
<td>417</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
</tr>
<tr>
<td>425</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
</tr>
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<td>426</td>
<td>State Affairs</td>
<td>LAW</td>
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<td>427</td>
<td>State Affairs</td>
<td>LAW</td>
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<td>428</td>
<td>Education</td>
<td>LAW</td>
</tr>
<tr>
<td>429</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
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<tr>
<td>431</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
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<td>432</td>
<td>Business</td>
<td>LAW</td>
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<td>436</td>
<td>State Affairs</td>
<td>LAW</td>
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<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
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<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
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<td>Business</td>
<td>LAW</td>
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<td>Business</td>
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<td>443</td>
<td>Local Government</td>
<td>LAW</td>
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<tr>
<td>445</td>
<td>Appropriations</td>
<td>LAW</td>
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<td>446</td>
<td>Appropriations</td>
<td>LAW</td>
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<td>447</td>
<td>State Affairs</td>
<td>LAW</td>
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<tr>
<td>449</td>
<td>Revenue and Taxation</td>
<td>S Loc Gov</td>
</tr>
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<td>451</td>
<td>Education</td>
<td>LAW</td>
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<td>452</td>
<td>Education</td>
<td>LAW</td>
</tr>
<tr>
<td>454</td>
<td>Environment, Energy, and Technology</td>
<td>LAW</td>
</tr>
<tr>
<td>455</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
</tr>
<tr>
<td>456</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
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<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
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<td>Education</td>
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<tr>
<td>461</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
</tr>
<tr>
<td>462</td>
<td>Resources and Conservation</td>
<td>S Res/Env</td>
</tr>
<tr>
<td>463</td>
<td>Business</td>
<td>LAW</td>
</tr>
<tr>
<td>464</td>
<td>State Affairs</td>
<td>LAW</td>
</tr>
<tr>
<td>469</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
</tr>
<tr>
<td>471</td>
<td>Transportation and Defense</td>
<td>LAW</td>
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<tr>
<td>472</td>
<td>Transportation and Defense</td>
<td>LAW</td>
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<tr>
<td>473</td>
<td>Transportation and Defense</td>
<td>LAW</td>
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<td>474</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
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<tr>
<td>476</td>
<td>Education</td>
<td>LAW</td>
</tr>
<tr>
<td>477</td>
<td>Education</td>
<td>LAW</td>
</tr>
</tbody>
</table>

Amended in the Senate (See House Journal)
<table>
<thead>
<tr>
<th>House Bill No.</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>478</td>
<td>State Affairs</td>
<td>LAW</td>
<td>PUBLIC RECORDS - Amends existing law to provide that records of any certification or notification required by federal law to be made in connection with the acquisition or transfer of a firearm are exempt from disclosure under the Public Records Act. ..........................................................</td>
<td>136</td>
<td>219</td>
<td>233</td>
</tr>
<tr>
<td>480</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>LICENSURE BOARDS - Amends existing law to provide that the executive directors of the Board of Licensure of Professional Engineers and Professional Land Surveyors, the Board of Nursing and the Board of Pharmacy do not need to be licensees. ..........................................................</td>
<td>143</td>
<td>211</td>
<td>229</td>
</tr>
<tr>
<td>481</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>RIGHT TO TRY ACT - Adds to existing law to implement the Right to Try Act regarding investigational drugs, biological products and devices for patients with terminal illnesses. ..........................................................</td>
<td>139</td>
<td>198</td>
<td>216</td>
</tr>
<tr>
<td>482</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>BOARDS - Amends existing law to revise qualifications for various licensure boards so that all members serve at the pleasure of the Governor and each board has at least one consumer member. ..........................................................</td>
<td>143</td>
<td>213</td>
<td>229</td>
</tr>
<tr>
<td>483</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PHARMACY - Adds to existing law to provide that a pharmacist who dispenses a biological product shall communicate certain information to the prescriber. ..............</td>
<td>143</td>
<td>206</td>
<td>225</td>
</tr>
<tr>
<td>485</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>EMPLOYMENT SECURITY ACT - Amends existing law to revise provisions regarding the base tax rate; and to revise the formula and maximum weeks of benefit entitlement. ..............</td>
<td>150</td>
<td>213</td>
<td>229</td>
</tr>
<tr>
<td>486</td>
<td>Business</td>
<td>LAW</td>
<td>BARBERS - Amends existing law to provide additional requirements regarding certain schools and colleges ..........</td>
<td>105</td>
<td>198</td>
<td>216</td>
</tr>
<tr>
<td>487</td>
<td>Business</td>
<td>LAW</td>
<td>AGREEMENTS PROTECTING LEGITIMATE BUSINESS INTERESTS - Amends existing law to provide that a rebuttable presumption of irreparable harm is established under certain circumstances ..........................................................</td>
<td>201</td>
<td>248</td>
<td>271</td>
</tr>
<tr>
<td>491</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>LIENS - Repeals and adds to existing law to prohibit nonconsensual common law liens. ..........................................................</td>
<td>131</td>
<td>-</td>
<td>216</td>
</tr>
<tr>
<td>Amended in the House (See House Journal)</td>
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<td>493</td>
<td>Judiciary, Rules, and Administration</td>
<td>S Jud</td>
<td>FINES AND FORFEITURES - Amends existing law to provide that a certain amount shall be deposited in the Public School Income Fund and to provide that a certain amount shall be deposited in the Drug Court, Mental Health Court and Family Court Services Fund. ..........................................................</td>
<td>131</td>
<td>-</td>
<td>131</td>
</tr>
<tr>
<td>494</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>ALCOHOL - Amends existing law to reclassify certain offenses as infractions and to provide for penalties. ..............</td>
<td>140</td>
<td>-</td>
<td>285</td>
</tr>
<tr>
<td>Amended in the Senate</td>
<td></td>
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<td></td>
<td>233</td>
<td>250</td>
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</tr>
<tr>
<td>495</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>ALCOHOL VIOLATIONS - Amends existing law to provide that certain violations and records of violations shall be vacated and sealed. ..........................................................</td>
<td>123</td>
<td>202</td>
<td>225</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>496</td>
<td>Local Government</td>
<td>LAW</td>
<td>CEMETERIES - Adds to existing law to provide a way for cities or cemetery maintenance districts operating cemeteries to recover and resell unused cemetery lots.</td>
<td>140</td>
<td>198</td>
<td>216</td>
</tr>
<tr>
<td>497</td>
<td>State Affairs</td>
<td>LAW</td>
<td>LOBBYISTS - Adds to existing law to provide for reports by certain state entities with exceptions to the Secretary of State under the state Sunshine Law.</td>
<td>136</td>
<td>-</td>
<td>285</td>
</tr>
<tr>
<td>498</td>
<td>Health and Welfare</td>
<td>S St Aff</td>
<td>ELECTRONIC CIGARETTES - Amends existing law to require a certain permit to sell or distribute electronic cigarettes and to require a sign.</td>
<td>140</td>
<td>-</td>
<td>140</td>
</tr>
<tr>
<td>499</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>FOOD - Amends and adds to existing law to provide that the Idaho State Department of Agriculture shall be the delegated authority to regulate certain activities if specified conditions are met.</td>
<td>136</td>
<td>198</td>
<td>216</td>
</tr>
<tr>
<td>500</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>MEDICARE PROVIDER PAYMENT - Amends existing law to provide that certain services will be reimbursed at 91% of the current Medicare rate.</td>
<td>140</td>
<td>199</td>
<td>216</td>
</tr>
<tr>
<td>501</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>WORKER’S COMPENSATION INSURANCE - Amends existing law to revise acceptable security instruments for worker’s compensation insurers.</td>
<td>150</td>
<td>213</td>
<td>229</td>
</tr>
<tr>
<td>503</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>TRUST DEEDS - Amends existing law to revise the definition of &quot;trustee.&quot;</td>
<td>143</td>
<td>219</td>
<td>233</td>
</tr>
<tr>
<td>504</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>PUBLIC DEFENSE - Amends and adds to existing law to authorize the Public Defense Commission to promulgate rules for indigent defense standards; to require compliance with indigent defense standards, to provide for indigent defense grants, to provide application procedures for indigent defense grants, to provide procedures for noncompliance with indigent defense standards; and to revise reporting requirements.</td>
<td>150</td>
<td>206</td>
<td>225</td>
</tr>
<tr>
<td>508</td>
<td>Judiciary, Rules, and Administration</td>
<td>S Jud</td>
<td>BAIL ENFORCEMENT AGENTS - Amends and adds to existing law to provide requirements regarding bail enforcement agents, including agent credentials.</td>
<td>150</td>
<td>-</td>
<td>273</td>
</tr>
<tr>
<td>509</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>OIL AND GAS - Amends existing law to provide that the Idaho Geological Survey shall preserve and use samples and records deposited with it, to provide for reports of determinations and identifications specific to the samples and records; to authorize specified uses of information derived from samples and records; to provide that the Idaho Geological Survey shall share certain information with the Idaho Oil and Gas Conservation Commission and the Department of Lands; and to provide for the sharing of records and information between the commission, the department, the Idaho Geological Survey and other state agencies.</td>
<td>150</td>
<td>202</td>
<td>225</td>
</tr>
<tr>
<td>511</td>
<td>Business</td>
<td>LAW</td>
<td>HOMEOWNER'S ASSOCIATIONS - Amends existing law to provide additional prohibited conduct regarding covenants, conditions or restrictions by homeowner's associations with exceptions.</td>
<td>136</td>
<td>203</td>
<td>225</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>512</td>
<td>State Affairs</td>
<td>LAW</td>
<td>COMMUNITY COLLEGES - Amends and adds to existing law to provide for community college trustee zones and related provisions; to revise provisions regarding trustees of community college districts and to provide an appeals process.</td>
<td>136</td>
<td>205</td>
<td>225</td>
</tr>
<tr>
<td>513</td>
<td>State Affairs</td>
<td>LAW</td>
<td>REAL ID ACT - Amends existing law to provide for participation in the implementation of the Real ID Act of 2005 and to provide for submission of compliance extension requests and status reports to the United States Department of Homeland Security.</td>
<td>170</td>
<td>-</td>
<td>277</td>
</tr>
<tr>
<td>Amended in the House (See House Journal)</td>
<td>190</td>
<td>205</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>514</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends and adds to existing law to provide the Idaho School Safety and Security Act, to provide the Office of School Safety and Security, the Idaho School Safety and Security Advisory Board, and to provide powers and duties of the board.</td>
<td>150</td>
<td>206</td>
<td>225</td>
</tr>
<tr>
<td>515</td>
<td>Education</td>
<td>LAW</td>
<td>SCHOOL DISTRICTS - Amends existing law to provide for formal written performance evaluations and when a school district shall be excused and to provide for written evaluations of principals and assistant superintendents.</td>
<td>140</td>
<td>202</td>
<td>225</td>
</tr>
<tr>
<td>516</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ABORTION - Amends existing law to provide that the Department of Health and Welfare shall compile a list of providers that perform free ultrasounds and shall state that a patient has the right to obtain a free ultrasound, view an ultrasound image and hear heart tone monitoring and to provide that no abortion shall be performed unless the woman is informed that ultrasound imaging and heart tone monitoring are available.</td>
<td>143</td>
<td>219</td>
<td>233</td>
</tr>
<tr>
<td>519</td>
<td>Business</td>
<td>LAW</td>
<td>MASSAGE THERAPY - Amends existing law to revise the definition of &quot;compensation&quot;; and to authorize the Board of Massage Therapy to establish requirements for a student tuition credit program and for a temporary license and provisional permit.</td>
<td>140</td>
<td>198</td>
<td>216</td>
</tr>
<tr>
<td>521</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>ALCOHOLIC BEVERAGES - Adds to existing law to provide limited use immunity to a minor who acts in good faith and for a medical emergency, to provide requirements and to allow prosecution for other charges.</td>
<td>170</td>
<td>-</td>
<td>285</td>
</tr>
<tr>
<td>Amended in the Senate</td>
<td>221</td>
<td>230</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>523</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>JUVENILE PROCEEDINGS - Adds to existing law to provide certain reporting requirements of the State Department of Health and Welfare.</td>
<td>156</td>
<td>214</td>
<td>229</td>
</tr>
<tr>
<td>524</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>ANIMAL CRUELTY - Amends and adds to existing law to provide for the crime of torturing a companion animal; and to revise penalties.</td>
<td>140</td>
<td>202</td>
<td>225</td>
</tr>
<tr>
<td>525</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>DOGS - Amends and adds to existing law to provide for the regulation of dangerous or at-risk dogs.</td>
<td>150</td>
<td>-</td>
<td>229</td>
</tr>
<tr>
<td>Amended in the House (See House Journal)</td>
<td>213</td>
<td>213</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>526</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Repeals, amends and adds to existing law to revise the calculation of the Educational Support Program; to provide for a reading assessment; and to establish provisions regarding literacy intervention programs.</td>
<td>136</td>
<td>203</td>
<td>225</td>
</tr>
<tr>
<td>527</td>
<td>Education</td>
<td>LAW</td>
<td>COMMUNITY COLLEGES - Amends existing law to revise provisions regarding tuition of out-of-district students, county taxes and other financial support.</td>
<td>140</td>
<td>211</td>
<td>229</td>
</tr>
<tr>
<td>528</td>
<td>State Affairs</td>
<td>LAW</td>
<td>SEXUAL ASSAULT EVIDENCE KITS - Adds to existing law to provide that the Idaho State Police Forensic Services Laboratory shall test sexual assault evidence kits, to provide duties for health care facilities and local law enforcement, to provide procedures for testing kits, to provide for independent review of kits in certain instances, to provide for rules for a tracking process of kits, to provide that Idaho State Police Forensic Services shall provide kits to certain parties, to provide reporting and auditing requirements for untested kits, to provide for victim notification and to provide for reporting requirements.</td>
<td>150</td>
<td>202</td>
<td>225</td>
</tr>
<tr>
<td>531</td>
<td>State Affairs</td>
<td>LAW</td>
<td>AGRICULTURAL FACILITIES AND OPERATIONS - Adds to existing law to prohibit certain acts regarding agricultural facilities and operations, to provide for violations and penalties, and to clarify that specified provisions shall not be construed to limit a court's power to order restitution or to limit civil actions and remedies.</td>
<td>170</td>
<td>211</td>
<td>229</td>
</tr>
<tr>
<td>532</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers $60,000,000 from the General Fund to the Fire Suppression Deficiency Fund for fiscal year 2016.</td>
<td>140</td>
<td>220</td>
<td>233</td>
</tr>
<tr>
<td>533</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>HOSPITAL DISTRICTS - Amends existing law to provide that the board of trustees of a hospital district may appoint certain board members; and to revise provisions regarding a board quorum and vacancies.</td>
<td>170</td>
<td>214</td>
<td>229</td>
</tr>
<tr>
<td>534</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>ENERGY TAX - Repeals, amends and adds to existing law to exempt certain solar energy property from property tax; to levy a solar energy tax; to provide for its distribution; to add a limitation on a taxing district's budget requests; and to clarify which property is subject to the gross receipts tax.</td>
<td>150</td>
<td>206</td>
<td>225</td>
</tr>
<tr>
<td>535</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAXATION - Amends existing law to revise the capital gains deduction for cattle, horses or breeding livestock.</td>
<td>156</td>
<td>206</td>
<td>225</td>
</tr>
<tr>
<td>536</td>
<td>State Affairs</td>
<td>LAW</td>
<td>HIGHWAYS - Amends existing law to provide that either party to a proceeding may request appointment of a judge who is not a resident of the county where a subject road or property is located.</td>
<td>189</td>
<td>220</td>
<td>260</td>
</tr>
<tr>
<td>537</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to revise provisions regarding supplemental contracts.</td>
<td>177</td>
<td>219</td>
<td>233</td>
</tr>
<tr>
<td>538</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>STATE PROCUREMENT - Repeals, amends and adds to existing law to recodify state purchasing laws into a new State Procurement Act.</td>
<td>170</td>
<td>266</td>
<td>277</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>540</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>SALES AND USE TAX - Amends existing law to provide a sales and use tax exemption for the sale, lease, purchase or use of fixed-wing aircraft primarily used as an air tactical group supervisor platform under contract with a governmental entity for wildfire activity.</td>
<td>170</td>
<td>214</td>
<td>229</td>
</tr>
<tr>
<td>541</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>PURCHASING - Amends existing law to provide an exclusion from local government purchasing laws for the acquisition of personal property or services through contracts entered into by the Division of Purchasing of the Department of Administration of the State of Idaho.</td>
<td>170</td>
<td>237</td>
<td>260</td>
</tr>
<tr>
<td>542</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Amends existing law to provide that whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election, approval or defeat of a person standing for election to the position of precinct committeeman through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing or any other type of general public political advertising, the person responsible for such communication shall be clearly indicated on such communication.</td>
<td>170</td>
<td>251</td>
<td>271</td>
</tr>
<tr>
<td>544</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ALCOHOL - Amends existing law to provide that showing films, still pictures, electronic reproductions or other visual reproductions that violate state indecency and obscenity laws or federal laws regarding pornography, indecency or obscenity is prohibited in or on a licensed premises.</td>
<td>189</td>
<td>252</td>
<td>271</td>
</tr>
<tr>
<td>546</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates $675,400 to the Endowment Fund Investment Board for fiscal year 2017; limits the number of authorized full-time equivalent positions to 3.7; authorizes continuous appropriation authority for certain costs; and expresses legislative intent with regard to transfers from the earnings reserve funds to the income funds.</td>
<td>156</td>
<td>220</td>
<td>233</td>
</tr>
<tr>
<td>547</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - LAVA HOT SPRINGS - Appropriates $2,337,200 to the Lava Hot Springs Foundation for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 13.8.</td>
<td>156</td>
<td>220</td>
<td>233</td>
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<tr>
<td>548</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates $6,316,300 to the Public Utilities Commission for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 52.</td>
<td>156</td>
<td>220</td>
<td>233</td>
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<tr>
<td>549</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates $9,289,500 from the General Fund to the Public Health Districts for fiscal year 2017.</td>
<td>156</td>
<td>220</td>
<td>233</td>
</tr>
<tr>
<td>550</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF DRUG POLICY - Appropriates $4,660,600 to the Office of Drug Policy for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 6.</td>
<td>156</td>
<td>221</td>
<td>233</td>
</tr>
<tr>
<td>551</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - ENERGY RESOURCES - Appropriates $1,257,700 to the Office of Energy Resources for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 8.</td>
<td>156</td>
<td>221</td>
<td>233</td>
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<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>552</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Appropriates $35,500,200 to the Division of Veterans Services for fiscal year 2017; limits the number of authorized full-time equivalent positions to 333; and provides for the transfer of $1,500 from the Federal Grant Fund to the Resident Trust Fund for fiscal year 2016..........................</td>
<td>156</td>
<td>221</td>
<td>233</td>
</tr>
<tr>
<td>553</td>
<td>State Affairs</td>
<td>LAW</td>
<td>MOTOR VEHICLES AND MOTORBIKES - Amends existing law to revise provisions regarding the use of certain highways by all-terrain, utility type and specialty off-highway vehicles and motorbikes. ........................................</td>
<td>189</td>
<td>220</td>
<td>233</td>
</tr>
<tr>
<td>554</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>WORKER'S COMPENSATION - Amends existing law to provide that compensation shall be payable for disability or death resulting from certain firefighter occupational diseases, to provide a presumption of proximate causation between specified diseases and employment as a firefighter, to provide for rebuttal of the presumption, to provide for the demonstration of causal connection, to provide that the presumption shall not apply under certain circumstances and to clarify that employment shall be within the State of Idaho.......................</td>
<td>194</td>
<td>222</td>
<td>260</td>
</tr>
<tr>
<td>555</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>SEXUAL EXPLOITATION OF A CHILD - Adds to existing law to provide that sexual exploitation of a child by certain electronic means shall be a misdemeanor in certain instances and a felony in certain instances and that proceedings shall fall under the Juvenile Corrections Act. ..................................</td>
<td>177</td>
<td>-</td>
<td>285</td>
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<td><strong>Amended in the Senate</strong>...........................................................................</td>
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<tr>
<td>556</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>JUVENILE PROCEEDINGS - Amends and adds to existing law to provide that consent to adoption is required from certain courts; to provide certain notice and reporting requirements; to provide requirements regarding notification to relatives; to provide for judicial approval of all matters regarding the custody of certain children; to provide additional requirements regarding case plans; to provide that certain adoptions must be sanctioned by the court; to provide for judicial approval of certain determinations and to revise and establish provisions regarding the placement priority and considerations for certain children; and to establish provisions regarding a removal and change in foster home placement.................................................................</td>
<td>170</td>
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<td>285</td>
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<td><strong>Amended in the Senate</strong>...........................................................................</td>
<td>242</td>
<td>251</td>
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<tr>
<td>557</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>YOUTH ATHLETE - CONCUSSIONS - Amends existing law to provide that certain sports officials shall review concussion and head injury guidelines and requirements biennially, to require parental written authorization for participation in athletic activities and to provide for monitoring of a student suspected of suffering a concussion prior to the student resuming athletic activities........................................</td>
<td>201</td>
<td>237</td>
<td>260</td>
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<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>558</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>UNIFORM PROBATE CODE - Amends existing law to provide that certain persons may petition for a compromise of the claim of a minor, to provide for the order of priority to make a petition, to authorize a court to pass over a person having priority under certain conditions, to provide requirements for a petition, to authorize a court to take certain actions regarding a compromise, to provide for approval of a compromise and payment and to provide that no filing fee shall be charged for the filing of a petition.......................</td>
<td>170</td>
<td>219</td>
<td>233</td>
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<tr>
<td>560</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide an additional requirement for annual continuous improvement plans, to define &quot;statewide student readiness and improvement metrics&quot; and to clarify certain scores.........................</td>
<td>177</td>
<td>219</td>
<td>233</td>
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<tr>
<td>561</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMISSION ON AGING - Appropriates $12,570,600 to the Commission on Aging for fiscal year 2017; limits the number of authorized full-time equivalent positions to 13; requires a management review implementation report; and requires a region three Area Agency on Aging report to be submitted quarterly........</td>
<td>177</td>
<td>223</td>
<td>260</td>
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<tr>
<td>562</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - JUVENILE CORRECTIONS DEPARTMENT - Appropriates $51,402,600 to the Department of Juvenile Corrections for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 412........................................</td>
<td>177</td>
<td>223</td>
<td>260</td>
</tr>
<tr>
<td>563</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - SECRETARY OF STATE - Appropriates $3,175,600 to the Secretary of State for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 27..................................................</td>
<td>177</td>
<td>223</td>
<td>260</td>
</tr>
<tr>
<td>564</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Appropriates $13,878,400 to the Office of Species Conservation for fiscal year 2017; limits the number of authorized full-time equivalent positions to 12.63; and expresses legislative intent with regard to sage-grouse conservation actions.................................................</td>
<td>177</td>
<td>223</td>
<td>260</td>
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<tr>
<td>566</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Appropriates $113,050,400 to the Department of Health and Welfare for the Public Health Services Division for fiscal year 2017; limits the number of authorized full-time equivalent positions to 233.34; provides for transfers to the Cooperative Welfare Fund; limits the transfer of funds budgeted for trustee and benefit payments; provides for program integrity; provides for specific use of General Fund moneys; and requires an annual report on accreditation status....................................................</td>
<td>194</td>
<td>224</td>
<td>260</td>
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<tr>
<td>567</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HISPANIC AFFAIRS - Appropriates $283,400 to the Commission on Hispanic Affairs for fiscal year 2017; and limits the number of authorized full-time positions to 3..........................................................</td>
<td>177</td>
<td>223</td>
<td>260</td>
</tr>
<tr>
<td>569</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>WATERSHED IMPROVEMENT DISTRICTS - Amends existing law to provide for the dissolution of districts by county commissioners under certain conditions.........................</td>
<td>201</td>
<td>236</td>
<td>260</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>570</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to establish the Local Innovation School Act and to provide eligibility requirements and eligibility exemptions and school agreements.</td>
<td>201</td>
<td>237</td>
<td>260</td>
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<tr>
<td>571</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Repeals, amends and adds to existing law to revise provisions regarding the experience and education multiplier; the career ladder; a district's salary-based apportionment; and eligibility for an Idaho professional endorsement.</td>
<td>201</td>
<td>237</td>
<td>260</td>
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<tr>
<td>573</td>
<td>State Affairs</td>
<td>S Jud</td>
<td>POWERS OF PARENT OR GUARDIAN - Amends and adds to existing law to revise provisions regarding delegation of powers by a parent or guardian; and to establish provisions regarding assistance by a qualified nonprofit organization in a parent or guardian's delegation of powers.</td>
<td>201</td>
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<td>201</td>
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<tr>
<td>574</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Appropriates $168,949,700 for the Welfare Division in the Department of Health and Welfare for fiscal year 2017; limits the number of authorized full-time equivalent positions to 635.55; provides for transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; provides legislative intent for program integrity; and requires biannual forecast reports.</td>
<td>194</td>
<td>231</td>
<td>260</td>
</tr>
<tr>
<td>575</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC UTILITIES COMMISSION, STATE TAX COMMISSION, INDUSTRIAL COMMISSION - Amends existing law to increase the salaries of members of the Public Utilities Commission; to increase the salaries of members of the State Tax Commission; to increase the salaries of members of the Industrial Commission; appropriates an additional $10,700 to the Public Utilities Commission for commissioner salaries; appropriates an additional $13,200 to the State Tax Commission for commissioner salaries; and appropriates an additional $10,400 to the Industrial Commission for commissioner salaries.</td>
<td>189</td>
<td>223</td>
<td>260</td>
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<tr>
<td>576</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - SUPREME COURT - Appropriates $66,709,900 to the Supreme Court for fiscal year 2017; and exempts the appropriation from object and program transfer limitations.</td>
<td>189</td>
<td>224</td>
<td>260</td>
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<td>577</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - ATTORNEY GENERAL - Appropriates $24,282,700 to the Attorney General for fiscal year 2017; limits the number of authorized full-time equivalent positions to 205.6; and exempts the Attorney General from object and program transfer limitations.</td>
<td>189</td>
<td>280</td>
<td>285</td>
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<tr>
<td>578</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates $314,100 to the Public Defense Commission for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 1.5.</td>
<td>189</td>
<td>224</td>
<td>260</td>
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<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>579</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - MENTAL HEALTH SERVICES/PSYCHIATRIC HOSPITALIZATION/SUBSTANCE ABUSE TREATMENT AND PREVENTION - Appropriates $97,605,000 to the divisions of Mental Health, Psychiatric Hospitalization, and SubSTANCE ABUSE TREATMENT and Prevention for fiscal year 2017; limits the number of authorized full-time equivalent positions for the three divisions to 695.58; provides for General Fund transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; provides for program integrity; limits transfers of legislative appropriations; clarifies responsibility for education of certain children in state care; directs an interagency payment; provides legislative intent relating to a crisis center location; requires an annual report on community support for the Idaho Falls Crisis Center; and provides for reappropriation for the Adult Mental Health Program.</td>
<td>189</td>
<td>224</td>
<td>260</td>
</tr>
<tr>
<td>580</td>
<td>Judiciary, Rules, and Administration</td>
<td>LAW</td>
<td>SEX CRIMES - Repeals and amends existing law to provide a circumstance where rape can occur and to provide that both males and females are capable of committing rape; and to revise terminology in the definition of &quot;rape&quot; to make it gender neutral.</td>
<td>229</td>
<td>261</td>
<td>277</td>
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<tr>
<td>582</td>
<td>State Affairs</td>
<td>S Res/Env</td>
<td>LANDS - Adds to existing law to provide for lands received from the federal government, to provide administration and management criteria, to provide for multiple use and to provide for sustained yield.</td>
<td>226</td>
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<td>226</td>
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<tr>
<td>587</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates $36,232,700 to the Department of Commerce for fiscal year 2017; limits the number of authorized full-time equivalent positions to 43; and transfers $17,000 from the Small Business Assistance Fund to the Idaho Global Entrepreneurial Mission Fund.</td>
<td>201</td>
<td>231</td>
<td>260</td>
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<td>588</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - BOARD OF TAX APPEALS - Appropriates $565,300 to the Board of Tax Appeals for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 5.</td>
<td>201</td>
<td>231</td>
<td>260</td>
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<tr>
<td>589</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE TAX COMMISSION - Appropriates $42,650,200 to the Idaho State Tax Commission for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 451.</td>
<td>201</td>
<td>231</td>
<td>260</td>
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<tr>
<td>595</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>GROUND WATER MANAGEMENT AREAS - Amends existing law to remove language regarding when an order may be given and may be effective and to provide that water right holders participating in an approved ground water management plan shall not be subject to administration on a time priority basis under specified conditions.</td>
<td>201</td>
<td>248</td>
<td>271</td>
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<tr>
<td>597</td>
<td>State Affairs</td>
<td>H 3rd Rdgaa</td>
<td>BREWERIES - Amends existing law to allow persons under 21 years of age to enter or be on the premises of a licensed brewery where beer is consumed.</td>
<td>226</td>
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<td>Amended in the Senate</td>
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<td>Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>598</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - MEDICAL BOARDS - Appropriates $6,309,900 to the Medical Boards for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 48.2. .......................................................</td>
<td>209</td>
<td>231</td>
<td>260</td>
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<tr>
<td>600</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates $2,661,600 to the Office of the State Appellate Public Defender for fiscal year 2017; limits the number of authorized full-time equivalent positions to 23; provides legislative intent for the payment of outside counsel costs; and provides legislative intent for the payment of capital representation costs. .......................................................</td>
<td>209</td>
<td>235</td>
<td>260</td>
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<tr>
<td>601</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE TREASURER - Appropriates $4,035,800 to the State Treasurer for fiscal year 2017; limits the number of authorized full-time equivalent positions to 26; provides for reappropriation authority for the LGIP Fund; provides legislative intent regarding conference-related activities; provides legislative intent regarding payment of bank service fees; and provides legislative intent regarding mitigation of bank service fees. .......................................................</td>
<td>209</td>
<td>235</td>
<td>260</td>
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<td>603</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Repeals, amends and adds to existing law to establish additional provisions regarding the determination of staff allowance; and to provide an effective date. .......................................................</td>
<td>238</td>
<td>272</td>
<td>285</td>
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<tr>
<td>604</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Amends existing law to provide additional forms of personal identification that may be presented at the polls. ........................................................................................................</td>
<td>257</td>
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<tr>
<td>606</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>URBAN RENEWAL - Amends and adds to existing law to revise the makeup of boards and to allow for an elected board; to provide that urban renewal plans be submitted to the State Tax Commission; and to provide the effect of an ordinance to modify an urban renewal plan. .......................................................</td>
<td>257</td>
<td>-</td>
<td>287</td>
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<tr>
<td>608</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - SUPREME COURT - Appropriates to the Supreme Court an additional $2,949,000 from the General Fund for fiscal year 2017; reduces the appropriation to the Supreme Court by $2,949,000 from the Drug Court, Mental Health Court and Family Court Services Fund for fiscal year 2017; and exempts the appropriation from object and program transfer limitations. ........................................................................................................</td>
<td>229</td>
<td>254</td>
<td>271</td>
</tr>
<tr>
<td>609</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates an additional $5,482,800 to the Public Defense Commission for fiscal year 2017; and authorizes an additional 4.5 full-time equivalent positions. ........................................................................................................</td>
<td>229</td>
<td>254</td>
<td>271</td>
</tr>
<tr>
<td>610</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - FINANCIAL MANAGEMENT DIVISION - Appropriates $1,814,800 to the Division of Financial Management for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 15. ........................................................................................................</td>
<td>229</td>
<td>254</td>
<td>271</td>
</tr>
</tbody>
</table>
611 Appropriations LAW

APPROPRIATIONS - GOVERNOR, EXECUTIVE OFFICE OF - Appropriates $2,160,500 to the Executive Office of the Governor for fiscal year 2017; limits the number of authorized full-time equivalent positions to 22; and exempts appropriation object and program transfer limitations.................. 229 255 271

612 Appropriations LAW

APPROPRIATIONS - IDAHO STATE POLICE - Appropriates an additional $222,300 from the General Fund to the Idaho State Police for the Forensic Services Program for fiscal year 2017; and authorizes an additional 3 full-time equivalent positions. ................................. 229 255 271

617 Appropriations LAW

APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Appropriates $86,798,500 for the Public Schools Educational Support Program/Division of Administrators for fiscal year 2017; amends existing law to increase the salary-based apportionment for administrators; and limits the amount distributed for school district and charter school continuous improvement planning and training. ............................... 238 262 277

618 Appropriations LAW

APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Appropriates $855,733,000 for the Public Schools Educational Support Program/Division of Teachers for fiscal year 2017; directs the use of moneys for professional development; and defines the term "distributed." ....................... 238 262 277

619 Appropriations LAW

APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Appropriates $613,471,500 for the Public Schools Educational Support Program/Division of Operations for fiscal year 2017; amends existing law to increase the salary-based apportionment for classified staff; provides an estimate for discretionary funds per support unit; provides for expenditures for information technology staff; provides for classroom technology; directs the use of moneys for instructional management systems; defines the term "distributed"; and allows for transfers between other divisions. ............................... 238 262 277

620 Appropriations LAW

APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Appropriates $286,915,800 for the Public Schools Educational Support Program/Division of Children's Programs for fiscal year 2017; provides guidance on funds for the Idaho Digital Learning Academy; directs the use of funds for the Safe and Drug-Free Schools program; directs the use of funds for literacy programs and remedial coursework; directs the use of moneys for limited English proficiency programs; requiring advanced opportunities reporting; defining the term "distributed." ....................... 238 262 277

621 Appropriations LAW

APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Appropriates $49,410,500 for the Public Schools Educational Support Program/Division of Facilities for fiscal year 2017; provides moneys for the Bond Levy Equalization Fund; and specifies the amount of revenue to be distributed to the General Fund. ............................... 238 263 277
<table>
<thead>
<tr>
<th>House Bill No.</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>622</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND DIVISION - Appropriates $10,312,300 for the Public Schools Educational Support Program/Division of Educational Services for the Deaf and the Blind for fiscal year 2017.</td>
<td>238</td>
<td>263</td>
<td>277</td>
</tr>
<tr>
<td>623</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Appropriates $15,262,500 for the Public Schools Educational Support Program/Division of Central Services for fiscal year 2017; directs the use for literacy programs, intervention services, math initiative programs and limited English proficiency programs; directs the use for student assessments; directs the use for performance evaluations; directs the use for wireless technology infrastructure; directs the use for professional development; provides legislative intent related to the use for digital content and credit recovery; provides guidance on year-end reconciliation; provides legislative intent for content and curriculum related to technology; provides direction for the development of an online portal; and defines terms.</td>
<td>238</td>
<td>263</td>
<td>277</td>
</tr>
<tr>
<td>624</td>
<td>Revenue and Taxation</td>
<td>S Transp</td>
<td>HIGHWAY FUNDING - Amends existing law to revise apportionment provisions regarding the Highway Distribution Account; and to provide an exception regarding fees for electric vehicles, and to remove fee provisions regarding hybrid vehicles.</td>
<td>283</td>
<td>-</td>
<td>283</td>
</tr>
<tr>
<td>625</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - CAREER TECHNICAL EDUCATION DIVISION - Appropriates $71,849,200 to the Division of Career Technical Education for fiscal year 2017; exempts appropriation object transfer limitations; and reappropriates certain unexpended and unencumbered fund balances.</td>
<td>257</td>
<td>272</td>
<td>285</td>
</tr>
<tr>
<td>626</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - SPECIAL FUELS - Provides a cash transfer from the Idaho Law Enforcement Fund to the Local Highway Distribution Fund; and provides a cash transfer from the State Highway Fund (dedicated) to the Local Highway Distribution Fund for fiscal year 2016.</td>
<td>257</td>
<td>272</td>
<td>285</td>
</tr>
<tr>
<td>627</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to revise provisions regarding leadership premiums.</td>
<td>269</td>
<td>275</td>
<td>285</td>
</tr>
<tr>
<td>628</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Adds to existing law to provide for the Rural Education Support Center and related provisions.</td>
<td>269</td>
<td>-</td>
<td>269</td>
</tr>
<tr>
<td>629</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to revise provisions regarding the calculation for the Educational Support Program.</td>
<td>269</td>
<td>275</td>
<td>285</td>
</tr>
<tr>
<td>630</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide an additional allocation amount for certain Career Technical Education instructional staff.</td>
<td>269</td>
<td>275</td>
<td>285</td>
</tr>
<tr>
<td>634</td>
<td>Revenue and Taxation</td>
<td>S Loc Gov</td>
<td>TAXATION - Provides an effective date for House Bill No. 431, as enacted by the Second Regular Session of the Sixty-third Legislature.</td>
<td>269</td>
<td>-</td>
<td>269</td>
</tr>
</tbody>
</table>
635 Appropriations LAW

APPROPRIATIONS - BUILDING SAFETY - Appropriates an additional $270,000 from the General Fund to the Division of Building Safety for the Office of School Safety and Security; transfers $247,500 from operating expenditures to personnel costs in the School Security Assessment Fund; authorizes an additional 5 full-time equivalent positions; and clarifies the transfer of funds to the Miscellaneous Revenue/School Security Assessment Fund. ................................. 277  278  285

636 Appropriations LAW

APPROPRIATIONS - Appropriates and transfers from the General Fund $34,500,000 to the Fire Suppression Deficiency Fund for fiscal year 2017. ................................................................. 277  278  285

637 Appropriations LAW

APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Appropriates $556,135,800 to the State Board of Education and the Board of Regents of the University of Idaho for college and universities and the Office of the State Board of Education for fiscal year 2017; provides certain reappropriation authority; provides legislative intent for systemwide needs; provides legislative intent for the Complete College Idaho initiative; provides legislative intent for a cybersecurity lab in conjunction with the Idaho National Lab; and exempts appropriation object and program transfer limitations. ................................................................. 277  278  285

638 Appropriations LAW

APPROPRIATIONS - COMMUNITY COLLEGES - Appropriates $37,519,000 to the State Board of Education for community colleges for fiscal year 2017; exempts appropriation object and program transfer limitations; provides legislative intent relating to system-wide expenditures; and requires an update on the Complete College Idaho initiative. ................................................................. 277  278  285

639 Ways and Means LAW

ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules that expire on July 1, 2016, will continue to be effective until July 1, 2017, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2017, or until such time as they expire, to provide that rules rejected by concurrent resolution shall be null, void and of no force and effect and to authorize agencies to amend or repeal certain rules pursuant to the Administrative Procedure Act. ................................................................. 278  279  285

640 Appropriations LAW

APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates $54,525,400 to the Department of Lands for fiscal year 2017; limits the number of authorized full-time equivalent positions to 291.1; and exempts certain appropriation object transfer limitations. ................................................................. 277  279  285

641 Appropriations LAW

APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Appropriates $104,070,300 to the Department of Fish and Game for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 558. ................................. 277  279  285

642 Appropriations LAW

APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates $1,956,200 to the Commission on the Arts for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 10................................. 277  281  285
<table>
<thead>
<tr>
<th>House Bill No.</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introductions Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>643</td>
<td>State Affairs</td>
<td>LAW</td>
<td>SUBMERSIBLE WELL PUMPS - Adds to existing law to provide that listed submersible well pumps are approved for use in lakes, rivers, ponds and streams, to provide that certain regulations shall not apply and to provide that the Division of Building Safety shall promulgate rules.</td>
<td>277</td>
<td>281</td>
<td>285</td>
</tr>
<tr>
<td>644</td>
<td>Health and Welfare</td>
<td>H Held at Desk</td>
<td>HEALTH CARE - Adds to existing law to create the Health Grant Program for the Medically Underserved.</td>
<td>269</td>
<td>-</td>
<td>276</td>
</tr>
<tr>
<td>645</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - Appropriates an additional $1,000,000 to the State Board of Education's Special Programs for the Scholarships and Grants Program for fiscal year 2017</td>
<td>277</td>
<td>281</td>
<td>285</td>
</tr>
<tr>
<td>646</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - CONSERVATION EASEMENT - Appropriates an additional $5,000,000 to the Department of Lands for fiscal year 2017; provides fiscal year 2016 reappropriation for the Forest Legacy Program; appropriates an additional $2,000,000 to the Department of Fish and Game for fiscal year 2017; and provides legislative intent</td>
<td>278</td>
<td>281</td>
<td>285</td>
</tr>
<tr>
<td>647</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - TRAILER - Appropriates additional funding for the Public Schools Support Program/Division of Children's Programs; appropriates additional funding for the Public Schools Support Program/Division of Operations; reduces the appropriation to the Public School Support Program/Division of Central Services; and appropriates additional funding to the Office of the State Board of Education</td>
<td>278</td>
<td>282</td>
<td>285</td>
</tr>
<tr>
<td>649</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>BREWERIES - Amends existing law to define &quot;brewery&quot; and &quot;winery&quot;; and to allow persons under 21 to enter or be on the premises of a licensed brewery where beer is consumed</td>
<td>280</td>
<td>282</td>
<td>285</td>
</tr>
<tr>
<td>650</td>
<td>Appropriations</td>
<td>VETOED</td>
<td>APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - HEALTHCARE POLICY INITIATIVES - Appropriates an additional $400,000 from the General Fund to the Department of Health and Welfare for the Healthcare Policy Initiatives Program for fiscal year 2017; transfers $5,000,000 from the Idaho Millennium Fund to the Idaho Millennium Income Fund; and appropriates an additional $5,000,000 from the Millennium Income Fund for the Health Care Initiatives Program for fiscal year 2017</td>
<td>283</td>
<td>284</td>
<td>285</td>
</tr>
<tr>
<td>House Joint Resolution</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-duction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>------------------------</td>
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</tr>
<tr>
<td>5</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>ADMINISTRATIVE RULES - Proposing an amendment to Article III of the Constitution of the State of Idaho by the addition of a new Section 29 to provide that the Legislature may review, approve or reject any administrative rule to ensure it is consistent with legislative intent and to provide that legislative approval or rejection of a rule is not subject to gubernatorial veto.</td>
<td>201</td>
<td>280</td>
<td>285</td>
</tr>
</tbody>
</table>
### SECTION XIII

**NUMERICAL INDEX OF HOUSE JOINT MEMORIALS RECEIVED BY THE SENATE**

<table>
<thead>
<tr>
<th>House Joint Memorial</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Resources and Conservation</td>
<td>ADOPTED</td>
<td>SAGE-GROUSE - Stating findings of the Legislature and resolving that Congress should, by legislative enactment, provide protections for adoption and implementation of state sage-grouse conservation plans by, among other things, making no funds available for use by either the Secretary of the Interior or the Secretary of Agriculture to implement recent federal land use plan amendments if they are inconsistent with the state's sage-grouse conservation plan for a period of 10 years through and including fiscal year 2026.</td>
<td>99</td>
<td>193</td>
<td>216</td>
</tr>
<tr>
<td>14</td>
<td>State Affairs</td>
<td>S Res/Env</td>
<td>COMMUNITY LANDS - Stating the findings of the Legislature requesting that the U.S. House of Representatives markup and pass H.R. 2316, and to provide a possible path forward beyond Secure Rural Schools to allow local communities to generate the revenues necessary to fund local operations by utilizing the natural resources available in their communities</td>
<td>257</td>
<td>-</td>
<td>257</td>
</tr>
</tbody>
</table>
### SECTION XIV

**NUMERICAL INDEX OF HOUSE CONCURRENT RESOLUTIONS RECEIVED BY THE SENATE**

<table>
<thead>
<tr>
<th>House Concurrent Resolution</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Intro. Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>27</td>
<td>Moyle, Rusche</td>
<td>ADOPTED</td>
<td>GOVERNOR - STATE OF STATE ADDRESS - Provides for a joint session of the House of Representatives and the Senate to hear the Governor's State of the State address..................</td>
<td>3</td>
<td>4</td>
<td>17</td>
</tr>
<tr>
<td>28</td>
<td>Transportation and Defense</td>
<td>ADOPTED</td>
<td>MILITARY FAMILIES - Stating findings of the Legislature and recognizing the commitment, sacrifice and courage our military families consistently demonstrate through appropriate public events, ceremonies, patriotic activities in our communities and private prayers, and recognizing 2016 throughout the State of Idaho as the Year of Idaho Military Families. ..........................................................</td>
<td>131</td>
<td>-</td>
<td>188</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the House (See House Journal)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>STATUE OF LIBERTY - Stating findings of the Legislature and commemorating and recognizing the 130th anniversary of the Statue of Liberty. .........................................................</td>
<td>87</td>
<td>170</td>
<td>188</td>
</tr>
<tr>
<td>30</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>ANTHONY DOERR - Stating findings of the Legislature and honoring Boise author Anthony Doerr for winning the Pulitzer Prize for Fiction and commending his contributions to the literary world..........................................................</td>
<td>87</td>
<td>127</td>
<td>139</td>
</tr>
<tr>
<td>31</td>
<td>Education</td>
<td>ADOPTED</td>
<td>MUSIC EDUCATION - Stating findings of the Legislature, recognizing the importance of music education in Idaho schools and recognizing Music in Our Schools Month. ....</td>
<td>69</td>
<td>108</td>
<td>127</td>
</tr>
<tr>
<td>32</td>
<td>Agricultural Affairs</td>
<td>ADOPTED</td>
<td>PULSE CROPS - Stating findings of the Legislature and recognizing pulse crops..........................................................</td>
<td>93</td>
<td>159</td>
<td>188</td>
</tr>
<tr>
<td>33</td>
<td>Education</td>
<td>ADOPTED</td>
<td>EDUCATION - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to conduct a study of the public school funding formula and to make recommendations........................................</td>
<td>99</td>
<td>182</td>
<td>200</td>
</tr>
<tr>
<td>34</td>
<td>Health and Welfare</td>
<td>S FAILED</td>
<td>COMMUNITY WATER FLUORIDATION - Stating findings of the Legislature and recognizing community water fluoridation as a significant public health achievement........</td>
<td>87</td>
<td>149</td>
<td>149</td>
</tr>
<tr>
<td>35</td>
<td>Resources and Conservation</td>
<td>ADOPTED</td>
<td>LOGGING - Stating findings of the Legislature and honoring the Associated Logging Contractors of Idaho for 50 years of accomplishments and services to Idaho.........................</td>
<td>123</td>
<td>193</td>
<td>216</td>
</tr>
<tr>
<td>36</td>
<td>Commerce and Human Resources</td>
<td>ADOPTED</td>
<td>NATIONAL APPRENTICESHIP WEEK - Stating findings of the Legislature and recognizing National Apprenticeship Week. ..........................................................</td>
<td>93</td>
<td>152</td>
<td>170</td>
</tr>
<tr>
<td>38</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>NATIONAL DAY OF THE COWBOY - Stating findings of the Legislature and recognizing National Day of the Cowboy..........................................................</td>
<td>150</td>
<td>226</td>
<td>260</td>
</tr>
<tr>
<td>39</td>
<td>Judiciary, Rules, and Administration</td>
<td>ADOPTED</td>
<td>PARDONS AND PAROLE COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho Commission of Pardons and Parole relating to Rules of the Commission of Pardons and Parole........................................</td>
<td>140</td>
<td>170</td>
<td>188</td>
</tr>
<tr>
<td>House Concurrent Resolution</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------</td>
<td>-------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>40</td>
<td>Judiciary, Rules, and Administration</td>
<td>ADOPTED</td>
<td>IDAHO STATE POLICE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the Idaho State Police relating to Rules Governing Alcohol Beverage Control.</td>
<td>140</td>
<td>170</td>
<td>188</td>
</tr>
<tr>
<td>41</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>GREAT SEAL - Stating findings of the Legislature and commemorating the 125th anniversary of the Great Seal of the State of Idaho, and honoring its designer Emma Edwards Green.</td>
<td>160</td>
<td>201</td>
<td>225</td>
</tr>
<tr>
<td>42</td>
<td>Education</td>
<td>ADOPTED</td>
<td>MATT PARADIS - Stating findings of the Legislature and congratulating Idahoan Matt Paradis for his part in Denver Broncos’ Super Bowl win.</td>
<td>96</td>
<td>127</td>
<td>139</td>
</tr>
<tr>
<td>43</td>
<td>Revenue and Taxation</td>
<td>ADOPTED</td>
<td>IDAHO POWER COMPANY - Stating findings of the Legislature and honoring Idaho Power Company on its hundredth anniversary.</td>
<td>131</td>
<td>193</td>
<td>216</td>
</tr>
<tr>
<td>44</td>
<td>Education</td>
<td>ADOPTED</td>
<td>EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the State Board of and State Department of Education regarding Rules Governing Thoroughness.</td>
<td>140</td>
<td>177</td>
<td>193</td>
</tr>
<tr>
<td>45</td>
<td>Education</td>
<td>ADOPTED</td>
<td>EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting certain rules of the State Board of Education regarding Rules Governing the Opportunity Scholarship Program.</td>
<td>140</td>
<td>177</td>
<td>193</td>
</tr>
<tr>
<td>46</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>U.S. CAPITOL CHRISTMAS TREE - Stating findings of the Legislature and urging Idahoans to participate in the activities surrounding the 2016 U.S. Capitol Christmas tree, urging communities, businesses and schools throughout Idaho to contribute toward the effort to provide the U.S. Capitol Christmas tree, including involving organizations and schoolchildren in making ornaments for the tree, and urging Idahoans to participate in any community celebrations that may occur in their communities as the tree travels throughout Idaho prior to its trip across the United States to Washington, D.C.</td>
<td>156</td>
<td>226</td>
<td>260</td>
</tr>
<tr>
<td>47</td>
<td>Health and Welfare</td>
<td>ADOPTED</td>
<td>SOCIAL WORK RECOGNITION MONTH - Stating findings of the Legislature and proclaiming March 2016 as Social Work Recognition Month and calling upon all citizens to join with the National Association of Social Workers in celebration and support of the social work profession.</td>
<td>143</td>
<td>170</td>
<td>188</td>
</tr>
<tr>
<td>48</td>
<td>Commerce and Human Resources</td>
<td>ADOPTED</td>
<td>PUBLIC PROCUREMENT - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of issues relating to public procurement and to make recommendations.</td>
<td>170</td>
<td>266</td>
<td>277</td>
</tr>
<tr>
<td>50</td>
<td>Education</td>
<td>S Educ</td>
<td>CIVICS TEST - Stating findings of the Legislature and requesting that the State Board of Education adopt rules to provide for Idaho state government and Idaho history questions for the civics test given to high school seniors starting with the 2017-18 school year.</td>
<td>170</td>
<td>-</td>
<td>222</td>
</tr>
<tr>
<td>House Concurrent Resolution</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introdu ction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>----------------------------</td>
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<td>--------------</td>
<td>----------------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>51</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>PUBLIC UTILITIES COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting certain final and certain pending rules of the Idaho Public Utilities Commission relating to Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission. .................................................................</td>
<td>177</td>
<td>241</td>
<td>271</td>
</tr>
<tr>
<td>53</td>
<td>Ways and Means</td>
<td>S Res/Env</td>
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