



(6) months of the current fiscal year of the positions so controlled shall be furnished by the department to the legislature and to the governor on December 1. Any authority now or hereafter vested in any appointing authority or agency, commission, department, board, office or institution is hereby limited by the provisions of this section.

SECTION 39. That Section 67-3520, Idaho Code, be, and the same is hereby amended to read as follows:

67-3520. ALLOCATION OF AMOUNT BY STATE AUDITOR. — The state auditor shall, upon receipt of the requests, allocate and make available for expenditure the amount authorized by the administrator of the division of ~~the~~ budget, **policy planning and coordination**.

SECTION 40. That Section 67-5903, Idaho Code, be, and the same is hereby amended to read as follows:

67-5903. CREATION OF COMMISSION ON HUMAN RIGHTS — MEMBERS — APPOINTMENT. — There is hereby created **in the office of the governor** the Idaho commission on human rights to consist of nine (9) members, all of whom shall be appointed by the governor ~~and serve at his pleasure.~~ **each for a term of three (3) years. In making the first appointments, the governor shall specify the term of each member, so that the terms of three (3) members expire each year. The terms of office of members of the commission holding office prior to July 1, 1974, shall terminate on July 1, 1974, and within thirty (30) days thereafter the governor shall appoint the members of the commission who shall serve staggered terms as provided by this section.**

SECTION 41. That Section 67-5904, Idaho Code, be, and the same is hereby amended to read as follows:

67-5904. ORGANIZATION OF COMMISSION — COMPENSATION OF MEMBERS. — The commission shall annually select a president and vice-president. ~~The director of the Economic Opportunity Office for the state of Idaho shall serve as its secretary.~~ Each member of the commission shall be entitled to reimbursement of expenses incurred by him in the performance of his duties in addition to such daily allowance as the legislature may hereinafter provide. **The commission may appoint a staff director to serve at its pleasure. Other subordinate staff necessary to accomplish the commission's mission shall be subject to the provisions of chapter 53, title 67, Idaho Code.**

SECTION 42. That Section 67-5905, Idaho Code, be, and the same is hereby amended to read as follows:



67-5905. DUTIES OF ~~SECRETARY~~ **STAFF DIRECTOR**. — The ~~secretary~~ **staff director** shall attend all meetings of the commission, serve as its executive and administrative officer, have charge of its office and records, and, under the general supervision of the commission, be responsible for the administration of this act and the general policies and regulations adopted by the ~~board~~ **commission**.

SECTION 43. That Section 67-6203, Idaho Code, be, and the same is hereby amended to read as follows:

67-6203. COMMISSIONERS — CHAIRMAN — APPOINTMENTS. — The governor shall appoint seven (7) persons to be commissioners of the Idaho housing agency. Preference shall be given to persons of low income and to persons with experience in the fields of mortgage, finance, banking, real estate, or home building. The governor shall appoint a chairman from among the seven (7) commissioners. The commissioners shall be appointed for terms of four (4) years, except that all vacancies shall be filled for the unexpired term. A commissioner shall hold office until his successor has been appointed and qualifies. A certificate of the appointment or reappointment of any commissioner shall be filed in the office of the secretary of state and in the office of the agency, and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. The governor, the state treasurer, the state auditor and the ~~director of the state planning and community affairs agency~~ **administrator of the division of budget, policy planning and coordination** shall serve as advisors to the commissioners of the agency.

SECTION 44. That Section 39-3004, Idaho Code, be, and the same is hereby amended to read as follows:

39-3004. STATE NUCLEAR ENERGY COMMISSION ESTABLISHED. — 1. There is hereby established **in the office of the governor** the state nuclear energy commission, consisting of five (5) members appointed by the governor and serving at his pleasure. One (1) of the members shall be selected for his knowledge of regulatory functions of nuclear energy. Not more than three (3) of the members may be from any one ~~(1)~~ political party. The members' term of office shall be four (4) years, except that the terms of those first appointed shall expire as follows: two (2) at the end of two (2) years after the effective date of this act; two (2) at the end of three (3) years after such date; and one (1) at the end of four (4) years after such date. If a vacancy occurs, the governor shall appoint a member for the remaining portion of that term. The governor shall designate





## CHAPTER 22

(H. B. No. 400)

RS1063

## AN ACT

TO REORGANIZE THE EXECUTIVE DEPARTMENT OF STATE GOVERNMENT PURSUANT TO SECTION 20, ARTICLE IV, OF THE CONSTITUTION OF THE STATE OF IDAHO; REPEALING SECTIONS 67-807 AND 67-1910, CHAPTER 40, CHAPTER 50 AND CHAPTER 61, TITLE 67, IDAHO CODE; AMENDING SECTION 67-802, IDAHO CODE, TO PROVIDE FOR THE OFFICE OF THE GOVERNOR, TO PROVIDE FOR THE ORGANIZATION OF THE OFFICE, AND TO PROVIDE FOR EXECUTIVE ORDERS OF THE GOVERNOR; AMENDING SECTION 67-4701, IDAHO CODE, TO CREATE THE DIVISION OF TOURISM AND INDUSTRIAL DEVELOPMENT IN THE OFFICE OF THE GOVERNOR; AMENDING SECTION 67-4702, IDAHO CODE, TO PROVIDE FOR THE APPOINTMENT OF AN ADMINISTRATOR OF THE DIVISION; AMENDING SECTION 67-4703, IDAHO CODE, TO PROVIDE NAME CHANGES AND TO PROVIDE THAT EMPLOYEES OF THE DIVISION BE SUBJECT TO THE PROVISIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMENDING SECTIONS 67-4704 AND 67-4705, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 23-201, IDAHO CODE, TO CREATE THE STATE LIQUOR DISPENSARY IN THE OFFICE OF THE GOVERNOR, TO PROVIDE THAT THE DISPENSARY SHALL BE A DIVISION OF THE OFFICE FOR THE PURPOSES OF CHAPTER 24, TITLE 67, IDAHO CODE, AND TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION SHALL BE KNOWN AS THE SUPERINTENDENT; AMENDING SECTION 23-207, IDAHO CODE, TO PROVIDE THAT EMPLOYEES OF THE DIVISION BE SUBJECT TO THE PROVISIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMENDING SECTION 23-217, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 46-112, IDAHO CODE, TO PROVIDE THAT THE ADJUTANT GENERAL SHALL BE CHIEF OF STAFF AND ADMINISTRATIVE HEAD OF THE MILITARY DIVISION OF THE OFFICE OF THE GOVERNOR, AND TO PROVIDE THAT CERTAIN CLERICAL AND OTHER PERSONNEL IN THE DIVISION SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 67-5303(j), IDAHO



OF BUDGET, POLICY PLANNING AND COORDINATION RELATING TO LISTS OF EMPLOYEE POSITIONS; AMENDING SECTION 67-3520, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 67-5903, IDAHO CODE, TO CREATE THE COMMISSION ON HUMAN RIGHTS IN THE OFFICE OF THE GOVERNOR, TO PROVIDE THAT THE TERMS OF OFFICE OF MEMBERS OF THE COMMISSION HOLDING OFFICE PRIOR TO JULY 1, 1974, SHALL TERMINATE ON JULY 1, 1974, AND TO PROVIDE THAT THE GOVERNOR SHALL APPOINT MEMBERS OF THE COMMISSION FOR STAGGERED TERMS OF THREE YEARS; AMENDING SECTION 67-5904, IDAHO CODE, TO STRIKE OBSOLETE REFERENCES, TO PROVIDE THAT THE COMMISSION MAY APPOINT A STAFF DIRECTOR, AND TO PROVIDE THAT OTHER STAFF OF THE COMMISSION SHALL BE SUBJECT TO THE PROVISIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMENDING SECTION 67-5905, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 67-6203, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 39-3004, IDAHO CODE, TO CREATE THE NUCLEAR ENERGY COMMISSION IN THE OFFICE OF THE GOVERNOR, AND TO PROVIDE THAT CERTAIN EMPLOYEES OF THE COMMISSION SHALL BE SUBJECT TO THE PROVISIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMENDING SECTION 59-1326, IDAHO CODE, TO CREATE THE RETIREMENT BOARD IN THE OFFICE OF THE GOVERNOR; AMENDING SECTION 67-5403, IDAHO CODE, TO CREATE THE COMMISSION FOR THE BLIND IN THE OFFICE OF THE GOVERNOR; AMENDING SECTION 67-5405, IDAHO CODE, TO PROVIDE THAT EMPLOYEES OF THE COMMISSION SHALL BE SUBJECT TO THE PROVISIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMENDING SECTION 67-6001, IDAHO CODE, TO ESTABLISH THE COMMISSION ON WOMEN'S PROGRAMS IN THE OFFICE OF THE GOVERNOR; AMENDING SECTION 72-902, IDAHO CODE, TO CREATE THE OFFICE OF STATE INSURANCE MANAGER IN THE OFFICE OF THE GOVERNOR; AMENDING SECTION 72-906, IDAHO CODE, TO PROVIDE THAT EMPLOYEES OF THE FUND MANAGER SHALL BE SUBJECT TO THE PROVISIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMENDING SECTION 57-717, IDAHO CODE, TO STRIKE REFERENCES TO THE



(6) months of the current fiscal year of the positions so controlled shall be furnished by the department to the legislature and to the governor on December 1. Any authority now or hereafter vested in any appointing authority or agency, commission, department, board, office or institution is hereby limited by the provisions of this section.

SECTION 39. That Section 67-3520, Idaho Code, be, and the same is hereby amended to read as follows:

67-3520. ALLOCATION OF AMOUNT BY STATE AUDITOR. — The state auditor shall, upon receipt of the requests, allocate and make available for expenditure the amount authorized by the administrator of the division of the budget, policy planning and coordination.

SECTION 40. That Section 67-5903, Idaho Code, be, and the same is hereby amended to read as follows:

67-5903. CREATION OF COMMISSION ON HUMAN RIGHTS — MEMBERS — APPOINTMENT. — There is hereby created in the office of the governor the Idaho commission on human rights to consist of nine (9) members, all of whom shall be appointed by the governor and serve at his pleasure. — each for a term of three (3) years. In making the first appointments, the governor shall specify the term of each member, so that the terms of three (3) members expire each year. The terms of office of members of the commission holding office prior to July 1, 1974, shall terminate on July 1, 1974, and within thirty (30) days thereafter the governor shall appoint the members of the commission who shall serve staggered terms as provided by this section.

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SECTION 42. That Section 67-5905, Idaho Code, be, and the same is hereby amended to read as follows:



**67-5905. DUTIES OF SECRETARY STAFF DIRECTOR.** — The ~~secretary staff director~~ shall attend all meetings of the commission, serve as its executive and administrative officer, have charge of its office and records, and, under the general supervision of the commission, be responsible for the administration of this act and the general policies and regulations adopted by the ~~board~~ commission.

SECTION 43. That Section 67-6203, Idaho Code, be, and the same is hereby amended to read as follows:

**67-6203. COMMISSIONERS — CHAIRMAN — APPOINTMENTS.** — The governor shall appoint seven (7) persons to be commissioners of the Idaho housing agency. Preference shall be given to persons of low income and to persons with experience in the fields of mortgage, finance, banking, real estate, or home building. The governor shall appoint a chairman from among the seven (7) commissioners. The commissioners shall be appointed for terms of four (4) years, except that all vacancies shall be filled for the unexpired term. A commissioner shall hold office until his successor has been appointed and qualifies. A certificate of the appointment or reappointment of any commissioner shall be filed in the office of the secretary of state and in the office of the agency, and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. The governor, the state treasurer, the state auditor and the ~~director of the state planning and community affairs agency~~ **administrator of the division of budget, policy planning and coordination** shall serve as advisors to the commissioners of the agency.

SECTION 44. That Section 39-3004, Idaho Code, be, and the same is hereby amended to read as follows:

**39-3004. STATE NUCLEAR ENERGY COMMISSION ESTABLISHED.** — 1. There is hereby established **in the office of the governor** the state nuclear energy commission, consisting of five (5) members appointed by the governor and serving at his pleasure. One (1) of the members shall be selected for his knowledge of regulatory functions of nuclear energy. Not more than three (3) of the members may be from any one (1) political party. The members' term of office shall be four (4) years, except that the terms of those first appointed shall expire as follows: two (2) at the end of two (2) years after the effective date of this act; two (2) at the end of three (3) years after such date; and one (1) at the end of four (4) years after such date. If a vacancy occurs, the governor shall appoint a member for the remaining portion of that term. The governor shall designate

IN THE HOUSE OF REPRESENTATIVES  
HOUSE BILL NO. 400  
BY EXECUTIVE REORGANIZATION COMMITTEE

AN ACT

1  
2 TO REORGANIZE THE EXECUTIVE DEPARTMENT OF STATE  
3 GOVERNMENT PURSUANT TO SECTION 20, ARTICLE IV, OF  
4 THE CONSTITUTION OF THE STATE OF IDAHO; REPEALING  
5 SECTIONS 67-807 AND 67-1910, CHAPTER 40, CHAPTER 50 AND  
6 CHAPTER 61, TITLE 67, IDAHO CODE; AMENDING SECTION  
7 67-802, IDAHO CODE, TO PROVIDE FOR THE OFFICE OF THE  
8 GOVERNOR, TO PROVIDE FOR THE ORGANIZATION OF THE  
9 OFFICE, AND TO PROVIDE FOR EXECUTIVE ORDERS OF THE  
10 GOVERNOR; AMENDING SECTION 67-4701, IDAHO CODE, TO  
11 CREATE THE DIVISION OF TOURISM AND INDUSTRIAL DEVEL-  
12 OPMENT IN THE OFFICE OF THE GOVERNOR; AMENDING  
13 SECTION 67-4702, IDAHO CODE, TO PROVIDE FOR THE  
14 APPOINTMENT OF AN ADMINISTRATOR OF THE DIVISION;  
15 AMENDING SECTION 67-4703, IDAHO CODE, TO PROVIDE NAME  
16 CHANGES AND TO PROVIDE THAT EMPLOYEES OF THE  
17 DIVISION BE SUBJECT TO THE PROVISIONS OF CHAPTER 53,  
18 TITLE 67, IDAHO CODE; AMENDING SECTIONS 67-4704 AND  
19 67-4705, IDAHO CODE, TO PROVIDE NAME CHANGES; AMEND-  
20 ING SECTION 23-201, IDAHO CODE, TO CREATE THE STATE  
21 LIQUOR DISPENSARY IN THE OFFICE OF THE GOVERNOR, TO  
22 PROVIDE THAT THE DISPENSARY SHALL BE A DIVISION OF  
23 THE OFFICE FOR THE PURPOSES OF CHAPTER 24, TITLE 67,  
24 IDAHO CODE, AND TO PROVIDE THAT THE ADMINISTRATOR  
25 OF THE DIVISION SHALL BE KNOWN AS THE SUPERINTEN-  
26 DENT; AMENDING SECTION 23-207, IDAHO CODE, TO PROVIDE  
27 THAT EMPLOYEES OF THE DIVISION BE SUBJECT TO THE  
28 PROVISIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMEND-  
29 ING SECTION 23-217, IDAHO CODE, TO PROVIDE NAME  
30 CHANGES; AMENDING SECTION 46-112, IDAHO CODE, TO  
31 PROVIDE THAT THE ADJUTANT GENERAL SHALL BE CHIEF OF  
32 STAFF AND ADMINISTRATIVE HEAD OF THE MILITARY



1 DIVISION OF THE OFFICE OF THE GOVERNOR, AND TO  
2 PROVIDE THAT CERTAIN CLERICAL AND OTHER PERSONNEL  
3 IN THE DIVISION SHALL BE SUBJECT TO THE PROVISIONS OF  
4 SECTION 67-5303(j), IDAHO CODE; AMENDING SECTION 46-1001,  
5 IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING  
6 SECTION 46-1002, IDAHO CODE, TO CREATE THE BUREAU OF  
7 DISASTER RELIEF AND CIVIL DEFENSE; AMENDING SECTION  
8 46-1004, IDAHO CODE, TO PROVIDE FOR THE CHIEF OF THE  
9 BUREAU OF DISASTER RELIEF AND CIVIL DEFENSE; AMEND-  
10 ING SECTION 46-1005, IDAHO CODE, TO PROVIDE NAME  
11 CHANGES, AND TO PROVIDE THAT EMPLOYEES OF THE  
12 BUREAU BE SUBJECT TO THE PROVISIONS OF CHAPTER 53,  
13 TITLE 67, IDAHO CODE; AMENDING SECTION 46-1007, IDAHO  
14 CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION  
15 19-5102, IDAHO CODE, TO CREATE THE LAW ENFORCEMENT  
16 PLANNING COMMISSION IN THE DIVISION OF BUDGET, POLICY  
17 PLANNING AND COORDINATION, AND TO PROVIDE NAME  
18 CHANGES; AMENDING SECTION 19-5113, IDAHO CODE, TO  
19 PROVIDE NAME CHANGES; AMENDING CHAPTER 19, TITLE 67,  
20 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1910,  
21 IDAHO CODE, TO PROVIDE MANAGEMENT DUTIES OF THE  
22 DIVISION OF BUDGET, POLICY PLANNING AND COORDINA-  
23 TION; AMENDING SECTION 67-1911, IDAHO CODE, TO PROVIDE  
24 PLANNING RESPONSIBILITIES OF THE DIVISION OF BUDGET,  
25 POLICY PLANNING AND COORDINATION, AND TO PROVIDE  
26 NAME CHANGES; AMENDING SECTION 67-1912, IDAHO CODE,  
27 TO PROVIDE COMMUNITY AFFAIRS FUNCTIONS AND RESPON-  
28 SIBILITIES OF THE DIVISION OF BUDGET, POLICY PLANNING  
29 AND COORDINATION, AND TO PROVIDE NAME CHANGES;  
30 AMENDING SECTIONS 67-1913, 67-1915, 67-1916 AND 67-1917,  
31 IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING  
32 SECTION 67-3501, IDAHO CODE, TO STRIKE REFERENCES TO  
33 THE DIVISION OF THE BUDGET AND TO PROVIDE DUTIES FOR  
34 THE ADMINISTRATOR OF THE DIVISION OF BUDGET, POLICY  
35 PLANNING AND COORDINATION; AMENDING SECTIONS  
36 67-3502, 67-3503, 67-3504, 67-3505, 67-3508, 67-3511, 67-3512,  
37 67-3513, 67-3516, 67-3517 AND 67-3518, IDAHO CODE, TO  
38 PROVIDE NAME CHANGES; AMENDING CHAPTER 35, TITLE 67,  
39 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3519,  
40 IDAHO CODE, TO PROVIDE FOR ADDITIONAL POWERS,



1 DUTIES, FUNCTIONS AND RESPONSIBILITIES OF THE DIVISION  
2 OF BUDGET, POLICY PLANNING AND COORDINATION  
3 RELATING TO LISTS OF EMPLOYEE POSITIONS; AMENDING  
4 SECTION 67-3520, IDAHO CODE, TO PROVIDE NAME CHANGES;  
5 AMENDING SECTION 67-5903, IDAHO CODE, TO CREATE THE  
6 COMMISSION ON HUMAN RIGHTS IN THE OFFICE OF THE  
7 GOVERNOR, TO PROVIDE THAT THE TERMS OF OFFICE OF  
8 MEMBERS OF THE COMMISSION HOLDING OFFICE PRIOR TO  
9 JULY 1, 1974, SHALL TERMINATE ON JULY 1, 1974, AND TO  
10 PROVIDE THAT THE GOVERNOR SHALL APPOINT MEMBERS OF  
11 THE COMMISSION FOR STAGGERED TERMS OF THREE YEARS;  
12 AMENDING SECTION 67-5904, IDAHO CODE, TO STRIKE OBSO-  
13 LUTE REFERENCES, TO PROVIDE THAT THE COMMISSION MAY  
14 APPOINT A STAFF DIRECTOR, AND TO PROVIDE THAT OTHER  
15 STAFF OF THE COMMISSION SHALL BE SUBJECT TO THE  
16 PROVISIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMEND-  
17 ING SECTION 67-5905, IDAHO CODE, TO PROVIDE NAME  
18 CHANGES; AMENDING SECTION 67-6203, IDAHO CODE, TO  
19 PROVIDE NAME CHANGES; AMENDING SECTION 39-3004,  
20 IDAHO CODE, TO CREATE THE NUCLEAR ENERGY COMMIS-  
21 SION IN THE OFFICE OF THE GOVERNOR, AND TO PROVIDE  
22 THAT CERTAIN EMPLOYEES OF THE COMMISSION SHALL BE  
23 SUBJECT TO THE PROVISIONS OF CHAPTER 53, TITLE 67,  
24 IDAHO CODE; AMENDING SECTION 59-1326, IDAHO CODE, TO  
25 CREATE THE RETIREMENT BOARD IN THE OFFICE OF THE  
26 GOVERNOR; AMENDING SECTION 67-5403, IDAHO CODE, TO  
27 CREATE THE COMMISSION FOR THE BLIND IN THE OFFICE OF  
28 THE GOVERNOR; AMENDING SECTION 67-5405, IDAHO CODE,  
29 TO PROVIDE THAT EMPLOYEES OF THE COMMISSION SHALL  
30 BE SUBJECT TO THE PROVISIONS OF CHAPTER 53, TITLE 67,  
31 IDAHO CODE; AMENDING SECTION 67-6001, IDAHO CODE, TO  
32 ESTABLISH THE COMMISSION ON WOMEN'S PROGRAMS IN THE  
33 OFFICE OF THE GOVERNOR; AMENDING SECTION 72-902,  
34 IDAHO CODE, TO CREATE THE OFFICE OF STATE INSURANCE  
35 MANAGER IN THE OFFICE OF THE GOVERNOR; AMENDING  
36 SECTION 72-906, IDAHO CODE, TO PROVIDE THAT EMPLOYEES  
37 OF THE FUND MANAGER SHALL BE SUBJECT TO THE PROVI-  
38 SIONS OF CHAPTER 53, TITLE 67, IDAHO CODE; AMENDING  
39 SECTION 57-717, IDAHO CODE, TO STRIKE REFERENCES TO  
40 THE COMMISSIONER OF INSURANCE; AMENDING SECTION

57-718, IDAHO CODE, TO ESTABLISH THE INVESTMENT BOARD IN THE OFFICE OF THE GOVERNOR, AND TO PROVIDE NAME CHANGES; AMENDING SECTION 57-726, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 57-727, IDAHO CODE, TO STRIKE REFERENCES TO THE DEPARTMENT OF FINANCE, TO STRIKE REFERENCES TO THE COMMISSIONER OF FINANCE AND THE COMMISSIONER OF INSURANCE, TO PROVIDE NAME CHANGES, AND TO PROVIDE THAT THE INVESTMENT BOARD MAY FURNISH ADVICE AND MAY INVEST FUNDS; AMENDING SECTION 1-2008, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 1-2008A, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 59-904, IDAHO CODE, TO PROVIDE NAME CHANGES; AMENDING SECTION 59-508, IDAHO CODE, TO PROVIDE THAT SALARIES OF CERTAIN ADMINISTRATIVE OFFICERS NOT OTHERWISE PROVIDED FOR BY LAW SHALL BE FIXED BY THE APPOINTING AUTHORITY WITHIN THE LIMITS OF APPROPRIATIONS, AND TO STRIKE OBSOLETE REFERENCES; AMENDING CHAPTER 5, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-511, IDAHO CODE, TO PROVIDE THAT OFFICERS DEVOTE FULL TIME TO THEIR DUTIES, AND TO PROVIDE THAT THEY SHALL RECEIVE NO SALARY OTHER THAN BY VIRTUE OF THEIR OFFICE; AMENDING CHAPTER 5, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-512, IDAHO CODE, TO PROVIDE THAT AN EMPLOYEE EMPLOYED AT A FIXED COMPENSATION SHALL NOT BE PAID FOR ANY EXTRA SERVICE UNLESS AUTHORIZED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Sections 67-807 and 67-1910, Chapter 40, Chapter 50 and Chapter 61, Title 67, Idaho Code, be, and the same are hereby repealed.

SECTION 2. That Section 67-802, Idaho Code, be, and the same is hereby amended to read as follows:

67-802. OFFICE OF GOVERNOR — DUTIES OF GOVERNOR. —

The office of the governor shall be composed of:

the division of tourism and industrial development, as provided by chapter 47, title 67, Idaho Code;

the state liquor dispensary, as provided by chapter 2, title 23, Idaho Code;

1 the military division, as provided by title 46, Idaho Code;  
2 the division of budget, policy planning and coordination, as provided  
3 by chapter 51, title 19, and chapters 19, 35 and 57, title 67, Idaho  
4 Code;  
5 and such other divisions and units as are established or assigned by law,  
6 or created through administrative action of the governor.

7 The governor shall appoint an administrator for each division, with the  
8 advice and consent of the senate. Administrators shall serve at the pleasure  
9 of the governor, and shall be exempt from the provisions of chapter 53, title  
10 67, Idaho Code. Other subordinate staff necessary to accomplish a division's  
11 mission shall be subject to the provisions of chapter 53, title 67, Idaho Code.

12 The supreme executive power of the state is vested by section 5, article  
13 IV, of the constitution of the state of Idaho, in the governor, who is  
14 expressly charged with the duty of seeing that the laws are faithfully  
15 executed. In order that he may exercise a portion of the authority so vested,  
16 the governor is authorized and empowered to implement and exercise those  
17 powers and perform those duties by issuing executive orders from time to  
18 time which shall have the force and effect of law when issued in accordance  
19 with this section and within the limits imposed by the constitution and laws  
20 of this state. Such executive orders, when issued, shall be serially numbered  
21 for each calendar year and may be referred to and cited by such numerical  
22 designation and title. Each executive order issued hereunder shall be  
23 effective only after signature by the governor, attestation by and filing with  
24 the secretary of state, who shall keep a permanent register and file of such  
25 orders in the same manner as applies to acts of the legislature, and after  
26 publication in full in a newspaper or newspapers of general circulation in the  
27 state. Each such executive order issued by the governor must prescribe a date  
28 after which it shall cease to be effective, which shall be within two (2)  
29 calendar years of the effective date of such order, and if no date after which  
30 such order shall cease to be effective is contained in the order, then such  
31 order shall cease to be effective two (2) calendar years from the issuance  
32 thereof.

33 In addition to those powers prescribed above, and those prescribed by  
34 the ~~Constitution~~ constitution, the governor has the powers, and may  
35 perform the duties prescribed in ~~this~~ section 67-802, Idaho Code, and the  
36 following sections:

- 37 1. To supervise the official conduct of all executive and ministerial  
38 officers.  
39 2. To see that all offices are filled, and the duties thereof performed, or, in  
40 default thereof, apply such remedy as the law allows; and if the remedy

- is imperfect, acquaint the legislature therewith at its next session.
3. To make the appointments and supply the vacancies provided by law.
  4. He is the sole official organ of communication between the government of this state and the government of any other state or territory, or of the United States.
  5. Whenever any suit or legal proceeding is pending in this state, or which may affect the title of this state to any property, or which may result in any claim against the state, he may direct the attorney general to appear on behalf of the state.
  6. He may require the attorney general or prosecuting attorney of any county to inquire into the affairs or management of any corporation existing under the laws of this state.
  7. He may require the attorney general to aid any prosecuting attorney in the discharge of his duties.
  8. He may offer rewards not exceeding ~~\$1000~~ one thousand dollars (\$1,000) each, payable out of the state treasury, for the apprehension of any convict who has escaped from the state prison, or of any person who has committed, or is charged with the commission of, an offense punishable with death; and also offer like rewards, not exceeding ~~\$500~~ five hundred dollars (\$500) each, in cases of felony, where the offense is not punishable with death.
  9. To perform such duties respecting fugitives from justice as are prescribed by the penal code.
  10. To issue and transmit election proclamations as prescribed by law.
  11. He may require any officer to make special reports to him in writing on demand.
  12. He has such other powers and may perform such other duties as are devolved upon him by any law of this state.

SECTION 3. That Section 67-4701, Idaho Code, be, and the same is hereby amended to read as follows:

67-4701. ~~DEPARTMENT OF COMMERCE AND DEVELOPMENT~~  
~~CREATED~~ DIVISION OF TOURISM AND INDUSTRIAL DEVELOPMENT  
 CREATED. — There is hereby created in the ~~executive branch of the~~  
~~government a department of commerce and development~~ office of the  
governor a division of tourism and industrial development, hereinafter  
 referred to as the ~~department~~ division, which shall have the duties, powers  
 and authorities hereinafter provided.

SECTION 4. That Section 67-4702, Idaho Code, be, and the same is hereby amended to read as follows:

1           67-4702. ~~SECRETARY~~ ADMINISTRATOR HAVING SUPERVI-  
 2       SORY CONTROL OF ~~DEPARTMENT~~ DIVISION — APPOINTMENT —  
 3       COMPENSATION. — The ~~department~~ division shall be under the control and  
 4       supervision of ~~a secretary~~ an administrator, who shall be appointed by the  
 5       governor and who shall serve at the pleasure of the governor. His compen-  
 6       sation shall be fixed by the governor within the limits of appropriations  
 7       made therefor.

8           SECTION 5. That Section 67-4703, Idaho Code, be, and the same is  
 9       hereby amended to read as follows:

10          67-4703. POWERS AND DUTIES ~~OF DEPARTMENT~~. — The ~~depart-~~  
 11       ~~ment~~ division of tourism and industrial development shall have the power  
 12       and it shall be its duty to:

- 13       (1) Engage in advertising the state of Idaho, its resources, both developed  
 14           and undeveloped, its tourist resources and attractions, its agricultural,  
 15           mining, lumbering and manufacturing resources, its health conditions  
 16           and advantages, its scenic beauty and its other attractions and  
 17           advantages; and in general either directly, indirectly or by contract do  
 18           anything and take any action which will promote and advertise the  
 19           resources and products of the state of Idaho, develop its resources and  
 20           industries, promote tourist travel to and within the state of Idaho, and  
 21           further the welfare and prosperity of its citizens.
- 22       (2) Survey and investigate the social, economic and physical resources of  
 23           the state, including land, water, minerals, facilities for power, transpor-  
 24           tation, communications, recreation, health, education and other  
 25           resources and facilities; endeavor to aid the legislature and the citizens  
 26           of the state of Idaho in formulating a program for the development and  
 27           utilization of these resources and facilities, and for balancing our  
 28           agricultural, timber and mining economy with industrial capacity. It  
 29           shall coordinate the work of all research, fact-finding and development  
 30           agencies established by the laws of the state, and which agencies shall  
 31           make such facilities available to the ~~department~~ division. It shall  
 32           cooperate with, and coordinate the work of, local and regional agencies  
 33           within the state. It shall cooperate with like agencies of other states,  
 34           with agencies maintained by private persons or corporations, and with  
 35           agencies established or employed by the United States to promote the  
 36           development of the country and the welfare of its people.
- 37       (3) To collect and compile reliable data for general dissemination which  
 38           will tend to the development of the state of Idaho by inducing people  
 39           and capital to come within our borders.
- 40       (4) Keep accurate records and preserve all data collected by it, and from

time to time prepare and submit to the governor and the legislature, reports, programs, recommendations and plans for the comprehensive, long-range development, conservation and use of all the resources of the state of Idaho. It shall make such special investigations as to resources, facilities, and other matters as may be required by the governor or the legislature.

(5) Administer and supervise the provisions of chapters 3 and 4, title 48, Idaho Code, ~~as amended~~.

(6) To employ, subject to the provisions of chapter 53, title 67, Idaho Code, such executive, technical, accounting, clerical or other assistants as may be necessary to carry out the duties imposed upon the ~~department~~ division by this act and to fix their duties and compensation with the approval and consent of the governor.

(7) To require and receive from the various executive departments and public officials of the state of Idaho such information as may be required by the ~~department~~ division to enable it to fulfill its functions and carry out the purposes of this act.

(8) Administer and perform any other related functions or activities assigned to the ~~department~~ division by the governor.

(9) Perform all the functions and duties and exercise all the authority heretofore conferred on the Idaho state planning board by title 57, chapter 11, Idaho Code, ~~as amended~~.

SECTION 6. That Section 67-4704, Idaho Code, be, and the same is hereby amended to read as follows:

67-4704. DEVELOPMENT AND PUBLICITY COUNCIL – APPOINTMENT OF MEMBERS – QUALIFICATIONS. – There shall be a development and publicity council in the ~~department~~ division of tourism and industrial development to advise with the ~~department~~ division in the preparation and execution of plans, projects and programs in furtherance of the power and duties conferred on the ~~department~~ division by section 67-4703, Idaho Code, which council may be divided into such sub-councils with such duties as may be deemed necessary and desirable by the ~~secretary~~ administrator, with the advice and consent of the governor. The development and publicity council shall consist of ~~fourteen (14)~~ seven (7) persons, who shall be appointed by the governor, and who shall serve at his pleasure, without pay, but who shall receive allowance for actual and necessary expenses incurred in the performance of their duties in the same manner as other employees of the state of Idaho. The persons appointed to such councils shall represent the several geographical areas, and the several economic groups of the state. Membership shall be ~~equally~~ divided between political parties.



1           SECTION 7. That Section 67-4705, Idaho Code, be, and the same is  
2 hereby amended to read as follows:

3           67-4705. IDAHO DEVELOPMENT AND PUBLICITY FUND. – There  
4 is hereby established an Idaho development and publicity fund and all of the  
5 moneys now or hereafter in said fund are hereby appropriated to the use of  
6 the ~~department of commerce and development~~ division of tourism and  
7 industrial development for the purposes expressed in this act. The ~~depart-~~  
8 ment division may accept contributions to said fund from local units of  
9 government, and private persons or agencies. The said fund shall consist of  
10 such contributions, appropriations made thereto from time to time, and the  
11 proceeds of the tax imposed by section 48-410, Idaho Code, ~~as amended~~.

12           SECTION 8. That Section 23-201, Idaho Code, be, and the same is  
13 hereby amended to read as follows:

14           23-201. SUPERINTENDENT – APPOINTMENT AND TERM. 1  
15 There shall be a state liquor dispensary (in this act referred to as the  
16 “dispensary”), ~~which~~ in the office of the governor. The dispensary shall be a  
17 division of the office of the governor for the purposes of chapter 24, title 67,  
18 Idaho Code, and the administrator of the division shall be known as the  
19 superintendent of the state liquor dispensary. The dispensary shall be  
20 conducted by the superintendent of the state liquor dispensary. The  
21 superintendent shall be appointed by the governor for a term of three (3)  
22 years, but may be removed by the governor at will.

23           SECTION 9. That Section 23-207, Idaho Code, be, and the same is  
24 hereby amended to read as follows:

25           23-207. SPECIFIC RULES AND REGULATIONS. – Without attempt-  
26 ing or intending to limit the general powers of the superintendent of the  
27 dispensary contained in section 23-206, Idaho Code, such powers shall  
28 extend to and include the following:

- 29 (a) To prescribe the duties of the secretary, and to supervise his conduct  
30 while in the discharge of his duties.
- 31 (b) ~~To~~ Subject to the provisions of chapter 53, title 67, Idaho Code, to  
32 prescribe the qualifications of and to select clerks, accountants, agents,  
33 vendors, inspectors, servants, legal counsel, and other personnel to  
34 conduct its business and perform its functions; to require that those  
35 holding positions of trust be bonded to the state of Idaho in the time,  
36 form and manner prescribed by chapter 8, title 59, Idaho Code; to fix  
37 the compensation of all appointees and employees, assign their duties,  
38 and to discharge them.
- 39 (c) To regulate the management, operation, bookkeeping, reporting,  
40 equipment, records, and merchandise of state liquor stores and

1 distribution stations and warehouses.

2 (d) To regulate the importation, purchase, transportation, and storage of  
3 alcoholic liquor and the furnishing of alcoholic liquor to state liquor  
4 stores, distribution stations, and warehouses established under this act.

5 (e) To determine the classes, varieties, and brands of alcoholic liquors to be  
6 kept in state warehouses and for sale at state liquor stores and distribu-  
7 tion stations.

8 (f) To determine the nature, form, and capacity of packages containing  
9 liquor kept or sold.

10 (g) To prescribe the kinds and character of official seals or labels to be  
11 attached to packages of liquor sold.

12 (h) From time to time to fix the sale prices, which shall be uniform  
13 throughout the state, of the different classes, varieties, or brands of  
14 alcoholic liquor, and to issue and distribute price lists thereof.

15 (i) To prescribe, prepare, and furnish printed forms and information  
16 blanks necessary or convenient for administering this act, and printed  
17 copies of the regulations made thereunder. To contract for the printing  
18 thereof and of all necessary records and reports.

19 (j) To regulate the issuance, suspension and revocation of permits and  
20 licenses to purchase, manufacture and handle or traffic in alcoholic  
21 liquor.

22 (k) To prescribe the conditions and qualifications necessary for obtaining  
23 permits and licenses, and the conditions of use of privileges under them;  
24 and to provide for the inspection of the records and the conduct of use  
25 of permittees and licensees.

26 (l) To prescribe the kind, quality, and character of alcoholic liquors which  
27 may be purchased or sold under any and all licenses and permits,  
28 including the quantity which may be purchased or sold at any one (1)  
29 time or within any specified period of time.

30 SECTION 10. That Section 23-217, Idaho Code, be, and the same is  
31 hereby amended to read as follows:

32 23-217. SURCHARGE ADDED TO PRICE OF GOODS SOLD -  
33 COLLECTION AND REMISSION BY SUPERINTENDENT. - (a) The  
34 superintendent of the state liquor dispensary is hereby authorized and  
35 directed to include in the price of goods hereafter sold in the dispensary, and  
36 its branches, a surcharge equal to ten per cent (10%) of the current price per  
37 unit computed to the nearest multiple of five cents (5¢). Provided, however,  
38 that after any surcharge or surcharges have been included the superintendent  
39 of the state liquor dispensary is hereby authorized and directed to allow a  
40 discount of five per cent (5%) from the price of each broken or unbroken



1 case lot of goods sold to any licensee, as defined in section 23-902, d., Idaho  
2 Code.

3 (b) The surcharge imposed pursuant to subsection (a) of this section  
4 shall be collected and remitted to the state auditor monthly, and shall by the  
5 state auditor be credited to the general fund of the state.

6 (c) In addition to the surcharge imposed by subsection (a) of this  
7 section, the superintendent of the state liquor dispensary is hereby  
8 authorized and directed to include in the price of goods hereafter sold in the  
9 dispensary, and its branches, a surcharge equal to seven and one-half per cent  
10 (7½%) of the current price per unit computed to the nearest multiple of five  
11 cents (5¢).

12 (d) The revenues generated by the additional surcharge of seven and  
13 one-half per cent (7½%) imposed pursuant to subsection (c) of this section  
14 less its pro rata share of the discount shall be collected and remitted to the  
15 state auditor monthly, and shall by the state auditor be credited sixty-six  
16 and sixty-five one-hundredths per cent (66.65%) to the permanent building  
17 fund and thirty-three and thirty-five one-hundredths per cent (33.35%) to  
18 the general fund. The moneys received into the permanent building fund  
19 from the surcharge imposed by subsection (c) of this section shall be  
20 separately identified and accounted for. The moneys so separately identified  
21 and accounted for are hereby appropriated from the permanent building  
22 fund to the permanent building fund advisory council and the ~~department~~  
23 division of public works in the department of administration for the purpose  
24 of completing construction of the new Idaho state penitentiary, heretofore  
25 authorized.

26 SECTION 11. That Section 46-112, Idaho Code, be, and the same is  
27 hereby amended to read as follows:

28 46-112. DUTIES OF THE ADJUTANT GENERAL. — The duties of  
29 the adjutant general are:

- 30 (1) To be chief of staff to the commander-in-chief and administrative head  
31 of the military ~~department~~ division of the office of the governor.
- 32 (2) To be custodian of all military records and property of the national  
33 guard and organized militia.
- 34 (3) To publish and distribute all orders from the governor as commander-  
35 in-chief and perform such other duties as the governor may direct.
- 36 (4) ~~To be~~ Subject to the provisions of section 67-5303(j), Idaho Code, to  
37 employ such clerical and other help-personnel as may be required in the  
38 military ~~department~~ division of the office of the governor.
- 39 (5) To pay the members of the national guard when such members are to  
40 be paid from state funds.

(6) To attend to the care, maintenance, repair and safekeeping of all federal equipment issued to the state of Idaho for the use of the national guard.

(7) To be custodian of the seal of the office of adjutant general and to deliver the same to his successor.

(8) To organize such units and recruit such personnel, with the consent of the governor, as may be authorized by federal law and regulations, and as may be required for the security of the state of Idaho.

(9) To supervise the training of the national guard and the organized militia.

(10) To make such returns and reports as may be required by the federal laws and regulations.

SECTION 12. That Section 46-1001, Idaho Code, be, and the same is hereby amended to read as follows:

46-1001. PURPOSE — POLICY OF COMPREHENSIVE PLANS AND PROGRAMS. — Because of the possibility of the occurrence of disaster from natural causes and enemy attacks, and to insure that the state will be prepared to provide for the common defense and to protect the public peace, health and safety, and to protect and preserve the lives and property of the people of the state, it is hereby found necessary to create a ~~department~~ bureau of disaster relief and civil defense, to authorize the governing bodies of cities, ~~villages~~, and counties to prepare comprehensive plans and programs and to provide for disaster relief and civil defense, and to provide for mutual aid and cooperation among the cities, ~~villages~~, and counties of the state, between this state and other states, and with the federal government with respect to the carrying out of disaster relief and civil defense functions.

SECTION 13. That Section 46-1002, Idaho Code, be, and the same is hereby amended to read as follows:

46-1002. ~~DEPARTMENT~~ BUREAU OF DISASTER RELIEF AND CIVIL DEFENSE CREATED. — There is hereby created within the office of the adjutant general a ~~department~~ bureau of disaster relief and civil defense.

SECTION 14. That Section 46-1004, Idaho Code, be, and the same is hereby amended to read as follows:

46-1004. ~~DIRECTOR OF DEPARTMENT~~ CHIEF OF BUREAU — APPOINTMENT — COMPENSATION. — There is hereby created within the ~~department~~ bureau of disaster relief and civil defense the office of ~~director~~ chief. The ~~director~~ chief shall be appointed by the governor and the governor may appoint the adjutant general and except when the adjutant general is ~~director~~ chief he shall not hold any other state office; he shall hold office during the pleasure of the governor and he shall be paid such rate of pay to

1 be fixed by the governor, but when the adjutant general is ~~director~~ chief he  
2 shall receive no additional salary as ~~director~~ chief.

3 SECTION 15. That Section 46-1005, Idaho Code, be, and the same is  
4 hereby amended to read as follows:

5 46-1005. POWERS AND DUTIES OF ~~DIRECTOR~~ CHIEF. — The  
6 ~~director~~ bureau chief shall be the administrative head of the ~~department~~  
7 bureau of disaster relief and civil defense and shall be responsible for the  
8 carrying out of the program of disaster relief and civil defense of this state as  
9 provided in this act. The ~~director~~ chief shall have the following powers and  
10 duties:

- 11 (a) To prepare comprehensive plans and programs for disaster relief and  
12 civil defense of this state, such plans and programs to be integrated into  
13 and coordinated with the civil defense plans of the federal government  
14 and of other states to the fullest possible extent, and to coordinate the  
15 preparations of plans and programs for disaster relief and civil defense  
16 by the cities, ~~villages~~, and counties of this state, such plans to be inte-  
17 grated into and coordinated with the disaster relief and civil defense  
18 plans and programs of this state to the fullest extent possible.
- 19 (b) To make such studies and surveys of the industries, resources, facilities,  
20 and population of the state to effectuate the purposes of this act.
- 21 (c) To cooperate with and maintain liaison with any federal agency, any  
22 civil defense agency of any state, and any other appropriate agency or  
23 agencies on any matter pertaining to civil defense of state and nation.
- 24 (d) To employ, subject to the provisions of chapter 53, title 67, Idaho  
25 Code, such personnel as may be required, and to make such expendi-  
26 tures within the appropriation provided by the legislature therefor as  
27 may be necessary to carry out the purposes of this act.
- 28 (e) To make such necessary rules and regulations to carry out the provision  
29 of this act within the limitations of the authority conferred upon him  
30 herein, and to rescind any rules made thereunder.
- 31 (f) On behalf of this state and subject to the approval of the governor, to  
32 enter into mutual aid arrangements and compacts with other states and  
33 territories, or provinces of the Dominion of Canada and to coordinate  
34 mutual aid plans between political subdivisions of this state.

35 SECTION 16. That Section 46-1007, Idaho Code, be, and the same is  
36 hereby amended to read as follows:

37 46-1007. COORDINATION OF LOCAL ORGANIZATIONS WITH  
38 STATE PROGRAM. — The governing body of each city, ~~village~~, or county is  
39 hereby authorized to establish a local organization for disaster relief and civil  
40 defense in accordance with the state disaster relief and civil defense plans

1 and programs. The local civil defense plan as prepared by the city, ~~village~~, or  
 2 county shall be submitted to the ~~director~~ bureau chief and secure his recom-  
 3 mendation thereon in order that the local organization for disaster relief and  
 4 civil defense may be coordinated with the plans and programs of the state.

5 SECTION 17. That Section 19-5102, Idaho Code, be, and the same is  
 6 hereby amended to read as follows:

7 19-5102. COMMISSION ESTABLISHED — CHAIRMAN — MEM-  
 8 BERS. — There is hereby established in the division of budget, policy  
 9 planning and coordination the Idaho law enforcement planning commission,  
 10 hereinafter called "the commission," in the ~~executive~~ office of the governor.  
 11 The commission shall be a department as defined in chapter 53 ~~of~~, title 67,  
 12 Idaho Code. The commission shall be chaired by the governor or his designee  
 13 who shall be a voting member and shall consist of the following membership  
 14 from Idaho state or local governmental units, which shall reflect a reasonable  
 15 geographic balance throughout the state:

- 16 (a) The attorney general or his designee, the ~~commissioner~~ director of the  
 17 department of law enforcement, the superintendent of state police, the  
 18 state adjutant general, the chairman of the board of correction or his  
 19 designee, the director of the youth rehabilitation division, a member of  
 20 the state legislature from each political party having three (3) or more  
 21 members in both the senate and house of representatives, with said  
 22 member to be selected as follows: each party caucus in each legislative  
 23 chamber shall select one (1) candidate for appointment to the commis-  
 24 sion; from these candidates the speaker of the house and the president  
 25 of the senate shall jointly appoint one (1) member from each political  
 26 party to the commission. Of the members so appointed, at least one (1)  
 27 shall be appointed from each legislative chamber, all of whom shall  
 28 serve during their term or tenure in office.
- 29 (b) A city police chief to be appointed by the governor.
- 30 (c) A county sheriff to be appointed by the governor.
- 31 (d) A county commissioner to be appointed by the governor.
- 32 (e) A mayor to be appointed by the governor.
- 33 (f) A city councilman to be appointed by the governor.
- 34 (g) A county prosecuting attorney to be appointed by the governor.
- 35 (h) A state Supreme Court justice, a state district court judge, and a magis-  
 36 trate of the district court, all to be appointed by the governor.
- 37 (i) Two (2) interested citizens appointed at large by the governor, provided  
 38 that they both shall not be of the same political party.
- 39 (j) In addition, there shall be advisory to the commission, as ex officio,  
 40 ~~non-voting~~ nonvoting members of the commission, the United States

1 district attorney for Idaho and the special agent in charge of the Idaho  
2 division of the federal bureau of investigation.

3 SECTION 18. That Section 19-5113, Idaho Code, be, and the same is  
4 hereby amended to read as follows:

5 19-5113. **DIRECTOR CHIEF** — STAFF. — Subject to the approval of  
6 the governor, the commission shall appoint and fix the salary of a full-time  
7 ~~director~~ **chief**. Other subordinate staff necessary to accomplish the commis-  
8 sion's mission shall be covered by the provisions of chapter 53, title 67,  
9 Idaho Code.

10 SECTION 19. That Chapter 19, Title 67, Idaho Code, be, and the same  
11 is hereby amended by the addition thereto of a new section, to be known  
12 and designated as Section 67-1910, Idaho Code, and to read as follows:

13 67-1910. **MANAGEMENT DUTIES**. — The division of budget, policy  
14 planning and coordination in the office of the governor is hereby authorized  
15 and directed:

- 16 (1) To study and recommend to the governor methods of interdepart-  
17 mental cooperation and consolidation within the executive branch of  
18 government.
- 19 (2) To study and recommend to the governor methods for improving the  
20 efficiency of intra-departmental functions.
- 21 (3) To perform such other duties and perform such other studies assigned  
22 by the governor in any area of administration for the executive branch.
- 23 (4) To approve the leasing, purchasing or installing of any electric data  
24 processing equipment and facilities for any officer, board, department,  
25 agency or institution of state government.

26 SECTION 20. That Section 67-1911, Idaho Code, be, and the same is  
27 hereby amended to read as follows:

28 67-1911. **PLANNING RESPONSIBILITY OF AGENCY DIVISION**. —  
29 The ~~primary responsibility of the state planning and community affairs~~  
30 ~~agency~~ **division of budget, policy planning and coordination in the office of**  
31 **the governor** shall ~~be to~~ coordinate the development of physical, economic  
32 and human resource programs and to promote the efficient utilization of  
33 federal, state, local and private resources. To this end, the agency shall:

- 34 (1) prepare a statewide comprehensive plan, with a procedure for review  
35 and updating, to be approved by the governor and submitted to the  
36 legislature;
- 37 (2) coordinate the planning activities of local, state, federal and private  
38 agencies and departments when they deal with the human and natural  
39 resources of the state;
- 40 (3) work to harmonize the planning activities of state agencies so that

- comprehensive statewide programs are consistent and to eliminate duplication where possible;
- (4) enter into interagency agreements with other state agencies in developing plans and programs;
  - (5) provide technical planning assistance to other state agencies when requested;
  - (6) contract with universities, consultants and other public and private agencies in developing plans and programs;
  - (7) serve as a clearing house for information, data and material which may be helpful in determining needed legislation;
  - (8) have the power to petition for and receive moneys such as grants or gifts to be used for state or local planning.

SECTION 21. That Section 67-1912, Idaho Code, be, and the same is hereby amended to read as follows:

67-1912. COMMUNITY AFFAIRS FUNCTIONS AND RESPONSIBILITIES OF ~~AGENCY DIVISION~~. — The ~~state planning and community affairs agency~~ division of budget, policy planning and coordination shall have the following community affairs functions and responsibilities:

- (1) Administration or coordination of state programs and projects relating to community affairs planning. The programs and projects shall be consistent with local, regional and state comprehensive plans and policies.
- (2) Cooperate with and provide technical and financial assistance to counties, cities, municipal corporations, governmental conferences or councils, regional planning commissions, parks or recreation boards, community development groups, community action agencies, Indian tribes and similar agencies created for the purposes of aiding and encouraging an orderly productive and coordinated development of the state, and to strengthen local planning responsibility and capability.
- (3) Carry out continuing studies and analyses of the problems faced by communities within the state and develop such recommendations for administrative or legislative action as would appear necessary.
- (4) Have the power to petition for and receive planning grants from the federal government for the purpose of undertaking and facilitating planning for communities, cities, metropolitan or regional areas, counties and Indian reservations lacking adequate planning resources, and to assist communities in rehabilitating, clearing and redeveloping their slum and blighted areas.

SECTION 22. That Section 67-1913, Idaho Code, be, and the same is hereby amended to read as follows:

1           67-1913. FUNDS OF ~~AGENCY~~ DIVISION. — When federal or other  
2 funds are received by the ~~agency~~ division, they shall be promptly transferred  
3 to the state treasurer and thereafter be expended only upon the approval of  
4 the ~~director~~ administrator.

5           SECTION 23. That Section 67-1915, Idaho Code, be, and the same is  
6 hereby amended to read as follows:

7           67-1915. FEDERAL ASSISTANCE MANAGEMENT — DUTIES,  
8 RESPONSIBILITIES, AND AUTHORITY. — The ~~state planning and~~  
9 ~~community affairs agency~~ division of budget, policy planning and coordina-  
10 tion shall serve as the central information reception center for all state  
11 agencies and their subdivisions which request federal assistance. The state  
12 planning and community affairs agency shall have the following duties,  
13 responsibilities, and authority:

- 14       1. To establish and maintain a central reporting and information service to  
15 keep the governor, the agencies of the state and its subdivisions, and the  
16 legislature informed of the intent of state entities to apply for federal  
17 assistance, and on the status of current applications for federal assis-  
18 tance throughout the state.
- 19       2. To make studies of the effect of federal assistance programs in the state  
20 and advise the governor and the legislature of alternative recommended  
21 methods and procedures for the administration of these programs.
- 22       3. To assist in the coordination of federal programs administered by more  
23 than one (1) state agency.
- 24       4. To report, as requested by the legislature or its committees, on the  
25 status and condition of federal assistance programs in the state.

26           SECTION 24. That Section 67-1916, Idaho Code, be, and the same is  
27 hereby amended to read as follows:

28           67-1916. APPLICATION FOR FUNDS BY STATE AGENCIES. —  
29 Prior to any application by an agency of the state for federal assistance  
30 program funds, notification of intent to apply for federal funds shall be  
31 communicated to the ~~state planning and community affairs agency~~ division  
32 of budget, policy planning and coordination, and the ~~state planning and~~  
33 ~~community affairs agency~~ division shall issue a state application identifying  
34 number for such intended application. Those programs requiring future state  
35 general fund appropriated matching moneys need not be considered by the  
36 joint finance and appropriation committee until a state application identify-  
37 ing number has been issued to the project.

38           SECTION 25. That Section 67-1917, Idaho Code, be, and the same is  
39 hereby amended to read as follows:

40           67-1917. REPORTS BY PARTICIPATING STATE AGENCIES. —  
Any state agency that participates in any federal assistance program shall



1 make additional information available as the ~~state planning and community~~  
 2 ~~affairs agency~~ division of budget, policy planning and coordination may  
 3 require.

4 SECTION 26. That Section 67-3501, Idaho Code, be, and the same is  
 5 hereby amended to read as follows:

6 67-3501. ~~DIVISION OF THE BUDGET~~ FUNCTION. — ~~There is~~  
 7 ~~hereby created the division of the budget.~~ The governor shall be the chief  
 8 budget officer of the state whose duty it shall be to carry out the provisions  
 9 of this chapter. The ~~administrator of the~~ division of ~~the budget~~ policy,  
 10 planning and coordination shall have such duties as may be prescribed by  
 11 law, and such other duties as may be designated by the governor. No increase  
 12 in compensation paid to any employee of the state of Idaho shall be  
 13 effective until approved by the administrator of the division of ~~the budget,~~  
 14 policy planning and coordination; provided, however, that any decision of  
 15 the administrator of the division ~~of the budget~~ may be rejected and changed  
 16 by the state board of examiners.

17 SECTION 27. That Section 67-3502, Idaho Code, be, and the same is  
 18 hereby amended to read as follows:

19 67-3502. BLANKS TO BE FURNISHED. — In the preparation of a  
 20 state budget, the administrator of the division of ~~the budget,~~ policy planning  
 21 and coordination shall, not later than the fifteenth day of July distribute to  
 22 all departments and to all offices and institutions of the state government  
 23 (including the elective officers in the executive department, the judicial  
 24 department, the legislative department and the state board of education) the  
 25 proper blanks necessary to the preparation of budget estimates. Such blanks  
 26 shall be in such form as shall be prescribed by the administrator of the  
 27 division ~~of the budget,~~ to procure the following information:

- 28 1. The revenues from all sources including appropriations for the  
 29 preceding fiscal year and an estimate of the receipts for the current  
 30 fiscal year. Receipts shall be segregated to show source of income.
- 31 2. A statement of expenditures made from appropriations during the  
 32 preceding fiscal year and an estimate of the amounts to be expended  
 33 during the current fiscal year. The expenditures to be itemized  
 34 according to the standard classification set forth in this chapter.
- 35 3. A statement of expenditures made of revenues from other sources  
 36 during the preceding fiscal year and an estimate of the amounts of such  
 37 revenues to be expended during the current fiscal year. These expendi-  
 38 tures to be itemized according to the standard classification set forth in  
 39 this chapter.
- 40 4. An estimate of the revenues anticipated during the succeeding fiscal



year from sources other than appropriations by the legislature, such anticipated revenues to be segregated as to source.

5. A statement of the purposes for which it is expected to expend the revenues anticipated from sources other than appropriations, said statement to show purposes classified according to the standard classification where possible and where not so classified, an explanation of the reasons for failure to so classify.
6. An estimate of appropriations needed for the succeeding fiscal year, said estimate to show each primary program or major objective as a separate item of the request as required by the blanks provided by the administrator of the division ~~of the budget~~, said primary program or major objective to be further itemized according to the standard classification.

SECTION 28. That Section 67-3503, Idaho Code, be, and the same is hereby amended to read as follows:

67-3503. PREPARATION AND RETURN OF ESTIMATES. — Each department, office and institution (including elective officers in the executive, legislative and judicial departments and including the state board of education) shall, not later than the fifteenth day of August, except with special permission and agreement of the administrator of the division of ~~the~~ budget, policy planning and coordination and the legislative auditor, prepare and file in the office of the administrator of the division ~~of the budget~~ upon the blanks described in section 67-3502, Idaho Code, its report of receipts from all sources including appropriations made by the legislature, its expenditures of all sums received from all sources, segregated as provided for in the blanks, and its estimates of the amount required and its estimate of receipts and expenditures for the succeeding fiscal year; provided, that any department, office or institution operating under a continuing appropriation shall, in accordance with the provisions of this chapter, prepare and file in the office of the administrator of the division ~~of the budget~~ its expenditures as provided for in the blanks furnished by the division ~~of the budget~~ and its estimates of the amount required for the succeeding fiscal year of all the expenses for the administrative functions of each department, office or institution; provided further, that any department, office, or institution, operating in part or in whole under a continuing appropriation or fund authorized by the legislature shall, in accordance with the provisions of this chapter, prepare and file in the office of the administrator of the division ~~of the budget~~ upon the blanks described in section 67-3502, Idaho Code, its report of receipts from all sources, its expenditures of all sums received from all sources, segregated as provided for in the blanks, and its estimates of the

1 amount required and its estimates of receipts and expenditures for the  
 2 succeeding fiscal year. In its estimate of receipts each office, department or  
 3 institution shall itemize the sources from which expected; and its estimates  
 4 of expenditures shall be segregated as provided in the standard classification.  
 5 Such estimates shall be accompanied by a statement in writing, giving facts  
 6 and explanation of reasons for each item of expenditure requested. In listing  
 7 expenditures for the past fiscal year each office, institution, or department  
 8 shall set forth an estimate of the amounts which will be required to July first  
 9 next.

10 SECTION 29. That Section 67-3504, Idaho Code, be, and the same is  
 11 hereby amended to read as follows:

12 67-3504. DUTIES OF ADMINISTRATOR OF THE DIVISION ~~OF~~  
 13 ~~THE BUDGET~~. — (1) It shall be the duty of the administrator of the  
 14 division of ~~the~~ budget, policy planning and coordination to make such  
 15 further inquiries and investigations as to any item included either in the  
 16 report of expenditures or the estimate for the succeeding fiscal year which  
 17 may be included in the report and estimates furnished by any department,  
 18 office or institution. In making such investigation he shall be allowed his  
 19 necessary expenses of travel and subsistence in visiting any institution or  
 20 department in the state. He may upon approval of the board of examiners  
 21 employ additional clerical help whenever in his discretion it may be  
 22 necessary to check the items of expenditure or the estimates submitted by  
 23 any department, office or institution. The administrator of the division ~~of~~  
 24 ~~the budget~~ shall have power to demand and it is hereby made the duty of  
 25 every department, officer, board, commission, or institution receiving  
 26 appropriations from the legislature to furnish upon demand any and all  
 27 information so requested by the administrator of the division ~~of the budget~~.

28 (2) The administrator of the division ~~of the budget~~, in addition to the  
 29 duties hereinbefore set forth, shall perform such other duties as the governor  
 30 as chief budget officer of the state may direct. He shall, as often as required  
 31 by the governor, prepare and furnish reports as to the condition of any  
 32 appropriations made by the legislature and shall investigate and report to the  
 33 governor, when required, concerning receipts from sources other than  
 34 appropriation and expenditures made by any department, office or institu-  
 35 tion of the state. The administrator of the division ~~of the budget~~, or his  
 36 designated representative, shall also appear at all sessions of the standing  
 37 committees of the house of representatives and of the senate in charge of  
 38 appropriations and shall furnish to such committees any information  
 39 required while said committees are considering the budget.  
 40

1           SECTION 30. That Section 67-3505, Idaho Code, be, and the same is  
2 hereby amended to read as follows:

3           67-3505. INFORMATION FOR THE BUDGET. — Upon receipt of the  
4 reports of expenditures and the estimates of requirements for the succeeding  
5 fiscal year, and after checking and investigating the same, the administrator  
6 of the division ~~of the budget~~, shall, on or before the 20th day of November  
7 next succeeding, prepare and submit to the governor, to the governor-elect if  
8 one there be, and to the joint finance-appropriations committee, information  
9 for the budget setting forth the following:

- 10       1. Receipts for the preceding fiscal year of each department, office and  
11       institution of the state (including the elective officers in the executive,  
12       legislative and judicial departments of the state and the state board of  
13       education) which receipts shall be segregated as to sources.
- 14       2. A statement showing the amounts expended during the preceding fiscal  
15       year by each department, office and institution of funds received from  
16       sources other than from direct appropriation by the legislature; said  
17       expenditures shall be itemized according to the standard classification  
18       hereinafter set forth.
- 19       3. The amounts appropriated by the preceding legislature in the same  
20       detail as set forth in the appropriation bill.
- 21       4. The amounts estimated to be necessary for the carrying on of the work  
22       of such department, office or institution up to July first next, itemized  
23       according to the standard classification.

24           SECTION 31. That Section 67-3508, Idaho Code, be, and the same is  
25 hereby amended to read as follows:

26           67-3508. STANDARD CLASSIFICATION. — (1) Excepting where the  
27 legislature expressly departs from the classification hereinafter set forth in  
28 any appropriation bill, all appropriations made by the legislature, and all  
29 estimates hereafter made for budget purposes, and all expenditures herein-  
30 after made from appropriations or funds received from other sources, shall  
31 be classified and standardized by items as follows:

- 32       (a) Personnel costs, which shall include the salaries or wage expenses of  
33       employees and officers whether full-time, part-time, or other irregular  
34       or seasonal help and including compensation or honorarium of  
35       members of boards or commissions, and shall also include the  
36       employer's share of contributions related to those employees and  
37       officers, such as retirement, health and life insurance, workmen's  
38       compensation, employment security and social security.
- 39       (b) Operating expenditures, which shall include all expenses for services,  
40       travel, consumable supplies, and minor items of equipment that have an

estimated life of less than two (2) years and not otherwise classified under personnel costs or capital outlay, and shall include the governmental overhead charge, including all payments made in the way of refunds of receipts and overpayments erroneously deposited in the state treasury.

(c) Capital outlay, which, when used in an appropriation act, shall include all expenditures for land, highways, buildings including appurtenances, fixtures and fixed equipment, structures, which also includes additions, replacements, major repairs, and renovations to, which materially extends the capital assets' useful life or materially improves or increases its capacity, and shall include salaries and wages of nonagency personnel in connection therewith. Automobiles, domestic animals, machinery, apparatus, equipment and furniture including additions thereto, which will have a useful life or service substantially more than two (2) years, shall also be included.

(d) Trustee and benefit payments, which shall include the cash payments of welfare or retirement benefits to individuals and payments to individuals, persons, or political entities, and not otherwise classified under personnel costs, operating expenditures or capital outlay.

(2) The state auditor is hereby authorized and directed to implement such subclassifications of the standard classifications herein set forth which are necessary for preparation of the state budget, as supplied by the administrator of the division of ~~the budget~~, policy planning and coordination and the legislative auditor.

An annual review of the subclassifications shall be made by the administrator of the division of ~~the budget~~, and the legislative auditor.

The state auditor shall be supplied the changes desired by the administrator of ~~the budget~~ and the legislative auditor in the subclassifications which are necessary for the preparation of the state budget or the identification and distribution of expenditures from appropriations no later than sixty (60) days prior to the beginning of any fiscal year to be effective for that fiscal year.

SECTION 32. That Section 67-3511, Idaho Code, be, and the same is hereby amended to read as follows:

67-3511. TRANSFER OF APPROPRIATIONS. — (1) No appropriations made by the twentieth session of the Idaho legislature, or hereafter made, may be transferred from one class to another except with the consent of the state board of examiners upon application duly made by the head of any department, office or institution of the state (including the elective officers in the executive and judicial departments and the state board of

1 education). And no appropriation made for expenses other than personal  
2 services shall be expended for personal services of the particular department,  
3 office or institution for which it is appropriated.

4 (2) Appropriations may be transferred from one program to another  
5 within a budgeted agency, as appropriated, upon application duly made by  
6 the head of any department, office or institution of the state (including the  
7 elective officers in the executive, the legislative and judicial departments and  
8 the state board of education) and approval of the application by the  
9 administrator of the division of ~~the budget~~, **policy planning and coordination**  
10 and the board of examiners provided the requested transfer is not more than  
11 ten per cent (10%) cumulative change from the appropriated program  
12 amount. Requests for transfers above ten per cent (10%) cumulative change  
13 must, in addition to the above, be approved by law.

14 (3) All moneys appropriated to any budgeted agency of the state of  
15 Idaho for the purpose of capital outlay shall be used for that purpose and  
16 not for any other purpose. Receipts from the sale of capital outlay items  
17 shall be placed in the fund from which the item was obtained, and shall not  
18 be expended without an appropriation.

19 SECTION 33. That Section 67-3512, Idaho Code, be, and the same is  
20 hereby amended to read as follows:

21 67-3512. REDUCTION OF APPROPRIATIONS. — Any appropriation  
22 made for any department, office or institution of the state (including the  
23 elective officers in the executive, legislative and judicial departments and the  
24 state board of education) may be reduced in amount by the state board of  
25 examiners upon investigation and report of the administrator of the division  
26 of ~~the budget~~, **policy planning and coordination** : provided, that before such  
27 reduction is ordered the head of such department, office or institution shall  
28 be allowed a hearing before said state board of examiners and may at such  
29 hearing present such evidence as he may see fit. No reduction of appropria-  
30 tions shall be made without hearing unless, and until the head of such  
31 department, office or institution shall file his consent in writing thereto.

32 SECTION 34. That Section 67-3513, Idaho Code, be, and the same is  
33 hereby amended to read as follows:

34 67-3513. COMMITTEES OF LEGISLATURE TO CONSIDER  
35 BUDGET. — The standing committees of the house of representatives and of  
36 the senate in charge of appropriation measures shall sit jointly in open  
37 sessions while considering the budget. Such committee may resolve itself  
38 into executive session upon the vote of two-thirds (2/3) of the membership  
39 of the committee, at which time persons who are not members of the legisla-  
40 ture may be excluded; provided, however, that during such executive session,

1 no votes or any official action may be taken. The administrator of the  
 2 division of ~~the budget~~, policy planning and coordination or his designated  
 3 representative shall attend all meetings of the joint committee and shall  
 4 present to the committee the recommendations of the governor for amounts  
 5 to be appropriated for each department, office and institution, including the  
 6 elective officers, the judicial department, the legislative department and the  
 7 state board of education, such presentation to include all information  
 8 necessary to substantiate the recommendations of the governor. The joint  
 9 committee at its discretion may cause the attendance of heads or responsible  
 10 representatives of said departments, offices and institutions. The joint  
 11 committee may increase or decrease items in the budget as it may deem to  
 12 be in the interests of greater economy and efficiency in the public service.

13 SECTION 35. That Section 67-3516, Idaho Code, be, and the same is  
 14 hereby amended to read as follows:

15 67-3516. APPROPRIATION ACTS DEEMED FIXED BUDGETS –  
 16 RATE OF EXPENDITURE. – (1) Appropriation acts when passed by the  
 17 legislature of the state of Idaho, and allotments made thereunder, whether  
 18 the appropriation is fixed or continuing, are fixed budgets beyond which  
 19 state officers, departments, bureaus and institutions may not expend. It is  
 20 assumed that the rate of expenditure from said appropriations, as a general  
 21 rule, should not exceed approximately fifty per cent (50%) of such appropri-  
 22 ations each six (6) months of the fiscal year.

23 (2) Funds available to any agency from sources other than state funds,  
 24 if not cognizable at the time when appropriations were made whether state  
 25 fiscal liability is increased or not, must have prior approval of the administra-  
 26 tor of the division of ~~the budget~~, policy planning and coordination and the  
 27 board of examiners in order that funds may be expended, except those funds  
 28 received under such conditions that preclude approval by the administrator  
 29 of the division of ~~the budget~~ and/or the board of examiners.

30 (3) One state agency may bill another state agency providing the billing  
 31 agency receives prior approval in writing from the billed agency. This process  
 32 will be known as interaccount billing to which the following rules will apply:

- 33 (a) Interaccount receipts shall be clearly identified to distinguish  
 34 between these receipts and general revenues or receipts to appro-  
 35 priation.  
 36 (b) The state auditor will classify interaccount billing credits as  
 37 receipts and specifically shall not classify such credits as a  
 38 reduction of the expenditures of the receiving agency.  
 39 (c) Interaccount receipts may be expended by the collecting agency in  
 40 the fiscal year collected only to the extent that authority to do so



has been requested and approved by the legislature through an appropriation.

- (d) The receiving agency will deposit interaccount billing receipts in the "general interaccount fund," which is hereby created, in the office of the state treasurer, to be expended upon request by the agency and approval by legislative appropriation. The receipts shall not be commingled with the general fund.

(4) State agencies, departments and institutions may sell goods, products, and services to the public and/or other political entities and may expend such receipts according to the following rules:

- (a) The state auditor will classify these moneys as receipts. The receipts shall not be commingled with the general fund.
- (b) Such receipts will be clearly identified to distinguish between these receipts and general revenue receipts or receipts from inter-account billings.
- (c) The collecting agency may expend all such receipts in the fiscal year of collection only to the extent that authority to do so has been requested and approved by the legislature through an appropriation. All receipts shall be deposited in and appropriated from the "miscellaneous receipts fund," which is hereby created in the office of the state treasurer.

SECTION 36. That Section 67-3517, Idaho Code, be, and the same is hereby amended to read as follows:

67-3517. REQUESTS FOR ALLOTMENT BY OFFICIALS, DEPARTMENTS, BUREAUS AND INSTITUTIONS. — In order to guard against excessive expenditure of appropriations, and as an act of economy, efficiency and control relating to said appropriations, it is hereby made the duty of each officer, department, bureau and institution, to file with the administrator of the division of ~~the budget~~, policy planning and coordination, a request for allotment of funds to be made available on a six (6) month basis, from the appropriation to said officer, department, bureau or institution. Said requests for allotment shall be submitted to the administrator of the division of ~~the budget~~ at a time and in such form as prescribed by the administrator of the division of ~~the budget~~ and as a general rule, in the same detail as appropriated, unless greater detail is deemed necessary by the administrator of the division of ~~the budget~~.

SECTION 37. That Section 67-3518, Idaho Code, be, and the same is hereby amended to read as follows:

67-3518. INVESTIGATION OF REQUESTS BY ADMINISTRATOR. — It is hereby made the duty of the administrator of the division of ~~the budget~~, policy planning and coordination to investigate such requests, to act upon said requests, making the necessary additions or reductions thereto,

1 based upon necessary requirements, and within the amount appropriated,  
 2 and deliver the same, to the state auditor not later than fifteen (15) days  
 3 prior to the expiration of the current allotment.

4 SECTION 38. That Chapter 35, Title 67, Idaho Code, be, and the same  
 5 is hereby amended by the addition thereto of a new section, to be known  
 6 and designated as Section 67-3519, Idaho Code, and to read as follows:

7 67-3519. ADDITIONAL POWERS, DUTIES, FUNCTIONS AND  
 8 RESPONSIBILITIES OF THE DIVISION. — In addition to any powers,  
 9 duties, functions and responsibilities of the division of budget, policy  
 10 planning and coordination expressed elsewhere in this code, the division shall  
 11 establish a list of employee positions for which funds are available from the  
 12 allotment of appropriated funds to each appointing authority. A position is  
 13 defined as a specific job normally held by one (1) employee. This list shall  
 14 contain the title of each position and the pay grade of the position. No  
 15 appointing authority shall fill a new position without first obtaining the  
 16 approval of the division and then obtaining proper classification from the  
 17 personnel commission for positions in the classified service. No appointing  
 18 authority may increase the pay grade of a position by reclassification or any  
 19 other means without the approval of the personnel commission for pay grade  
 20 level and without the approval of the division for sufficiency of funds in the  
 21 allotment of the appointing authority to meet the proposed change.  
 22 Appointing authorities in preparation of budget requests shall include exact  
 23 position control numbers in justification of salaries and other compensation  
 24 and must assign position control numbers to proposed new positions prior to  
 25 budget submission. A list of additions, deletions and changes during the first  
 26 six (6) months of the current fiscal year and projections for the second six  
 27 (6) months of the current fiscal year of the positions so controlled shall be  
 28 furnished by the department to the legislature and to the governor on  
 29 December 1. Any authority now or hereafter vested in any appointing  
 30 authority or agency, commission, department, board, office or institution is  
 31 hereby limited by the provisions of this section.

32 SECTION 39. That Section 67-3520, Idaho Code, be, and the same is  
 33 hereby amended to read as follows:

34 67-3520. ALLOCATION OF AMOUNT BY STATE AUDITOR. — The  
 35 state auditor shall, upon receipt of the requests, allocate and make available  
 36 for expenditure the amount authorized by the administrator of the division  
 37 of ~~the~~ budget, policy planning and coordination.

38 SECTION 40. That Section 67-5903, Idaho Code, be, and the same is  
 39 hereby amended to read as follows:

40 67-5903. CREATION OF COMMISSION ON HUMAN RIGHTS —  
 MEMBERS — APPOINTMENT. — There is hereby created in the office of



1 the governor the Idaho commission on human rights to consist of nine (9)  
 2 members, all of whom shall be appointed by the governor ~~and serve at his~~  
 3 ~~pleasure.~~ each for a term of three (3) years. In making the first appoint-  
 4 ments, the governor shall specify the term of each member, so that the terms  
 5 of three (3) members expire each year. The terms of office of members of  
 6 the commission holding office prior to July 1, 1974, shall terminate on July  
 7 1, 1974, and within thirty (30) days thereafter the governor shall appoint  
 8 the members of the commission who shall serve staggered terms as provided  
 9 by this section.

10 SECTION 41. That Section 67-5904, Idaho Code, be, and the same is  
 11 hereby amended to read as follows:

12 67-5904. ORGANIZATION OF COMMISSION — COMPENSATION  
 13 OF MEMBERS. — The commission shall annually select a president and  
 14 vice-president. ~~The director of the Economic Opportunity Office for the~~  
 15 ~~state of Idaho shall serve as its secretary.~~ Each member of the commission  
 16 shall be entitled to reimbursement of expenses incurred by him in the  
 17 performance of his duties in addition to such daily allowance as the legisla-  
 18 ture may hereinafter provide. The commission may appoint a staff director  
 19 to serve at its pleasure. Other subordinate staff necessary to accomplish the  
 20 commission's mission shall be subject to the provisions of chapter 53, title  
 21 67, Idaho Code.

22 SECTION 42. That Section 67-5905, Idaho Code, be, and the same is  
 23 hereby amended to read as follows:

24 67-5905. DUTIES OF ~~SECRETARY~~ STAFF DIRECTOR. — The  
 25 ~~secretary~~ staff director shall attend all meetings of the commission, serve as  
 26 its executive and administrative officer, have charge of its office and records,  
 27 and, under the general supervision of the commission, be responsible for the  
 28 administration of this act and the general policies and regulations adopted by  
 29 the ~~board~~ commission.

30 SECTION 43. That Section 67-6203, Idaho Code, be, and the same is  
 31 hereby amended to read as follows:

32 67-6203. COMMISSIONERS — CHAIRMAN — APPOINTMENTS. —  
 33 The governor shall appoint seven (7) persons to be commissioners of the  
 34 Idaho housing agency. Preference shall be given to persons of low income  
 35 and to persons with experience in the fields of mortgage, finance, banking,  
 36 real estate, or home building. The governor shall appoint a chairman from  
 37 among the seven (7) commissioners. The commissioners shall be appointed  
 38 for terms of four (4) years, except that all vacancies shall be filled for the  
 39 unexpired term. A commissioner shall hold office until his successor has  
 40 been appointed and qualifies. A certificate of the appointment or reappoint-  
 ment of any commissioner shall be filed in the office of the secretary of state  
 and in the office of the agency, and such certificate shall be conclusive

1 evidence of the due and proper appointment of such commissioner. The  
 2 governor, the state treasurer, the state auditor and the ~~director of the state~~  
 3 ~~planning and community affairs agency~~ administrator of the division of  
 4 budget, policy planning and coordination shall serve as advisors to the  
 5 commissioners of the agency.

6 SECTION 44. That Section 39-3004, Idaho Code, be, and the same is  
 7 hereby amended to read as follows:

8 39-3004. STATE NUCLEAR ENERGY COMMISSION  
 9 ESTABLISHED. — 1. There is hereby established in the office of the  
 10 governor the state nuclear energy commission, consisting of five (5) members  
 11 appointed by the governor and serving at his pleasure. One (1) of the  
 12 members shall be selected for his knowledge of regulatory functions of  
 13 nuclear energy. Not more than three (3) of the members may be from any  
 14 one (1) political party. The members' term of office shall be four (4) years,  
 15 except that the terms of those first appointed shall expire as follows: two (2)  
 16 at the end of two (2) years after the effective date of this act; two (2) at the  
 17 end of three (3) years after such date; and one (1) at the end of four (4)  
 18 years after such date. If a vacancy occurs, the governor shall appoint a  
 19 member for the remaining portion of that term. The governor shall designate  
 20 from his appointees a member to serve as chairman of the commission. The  
 21 director of the office of nuclear energy development shall be an ex officio  
 22 member and the secretary of the commission. The administrator of the state  
 23 radiation control agency or his alternate, the state radiological control  
 24 officer, shall also be an ex officio member of the commission. While actually  
 25 engaged in the business of the commission, members of the commission shall  
 26 receive a per diem allowance of ~~\$25.00~~ twenty-five dollars (\$25.00) per day,  
 27 plus reimbursement for actual travel expenses.

28 2. The commission shall:

- 29 a. Establish an office and employ an executive who shall be desig-  
 30 nated as the director. The director shall serve at the pleasure of the  
 31 commission, and his compensation shall be fixed within the limits  
 32 of appropriations made therefor. The director shall devote his  
 33 entire time to the duties of his office and shall have no other  
 34 gainful employment or occupation. The director shall be selected  
 35 with special reference to his knowledge and administrative capabil-  
 36 ities in matters pertaining to industrial, agricultural, educational  
 37 and institutional applications of nuclear energy. The director shall  
 38 serve under the direction of the commission and in his office will  
 39 be vested the administration of the promotional and development  
 40 programs of this act.
- b. Review prior to promulgation the proposed rules and regulations  
 of the state radiation control agency and of other boards, agencies,

and commissions of this state relating to use and control of sources of ionizing radiation to assure that such rules and regulations are consistent with rules and regulations of other agencies, boards, and commissions of the state. Propose rules and regulations which will not become effective until ~~90~~ ninety (90) days after submission to the commission unless the commission waives all or any part of such ~~90~~ ninety (90) day period. When the commission determines that any proposed rules or regulations or parts thereof are inconsistent with rules and regulations of other agencies, boards, or commissions of the state the commission will so advise the governor and the appropriate ~~agency,~~ agencies, boards or commissions, and consult with them in the effort to resolve any inconsistencies.

- c. Review and evaluate policies and programs of the state including those of the boards, agencies, and commissions of this state, relating to nuclear energy.
  - d. Coordinate the nuclear energy development and regulatory activities of the several departments and agencies of this state including specifically the state board of health and welfare, the state department of labor and industrial services, the state industrial ~~accident-board~~ commission, and the ~~department of commerce and~~ division of industrial development.
  - e. Make recommendations to the governor and furnish such advice as may be required to matters relating to development, utilization, and regulations of nuclear energy.
  - f. Subject to the provisions of chapter 53, title 67, Idaho Code, ~~Employ,~~ compensate and prescribe powers and duties of such individuals as may be necessary to properly carry out the duties of the commission from whatever funds which may be available to the commission for such purpose.
  - g. Make an annual report to the governor.
3. The commission and the director shall be the focal point in state government for coordination of the promotion and development of nuclear energy for peaceful and productive purposes in this state and shall have the following general powers and duties:
- a. To advance the nuclear possibilities of the state by stimulating the interest of industry, agriculture and education around the state's nuclear resources and opportunities.
  - b. To advise, consult and cooperate with other agencies of the state, the federal government, other states and interstate agencies,

- 1 political subdivisions and other groups functioning in fields related
- 2 to nuclear energy.
- 3 c. To advise the governor in developing and promoting a state policy
- 4 for nuclear energy research, development and education.
- 5 d. To advise and assist the governor with regard to the status of
- 6 nuclear energy research, development and education, and to assure
- 7 increasing progress in this field within the state.
- 8 e. To sponsor or conduct studies, collect and disseminate informa-
- 9 tion, and issue periodic reports with regard to nuclear energy
- 10 research, development and education, and proposals for further
- 11 progress in the field of nuclear energy, and the power to acquire
- 12 land and facilities for such purposes is specifically delegated to this
- 13 commission.
- 14 f. To gather, maintain, and disseminate available information
- 15 concerning appropriate sites throughout the state and the advan-
- 16 tages of locating nuclear energy industries within the state.
- 17 g. To foster and support research and education relating to nuclear
- 18 energy by arranging, accepting and administering contracts, grants
- 19 or other appropriate means of assistance.
- 20 h. To keep the several departments and agencies informed as to
- 21 private and public activities affecting nuclear industrial develop-
- 22 ment and nuclear education and training and to enlist their
- 23 cooperation in taking action to further such development, educa-
- 24 tion and training to the end that through state activity the state's
- 25 nuclear resources and nuclear energy position through the federal
- 26 base may be augmented by a healthy private enterprise
- 27 component.
- 28 i. To keep the public informed with respect to nuclear energy
- 29 development within the state and the activities of the state relating
- 30 thereto.
- 31 j. To accept donations of funds, grants, gifts or property of any
- 32 nature to the use for which granted. Such donations are hereby
- 33 appropriated to said commission to be used in addition to any
- 34 other direct appropriations.

35 SECTION 45. That Section 59-1326, Idaho Code, be, and the same is  
36 hereby amended to read as follows:

37 59-1326. RETIREMENT BOARD CREATED — APPOINTMENT. —

38 (1) There is hereby created in the office of the governor a governing  
39 authority of the system to consist of a board of five (5) persons known as  
40 the retirement board. Each member of the board shall be appointed by the

governor to serve terms of five (5) years, except that the terms of the initial appointees shall all commence on the date of appointment, and shall be of staggered lengths as hereinafter provided. The initial appointees shall be appointed within fifteen (15) days of the effective date of this act. The governor shall designate one (1) member of the board to serve as chairman during his term.

(2) Two (2) board members shall be appointed from among the active members having at least ten (10) years of credited service. The initial appointees shall be appointed to terms which shall expire three (3) years and four (4) years after the date of establishment.

(3) Three (3) board members shall be appointed from among Idaho citizens who are not members of the system. The initial appointees shall be appointed to serve terms which shall expire one (1) year, two (2) years and five (5) years after the date of establishment.

(4) Members of the board shall receive an honorarium of ~~\$25.00~~ twenty-five dollars (\$25.00) for each day the board is in session, or ~~an~~ on official business authorized by the board, notwithstanding any provision of law to the contrary, plus an allowance for expenses they may incur through service on the board. These allowances shall be paid from the administration account of the fund.

(5) A board member shall serve until his successor qualifies. Each board member shall be entitled to one (1) vote, and three (3) board members shall constitute a quorum. Three (3) votes shall be necessary for resolution or action by the board at any meeting except as otherwise provided in this act.

(6) The board shall hold regular meetings and shall hold special meetings at such times and at such places as it deems necessary. All meetings of the board shall be open to the public. The board shall keep a record of all its proceedings.

SECTION 46. That Section 67-5403, Idaho Code, be, and the same is hereby amended to read as follows:

67-5403. COMMISSION FOR THE BLIND - CREATION - COMPOSITION - APPOINTMENT - TRANSFER OF POWERS FROM DEPARTMENT OF PUBLIC ASSISTANCE. - (1) There is hereby created in the office of the governor the Idaho commission for the blind. The commission shall consist of three (3) members, at least one (1) of whom shall be blind and not more than two (2) of whom shall belong to the same political party.

The governor shall appoint members of the commission subject to ratification by the senate at the next regular or special session of the legislature.

1 Of the first three (3) members of the commission to be appointed, one  
 2 (1) member shall be appointed for a term of two (2) years, one (1) member  
 3 for a term of three (3) years and one (1) member for a term of four (4)  
 4 years, beginning on July 1, 1967. Thereafter, all appointments shall be made  
 5 for terms of three (3) years, beginning on July 1st. If for any reason a  
 6 member should leave the commission before his term expires, the governor  
 7 shall appoint another member to fill out the unexpired term.

8 (2) All powers and duties of the department of public assistance  
 9 relating to services to the blind and sight conservation as herein defined, are  
 10 transferred to and shall be assumed by the commission on October 1, 1967.

11 SECTION 47. That Section 67-5405, Idaho Code, be, and the same is  
 12 hereby amended to read as follows:

13 67-5405. ORGANIZATION OF COMMISSION – EMPLOYMENT OF  
 14 NECESSARY PERSONNEL. – The commission shall elect a chairman and  
 15 shall, subject to the provisions of chapter 53, title 67, Idaho Code, employ  
 16 and fix the compensation of such personnel as may be necessary, including  
 17 but not limited to a full-time administrator, who shall be designated as the  
 18 executive director of the commission and who shall serve as its secretary.

19 SECTION 48. That Section 67-6001, Idaho Code, be, and the same is  
 20 hereby amended to read as follows:

21 67-6001. ESTABLISHMENT AND PURPOSE OF THE COMMISSION.  
 22 – There is hereby established in the office of the governor the Idaho  
 23 commission on women's programs. The purpose of the commission shall be  
 24 to encourage and stimulate women to increase their participation in and  
 25 contributions, whether paid or unpaid, to the social, political and economic  
 26 progress of the local communities, the state and the nation, acting indepen-  
 27 dently or in cooperation with similar commissions and committees  
 28 established by the president of the United States and the governors of other  
 29 states.

30 SECTION 49. That Section 72-902, Idaho Code, be, and the same is  
 31 hereby amended to read as follows:

32 72-902. STATE INSURANCE MANAGER – POWERS AND DUTIES  
 33 OF STATE INSURANCE MANAGER. – There is hereby created in the  
 34 office of the governor the office of state insurance manager, elsewhere in this  
 35 chapter referred to as manager, whose duties it shall be to conduct the  
 36 business of the state insurance fund, and the said manager is hereby vested  
 37 with full authority over said fund, and may do any and all things which are  
 38 necessary and convenient in the administration thereof, or in connection  
 39 with the insurance business to be carried on by the manager under the  
 40 provisions of this chapter. Said manager shall be appointed by the governor



1 and shall serve during the pleasure of the governor, and shall be bonded in  
2 the time, form and manner as prescribed by chapter 8, title 59, Idaho Code.

3 The state insurance manager may acquire real property as a site for an  
4 office building and may construct thereon an office building, or may  
5 purchase an office building, and may use for such purposes any moneys in  
6 the fund that may be available for investment; provided however, that no  
7 acquisition, construction or purchase may be made hereunder without the  
8 prior written approval of the board of examiners. Any moneys used pursuant  
9 to this section for site acquisition or construction or purchase of an office  
10 building shall, when so used, constitute an investment of the fund.

11 SECTION 50. That Section 72-906, Idaho Code, be, and the same is  
12 hereby amended to read as follows:

13 72-906. EMPLOYMENT OF ASSISTANTS. — The manager, subject to  
14 the provisions of chapter 53, title 67, Idaho Code, may employ such  
15 assistants, experts, statisticians, actuaries, accountants, inspectors, clerks,  
16 and other employees as ~~the department may deem~~ necessary to carry out the  
17 provisions of this chapter and to ~~reform~~ perform the duties imposed upon  
18 him by this chapter.

19 SECTION 51. That Section 57-717, Idaho Code, be, and the same is  
20 hereby amended to read as follows:

21 57-717. DEFINITIONS. — The following words and phrases, when  
22 used in this act, shall, for the purposes of this act, have the meanings  
23 respectively ascribed to them in this section, except in those instances where  
24 the context clearly indicates a different meaning:

25 ~~(1) "Commissioner" means the commissioner of finance.~~

26 ~~(2)~~ (1) "Board" means the investment board herein established.

27 ~~(3)~~ (2) "Income" means dividends and interest, which shall be distributable  
28 income within the meaning of this act.

29 SECTION 52. That Section 57-718, Idaho Code, be, and the same is  
30 hereby amended to read as follows:

31 57-718. ESTABLISHMENT OF INVESTMENT BOARD — MEMBERS  
32 — QUALIFICATIONS. — There is hereby established in the office of the  
33 governor an investment board, hereinafter referred to as the "board." This  
34 board shall consist of the superintendent of public instruction, the ~~commis-~~  
35 ~~sioner of finance~~ director of the department of finance, and other members  
36 hereinafter designated who shall be appointed by the governor subject to  
37 senate confirmation. The members of the board subject to appointment shall  
38 be: one (1) citizen with a minimum of ten (10) years' broad experience in  
39 the field of public educational administration, one (1) member of the Idaho  
40 senate, one (1) member of the Idaho house of representatives, one (1) citizen



1 with ten (10) years' experience in the stock and bond brokerage business,  
 2 one (1) citizen who is a member of the business community not engaged in  
 3 the business of banking or investments, one (1) banker engaged in the  
 4 banking business in a state bank, and one (1) banker engaged in the banking  
 5 business in a nationally chartered bank.

6 SECTION 53. That Section 57-726, Idaho Code, be, and the same is  
 7 hereby amended to read as follows:

8 57-726. ISSUANCE OF WARRANTS BY STATE AUDITOR  
 9 COVERING INVESTMENTS BY BOARD. — Whenever the board shall order  
 10 the investment of any part of the public school fund or any permanent  
 11 endowment fund of the state held for investment, the ~~commissioner~~ board  
 12 shall notify the state auditor and state treasurer of such order and of the  
 13 amount so ordered invested, together with the name of the custodian, and  
 14 the state auditor shall draw a warrant for the amount stated in the notice in  
 15 favor of the custodian, and the state treasurer shall pay such warrant out of  
 16 the fund designated, upon indorsement of such custodian.

17 SECTION 54. That Section 57-727, Idaho Code, be, and the same is  
 18 hereby amended to read as follows:

19 57-727. INVESTMENT TRUSTEE — STAFF — LEGAL ADVISORS.  
 20 — (1) With the approval of two-thirds (2/3) of the members of the board, an  
 21 investment trustee may be employed who shall perform such managerial  
 22 activities and functions as the board may direct. The investment trustee shall  
 23 serve at the pleasure of the board in an exempt position. The investment  
 24 trustee shall be employed by the board ~~and shall not be subject to super-~~  
 25 ~~vision by the department of finance. The commissioner of finance may~~  
 26 ~~recommend dismissal of the investment trustee only in the event of conflict~~  
 27 ~~of interest, self dealing, or dishonesty.~~ The salary of the investment trustee  
 28 shall be set by the board and be paid from income earned from the invest-  
 29 ment of the endowment funds. The investment trustee shall be bonded in an  
 30 amount established by the board ~~and subject to the approval of the commis-~~  
 31 ~~sioner of insurance.~~

32 (2) The board may authorize the employment of whatever staff it  
 33 deems necessary for the administration of the board's business. The invest-  
 34 ment trustee shall hire such authorized staff who shall hold their respective  
 35 positions subject to the rules and regulations of the Idaho personnel  
 36 commission. The salaries of all staff members shall be paid from income  
 37 earned from the investment of the endowment funds as the board may  
 38 direct.

39 (3) The ~~commissioner~~ director of the department of finance shall have  
 40 access to any and all books and records maintained by the investment trustee  
 and his staff as the board may deem necessary.

(4) The board shall be furnished adequate and qualified legal advisors by the attorney general's office.

(5) All current expenses, capital outlay, and travel expenses shall be paid from income earned from investment of the ~~endowment~~ funds as the board may direct.

(6) The board shall, upon request of the agency involved, furnish advice to the treasurer, the manager of the state insurance fund, and the public employees retirement board, and the board may, upon request of the agency, invest funds of the requesting agency.

SECTION 55. That Section 1-2008, Idaho Code, be, and the same is hereby amended to read as follows:

1-2008. INVESTMENT OF JUDGES' RETIREMENT FUND. — The ~~department of finance~~ investment board shall at the direction of the Supreme Court invest and reinvest moneys of the judges' retirement fund in the following manner and in the following investments or securities and none other:

- (1) United States treasury bills, United States treasury notes, or other United States governmental debt instruments.
- (2) United States, state, county, city, or school district bonds or state warrants.
- (3) Bonds, notes, or other obligations of the United States or those guaranteed by the United States or for which the credit of the United States is pledged for payment of the principal and interest or dividends thereof.
- (4) Bonds, notes, or other obligations of the state of Idaho and its political subdivisions, or bonds, notes and other obligations of other states and their political subdivisions, provided such bonds, notes or other obligations or the issuing agency for other than the state of Idaho and its political subdivisions have an AAA rating or higher by a commonly known rating service.
- (5) Bonds or notes of any corporation organized, controlled and operating within the United States which have an A rating or higher by a commonly known rating service.
- (6) Corporate obligations designated as corporate convertible debt securities.
- (7) Obligations secured by mortgages constituting a first lien upon real property in the state of Idaho which are fully insured or guaranteed as to the payment of the principal by the government of the United States or any agency thereof.
- (8) Common or preferred stocks of corporations.

1 All securities arising from such invested moneys shall be held by the  
 2 ~~department of finance~~ investment board as custodian thereof, and it shall  
 3 collect the principal and interest thereof when due and pay the same into the  
 4 judges' retirement fund. The state treasurer shall pay all warrants drawn on  
 5 the judges' retirement fund for making such investments when issued  
 6 pursuant to vouchers signed by the chief justice of the Supreme Court and  
 7 by the state auditor.

8 SECTION 56. That Section 1-2008A, Idaho Code, be, and the same is  
 9 hereby amended to read as follows:

10 1-2008A. INVESTMENT TRUSTEE. — The Supreme Court may direct  
 11 the ~~commissioner of finance~~ investment board to select and contract with a  
 12 minimum of one (1) investment trustee to manage the investment of the  
 13 judges' retirement fund. The investment trustee shall, subject to the  
 14 direction of the ~~commissioner of finance~~ board, exert control over the funds  
 15 as though the investment trustee were the owner thereof. The ~~commissioner~~  
 16 ~~of finance~~ investment board shall be responsible for insuring that the invest-  
 17 ment trustee complies with this act.

18 SECTION 57. That Section 59-904, Idaho Code, be, and the same is  
 19 hereby amended to read as follows:

20 59-904. STATE OFFICES — VACANCIES, HOW FILLED AND  
 21 CONFIRMED. — (1) All vacancies in any state office, and in the supreme  
 22 and district courts, unless otherwise provided for by law, shall be filled by  
 23 appointment by the governor. Appointments to fill vacancies pursuant to  
 24 this section shall be made as provided in subsections (b), (c), (d), (e), and (f)  
 25 of this section, subject to the limitations prescribed in those subsections.

26 (b) Nominations and appointments to fill vacancies occurring in the  
 27 office of state auditor, state treasurer, superintendent of public instruction,  
 28 attorney general and secretary of state shall be made by the governor,  
 29 subject to the advice and consent of the senate, for the balance of the term  
 30 of office to which the predecessor of the person appointed was elected.

31 (c) Nominations and appointments to and vacancies in the following  
 32 listed offices shall be made or filled by the governor subject to the advice  
 33 and consent of the senate for the terms prescribed by law, or in case such  
 34 terms are not prescribed by law, then to serve at the pleasure of the  
 35 governor:

36 ~~Superintendent of the state liquor dispensary,~~

37 ~~State purchasing agent,~~

38 ~~Director of the budget,~~

39 ~~Director of administrative services~~ the department of administration,

40 ~~Commissioner of finance~~ Director of the department of finance,

1 Director of the department of insurance,  
 2 ~~Secretary of commerce and development,~~  
 3 ~~State mine inspector,~~  
 4 ~~Commissioner of agriculture~~ Director, department of agriculture,  
 5 ~~Commissioner of public assistance,~~  
 6 Director of the department of employment,  
 7 ~~State reclamation engineer-director~~ Director of the department of water  
 8 ~~administration resources,~~  
 9 ~~Commissioner of law enforcement~~ Director of the department of law  
 10 enforcement,  
 11 ~~Superintendent of the Idaho state police,~~  
 12 ~~Commissioner of public works,~~  
 13 ~~Commissioner of labor~~ Director, department of labor and industrial  
 14 services,  
 15 Manager of the state insurance fund,  
 16 Member of the state tax commission,  
 17 Members of the board of regents of the university of Idaho and the  
 18 state board of education,  
 19 Members of the Idaho water resources board,  
 20 Members of the state fish and game commission,  
 21 Members of the Idaho transportation board ~~of highway directors,~~  
 22 Members of the state board of health and welfare,  
 23 Members of the board of directors of state parks and recreation,  
 24 Members of the board of correction,  
 25 ~~Members of the board of the Idaho historical society,~~  
 26 ~~Members of the Idaho state library board,~~  
 27 Members of the industrial ~~accident board~~ commission,  
 28 Members of the Idaho public utilities commission,  
 29 Members of the Idaho personnel commission,  
 30 ~~Members of the Idaho veterans commission,~~  
 31 Members of the board of directors of the Idaho state retirement system.  
 32 (d) Appointments made by the state board of land commissioner to  
 33 the office of ~~state land commissioner~~ director, department of lands, and  
 34 appointments to fill vacancies occurring in those offices shall be submitted  
 35 by the president of the state board of land commissioners to the senate for  
 36 the advice and consent of the senate in accordance with the procedure  
 37 prescribed in this section.  
 38 (e) Appointments made pursuant to this section while the senate is in  
 39 session shall be submitted to the senate forthwith for the advice and consent  
 40 of that body. The appointment so made and submitted shall not be effective

1 until the approval of the senate has been recorded in the journal of the  
 2 senate. Appointments made pursuant to this section while the senate is not  
 3 in session shall be effective until the appointment has been submitted to the  
 4 senate for the advice and consent of the senate. Should the senate adjourn  
 5 without granting its consent to such an interim appointment the  
 6 appointment shall thereupon become void and a vacancy in the office to  
 7 which the appointment was made shall exist.

8 All appointments made pursuant to subsection (c) of this section,  
 9 except those appointments for which a term of office is fixed by law, shall  
 10 terminate at the expiration of any gubernatorial term. Appointments to fill  
 11 the vacancies thus created by the expiration of the term of office of the  
 12 governor shall be forthwith submitted to the senate for the advice and  
 13 consent of that body, and when so submitted shall be as expeditiously  
 14 considered as possible.

15 Upon receipt of an appointment in the senate for the purpose of  
 16 securing the advice and consent of the senate, the appointment shall be  
 17 referred by the presiding officer to the appropriate committee of the senate  
 18 for consideration and report prior to action thereon by the full senate.

19 (f) It is the intent of the legislature that the provisions of this section  
 20 as amended by this act shall not apply to appointments which have been  
 21 made prior to the effective date of this act. It is the further intent of the  
 22 legislature that the provisions of this section shall apply to the offices listed  
 23 in this section and to any office created by law or executive order which  
 24 succeeds to the powers, duties, responsibilities and authorities of any of the  
 25 offices listed in subsections (c) and (d) of this section, ~~as amended by this~~  
 26 ~~act.~~

27 SECTION 58. That Section 59-508, Idaho Code, be, and the same is  
 28 hereby amended to read as follows:

29 59-508. SALARIES FOR APPOINTIVE ADMINISTRATIVE  
 30 OFFICERS. — ~~From and after July 1, 1963, the~~ The salaries of the  
 31 appointive department heads, division administrators or other administrative  
 32 officers not otherwise provided for by law, hereinafter listed in this section  
 33 shall be fixed by the officer or authority making such appointment within  
 34 the limits of appropriations made therefor by ~~each successive session of the~~  
 35 ~~legislature, the provisions of any other statute to the contrary notwith-~~  
 36 ~~standing; provided, however, that each member of the public utilities~~  
 37 ~~commission and the industrial accident board shall receive, from whatever~~  
 38 ~~source or sources, a total salary to be fixed by the legislature.~~

39 ~~State Reclamation Engineer-~~

40 ~~Tax Collector-~~

1 ~~Commissioner of Law Enforcement~~  
 2 ~~State Land Commissioner~~  
 3 ~~\*State Forester~~  
 4 ~~Commissioner of Agriculture~~  
 5 ~~Commissioner of Finance~~  
 6 ~~Commissioner of Public Works~~  
 7 ~~State Liquor Superintendent~~  
 8 ~~Adjutant General~~  
 9 ~~State Purchasing Agent~~  
 10 ~~State Insurance Commissioner~~  
 11 ~~Commissioner of Labor~~  
 12 ~~Director of Aeronautics~~  
 13 ~~Members of the State Board of Correction, each~~  
 14 ~~Manager of the State Insurance Fund~~  
 15 ~~Director of Disaster Relief and Civil Defense~~  
 16 ~~Commandant of Soldiers' Home~~  
 17 ~~Inspector of Mines~~

18 SECTION 59. That Chapter 5, Title 59, Idaho Code, be, and the same  
 19 is hereby amended by the addition thereto of a new section, to be known  
 20 and designated as Section 59-511, Idaho Code, and to read as follows:

21 59-511. OFFICERS TO DEVOTE ENTIRE TIME TO OFFICIAL  
 22 DUTIES — EXCEPTIONS. — Each executive and administrative officer shall  
 23 devote his entire time to the duties of his office and shall hold no other  
 24 office or position of profit: provided, that an elective or appointive state  
 25 officer may be appointed to any office herein created, in which event he  
 26 shall receive no salary other than by virtue of his elective office, or in the  
 27 case of an appointive state officer, he shall receive no salary other than by  
 28 virtue of the appointive office held by him at the time of his appointment to  
 29 an additional office.

30 SECTION 60. That Chapter 5, Title 59, Idaho Code, be, and the same  
 31 is hereby amended by the addition thereto of a new section, to be known  
 32 and designated as Section 59-512, Idaho Code, and to read as follows:

33 59-512. COMPENSATION FOR PUBLIC SERVICE. — No employee  
 34 in the several departments, employed at a fixed compensation, shall be paid  
 35 for any extra service performed by such employee in the ordinary course of  
 36 his employment, unless expressly authorized by law.

37 Whenever the public interest may be served thereby, an employee of  
 38 any department, with the written approval of the employing director, may  
 39 be permitted to accept additional employment by the same, or another  
 40 department, in any educational program conducted under the supervision of

1 the state board of education or the board of regents of the university of  
2 Idaho, when such additional employment is not in the ordinary course of the  
3 employment of such employee and will be performed in addition to, and  
4 beyond, the hours of service required in the ordinary course of employment.  
5 The written approval of the employing director shall be filed with the  
6 secretary of the state board of examiners together with a statement that such  
7 additional employment is not in the course of the employee's employment,  
8 and will be performed in addition to the statutory hours of employment.

9 SECTION 61. This act shall be in full force and effect on and after  
10 July 1, 1974.



**H399 IRRIGATION**, companies, delinquency interest rates . . . . .by Agricultural Affairs  
Amends 42-2208, Idaho Code, to provide that the rate of interest on delinquent assessments be increased from 6% to 8%.

<p>2/1 HOUSE introduced</p> <p>2/13 3rd rdg - PASSED 56-4-10 Nays—Kearnes, Little(10), Loveless, Merrill Absent—Barron, Gines, Jackson, Koch, Lewis, Little(9), Onweiler, Otter, Reardon, Roberts</p> <p>2/14 SENATE introduced</p> <p>2/21 3rd rdg - PASSED 29-2-4 Nays—Cobbs, Stoicheff Absent—Bivens, Chase, Kinghorn, Snow</p>	<p><b>FINAL DISPOSITION</b> <b>LAW</b></p> <p>2/27 Governor signed Effective July 1, 1974 Session Law Chapter No. 28</p>
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**H400 REORGANIZATION**, Office of the Governor . . . . .by Executive Reorganization  
Establishes the Office of the Governor as an executive department of state government, pursuant to Section 4, Article IV, Idaho Constitution.

<p>2/1 HOUSE introduced</p> <p>2/6 3rd rdg - PASSED 41-25-4 Nays—Antone, Barron, Bunting, Clements, Condie, Danielson, Dean, Elgin, Fogg, Gines, Greenawalt, Infanger, Ingram, Johnson(29), Kearnes, Kraus, Larsen, Loveless, McHan, Miner, Olmstead, Ravenscroft, Reardon, Tibbitts, Winchester Absent—Coppie, Jackson, Neider, Onweiler.</p> <p>2/8 SENATE introduced</p> <p>2/16 3rd rdg - PASSED 26-6-3 Nays—Budge, Steen, Swenson, Watkins, Williams, Yost Absent—Bilyeu, Katseanes, Summers</p>	<p><b>FINAL DISPOSITION</b> <b>LAW</b></p> <p>2/21 Governor signed Effective July 1, 1974 Session Law Chapter No. 22</p>
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**H401 LANDS**, oil & gas leases, rental . . . . . by Resources & Conservation  
Amends 47-805, Idaho Code, to authorize Board of Land Commissioners to establish the annual rental on oil and gas leases at not less than 25¢ per acre.

<p>2/1 HOUSE introduced</p> <p>2/7 3rd rdg - PASSED 64-0-6 Nays—0 Absent—Barron, Bunting, Dobler, Hammond, Kearnes, Mr. Speaker</p> <p>2/8 SENATE introduced</p> <p>3/19 3rd rdg - PASSED 32-0-3 Nays—0 Absent—Brassey, High, Steen</p>	<p><b>FINAL DISPOSITION</b> <b>LAW</b></p> <p>3/27 Governor signed Effective July 1, 1974 Session Law Chapter No. 106</p>
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**H402 LANDS**, state, nonendowment, cities/counties . . . . . by Resources & Conservation  
Amends 58-135, Idaho Code, to provide that cities be on a parity with counties as potential grantees, lessees or donees of nonendowment state lands.

<p>2/1 HOUSE introduced</p> <p>3/9 3rd rdg - PASSED 45-6-19 Nays—Clements, Gines, Little(9), Neider, Reardon, Winchester Absent—Davidson, Dobler, Eyre, Hale, Hammond, Harlow, Infanger, Johnson(29), Kearnes, Larsen, Lewis, McDermott, Merrill, Miller, Miner, Rice, Sessions, Sweeney, Wheeler</p> <p>3/11 SENATE introduced</p> <p>3/30 3rd rdg - PASSED 34-0-1 Nays—0 Absent—Egbert</p>	<p><b>FINAL DISPOSITION</b> <b>LAW</b></p> <p>4/5 Governor signed Effective April 5, 1974 Session Law Chapter No. 294</p>
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## STATEMENT OF PURPOSE

## PROPOSAL NUMBER 1

## OFFICE OF THE GOVERNOR

PROPOSAL NO. 1 ESTABLISHES THE OFFICE OF THE GOVERNOR AS AN EXECUTIVE DEPARTMENT OF STATE GOVERNMENT, PURSUANT TO ARTICLE IV, SECTION 20, OF THE CONSTITUTION OF THE STATE OF IDAHO.

The Governor shall act as head of the office and shall exercise all powers and duties necessary to carry out proper administration of the office. The office shall be composed of the following divisions and any other divisions which may be established or assigned: the division of tourism and industrial development, the state liquor dispensary, the military division, and the division of budget, policy planning and coordination. The Governor shall appoint an administrator for each division, subject to the advice and consent of the Senate, who shall serve at the pleasure of the Governor.

The division of tourism and industrial development shall consist of the functions of the present department of commerce and development.

The state liquor dispensary shall be a division as it is now constituted.

The military division shall consist of the present office of adjutant general, Idaho army national guard, Idaho air national guard, and the department of disaster relief and civil defense. The adjutant general shall act as administrator of the division.

The division of budget, policy planning and coordination shall consist of the functions of the present law enforcement planning commission, the functions of the present state planning and community affairs agency, the functions of the present division of the budget, department of administrative services, the functions of the present division of management services, department of administrative services. The office of coordinator of federal programs is abolished and the functions are established within the division of budget, policy planning and coordination.

Also established within the office are the following: the blind commission, the commission on women's programs, the nuclear energy commission, the public employees retirement board and the state insurance fund which will maintain their present functions and structure, and the human rights commission, which will have members appointed for staggered terms beginning July 1, 1974.

The present commissioner of finance is retained as a member of the endowment investment board. The board is provided authority, upon request, to invest the funds of, or provide investment advice to the State Treasurer, the state insurance fund, and the public employees retirement board. The endowment investment board will, on advice of the Supreme Court, invest the funds of the judges' retirement fund.

The proposal abolishes the following entities: the incentive savings award system, the Governor's council, and the intergovernmental committee on children and youth.

The proposal amends present statutes on filing of vacancies of state offices to reflect the proposed new departments and officers. Statutes on devotion of entire time to duties by state officers, and on compensation of state employees are recodified, bringing them into the general section of the Idaho code dealing with public officers.

The proposal also establishes procedure for the issuance of executive orders by the Governor. Such executive orders, which shall have the force and effect of law, shall, when issued, be serially numbered for each calendar year, and shall be effective only after signature by the Governor, attestation by and filing with the Secretary of State, and after publication in a newspaper(s) of general circulation in the state. Each executive order shall provide a date within two years of its effective date after which such executive order shall cease to be effective. If no such date is specified in an executive order, such order shall cease to be effective two years after its issuance.

#### FISCAL NOTE

There is no known fiscal impact different from present operations.



House Bill	RS Number	Committee Name and Date Discussed
387	(RS 1006)	House Business 1/29/74; 2/13/74; 2/27/74.
388	(RS 1064)	House Executive Reorganization 1/29/74; 2/4/74. Senate Executive Reorganization 2/8/74.
389	(RS 1107)	House Revenue & Taxation 2/28/74.
390	(RS 1104)	House Education 1/29/74; 2/6/74B; 2/13/74.
391	(RS 1070)	House Education 1/29/74.
392	(RS 1205)	House Revenue & Taxation 1/29/74; 1/31/74. Senate Resources & Environment 2/15/74; 2/20/74; 3/8/74; 3/16/74.
393	(RS 1162)	House Local Government 1/30/74; 2/14/74; 2/22/74. Senate Local Government 3/6/74.
394	(RS 1120)	House Health & Welfare 1/30/74; 2/4/74; 2/6/74; 2/8/74; 2/12/74; 2/14/74; 2/20/74; 2/22/74; 2/26/74; 3/4/74; 3/6/74; 3/8/74. Senate Health, Education & Welfare 3/20/74; 3/21/74.
395	(RS 1157)	House Health & Welfare 1/30/74; 2/12/74. Senate Commerce & Labor 3/14/74.
396	(RS 0997)	House State Affairs 1/30/74; 2/18/74; House Education 2/6/74B. Senate Judiciary & Rules 2/25/74; 3/5/74.
397	(RS 1079)	House State Affairs 1/28/74; 1/30/74; 2/5/74. Senate Health, Education & Welfare 2/22/74; Senate Local Government 3/1/74.
398	(RS 1305)	House Transportation 1/31/74; House Printing & Legislative Expense 1/31/74. Senate Transportation 2/5/74; 2/7/74.
399	(RS 1196)	House Agricultural Affairs 1/30/74; 2/8/74. Senate Judiciary & Rules 2/15/74.
400	(RS 1068)	House Executive Reorganization 1/31/74; 2/4/74; House Printing & Legislative Expense 2/1/74. Senate Executive Reorganization 2/8/74.
401	(RS 1177)	House Resources & Conservation 2/1/74; 2/6/74. Senate Resources & Environment 3/13/74; 3/15/74.
402	(RS 1178)	House Resources & Conservation 2/1/74; 2/6/74; 3/1/74; 3/5/74. Senate Resources & Environment 3/29/74.
403	(RS 1004)	House Business 2/1/74; 2/15/74; 2/21/74; 2/25/74; 2/27/74. Senate Commerce & Labor 3/21/74.
404	(RS 1050)	House State Affairs 1/28/74; 2/1/74; 3/11/74.

Joanne

EXECUTIVE REORGANIZATION COMMITTEE

MINUTES

Room 412

January 31, 1974

4:15 p.m.

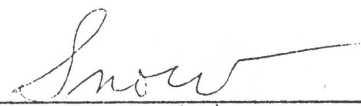
All members of the committee were present except Reps. Reid and Rice.

Rep. Little moved that the minutes of the January 29 meeting be approved as presented; Rep. Lincoln seconded the motion. Motion carried.

RS 1068 OFFICE OF THE GOVERNOR (Proposal 1).

Motion This bill was before the committee for introduction. Rep. Lincoln moved that RS 1068 be introduced; Rep. Little seconded the motion. Motion carried.

The meeting was adjourned at 4:30 p.m.

  
HAROLD SNOW, Chairman

  
Ann Murdoch, Secretary

Joanne

EXECUTIVE REORGANIZATION COMMITTEE

MINUTES

Room 420

February 4, 1974

1:15 p.m.

All committee members were present.

RS 1051    DEPARTMENT OF HEALTH AND WELFARE (Proposal 11).  
This bill was before the committee for introduction.

Motion    Rep. Reid moved that RS 1051 be introduced; Rep. Little seconded the motion. Motion carried.

HB 388    DEPARTMENT OF WATER RESOURCES (Proposal 20).  
This bill was before the committee for recommendation.

Motion    Rep. Eyre moved that the bill be returned to the desk with a recommendation that it DO PASS; Rep. Rice seconded the motion. Motion carried. Rep. Merrill will sponsor the bill.

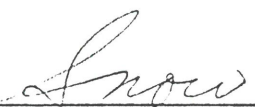
HB 400    OFFICE OF THE GOVERNOR (Proposal 1)  
This bill was before the committee for recommendation.


Motion    Rep. Little moved that the bill be returned to the desk with a recommendation that it DO PASS; Rep. Rice seconded the motion. Motion carried. Rep. Eyre will sponsor the bill.

SB 1293    DEPARTMENT OF EDUCATION (Proposal 6)  
This bill was before the committee for recommendation.

Motion    Rep. Lincoln moved that SB 1293 be returned to the desk with a recommendation that it DO PASS; Rep. Eyre seconded the motion. Motion carried. Rep. Snow will sponsor the bill.

The meeting was adjourned at 1:30 p.m.

  
\_\_\_\_\_  
HAROLD SNOW, Chairman

  
\_\_\_\_\_  
Ann Murdoch, Secretary

HOUSE PRINTING & LEGISLATIVE EXPENSE COMMITTEE

FORTY-SECOND LEGISLATURE--SECOND SESSION

The Printing Committee met in Room 311 on February 1, 1974.

PRESENT: Danielson, Chairman                      Johnson  
          Reardon                                      Loveless  
          Elgin                                         Miller  
          Barron

ABSENT &  
EXCUSED: Bishop  
          Bunting

The meeting was called to order at 12:40 P.M.

HB 399, PROVIDING THAT THE RATE OF INTEREST ON DELINQUENT ASSESSMENTS BE INCREASED FROM 6% TO 8%, was presented by Mr. Barron.

MOTION: Mr. Barron moved that HB 399 be printed,  
HB 399                      seconded by Mr. Johnson. The motion was carried.

Mr. Loveless voted "nay".

HB 400 (Proposal No. 1), ESTABLISHES THE OFFICE OF THE GOVERNOR AS AN EXECUTIVE DEPARTMENT OF STATE GOVERNMENT, was presented by Mr. Elgin. Mr. Elgin asked unanimous consent to insert a comma (,) between "budget" and "policy planning" on page 18 of the bill but did not pursue the matter when an objection was raised. It was felt that with the establishment of executive powers in the Governor's office, an amendment to the constitution is constituted which requires a ballot vote. It was also brought out that supplemental figures were to accompany reorganization bills and they have not yet been made available. There was considerable discussion as to whether or not this committee should examine bills for technical and constitutional content and for adequate statements of purpose and fiscal notes.

MOTION: Mr. Barron moved that HB 400 be held in committee  
HB 400                      until later in the day pending clarification of  
                                 the duty of the committee regarding reorganization  
                                 bills, seconded by Mr. Loveless. The motion was  
                                 carried.

HB 401, PROVIDING THE STATE BOARD OF LAND COMMISSIONERS THE DISCRETION TO SET AND ADJUST RENTALS RELATING TO OIL AND GAS LEASES, was presented by Mr. Reardon.

MOTION: Mr. Barron moved that HB 401 be printed, seconded  
HB 401                      by Mr. Johnson. The motion was carried.

Mr. Loveless and Mr. Reardon voted "nay".

HB 402, PROVIDING THAT IDAHO CITIES BE ON A PARITY WITH IDAHO COUNTIES AS POTENTIAL GRANTEEES, LESSEES OR DONEES OF NON-ENDOWMENT STATE LANDS, was presented by Mr. Reardon.

MOTION: Mr. Reardon moved that HB 402 be printed, seconded  
HB 402                      by Mr. Miller. The motion was carried.

HB 403, AMENDING THE IDAHO COLLECTION AGENCY ACT, was presented by Mr. Loveless.

MOTION: Mr. Miller moved that HB 403 be printed, seconded  
HB 403                      by Mr. Elgin. The motion was carried.

Mr. Loveless voted "nay".



MINUTES

EXECUTIVE REORGANIZATION COMMITTEE

SECOND REGULAR SESSION

FORTY-SECOND LEGISLATURE

The Executive Reorganization Committee met at Senator Brown's desk and voted to send H. 383, Dept of Revenue and Taxation; H. 381 Dept. of Agriculture to the floor with a do-pass. They also sent S. 1334 to print. The motions passed. Senator Chase will carry H. 383 and Senator Saxvik will carry H. 381.

Friday February 8, 1974, Senator Smith moved, Senator Yarbrough seconded, to send H. 400, Office of Governor, and H. 388, Water Resources, to the ~~floor~~ with a do-pass recommendation. The motion carried. Senator Yarbrough will sponsor the Water Resources bill and Senator Chase will sponsor the Office of Gov.

Harriet Walters  
HARRIET WALTERS, SECRETARY

Warren Brown  
WARREN H. BROWN, CHAIRMAN

## HOUSE INDEX

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House Bill No.	Introduced by	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
393	Local Government	35	Pertaining to Budget Hearing Notice of Public Health Districts. .... (House amendments p. 122)	147	209	Law
394	Health and Welfare	35	Establishing Health Maintenance Organizations Act. .... (House amendments p. 175)	222	325	Law
395	Health and Welfare	35	Accepting the Rehabilitation Act of 1973...	85	272	Law
396	State Affairs	37	Relating to Rules and Regulations of state agencies, providing for publication and reviewing procedure. .... (Veto override p. 198)	101	215	Vetoed
397	State Affairs	38	Relating to physical examinations of paid firemen prior to employment. .... (House amendments p. 78)	94	209	Law
398	Transportation and Defense	38	Creating the Disaster Relief Fund in the State Treasury. .... (Senate amendments—See Senate Journal)	80	103	Law
399	Agricultural Affairs	39	Increasing interest on delinquent assessments. ....	73	129	Law
400	Executive Reorganization	39	Providing that the Office of the Governor be an Executive Dept. of State Government.	52	103	Law
401	Resources and Conservation	40	Pertaining to adjusting rentals on oil and gas leases. ....	59	272	Law
402	Resources and Conservation	40	Providing that cities be on parity with counties as potential grantees, lessees or donees, of nonendowment state lands. ....	173	327	Law
403	Business	40	Providing for Collection Agency Offices in Idaho. .... (House amendments p. 138)	179	325	Law
404	State Affairs	43	Relating to Recall Petitions and Elections. .... (House amendments p. 186)	240	240	Failed House
405	Resources and Conservation	43	Pertaining to terms and sale of state lands. .... (Senate amendments—See Senate Journal)	266	327	Law
406	Transportation and Defense	43	Establishing the Idaho National Guard Educational Encouragement Fund. ....	—	50	House Transportation and Defense
407	Health and Welfare	43	Exempting licensed Physicians and persons under their direct supervision from law governing advertisement of medicine or means for facilitating a miscarriage or abortion, or for prevention of conception. .... (Senate amendments—See Senate Journal)	224	242	Law
408	Executive Reorganization	45	Providing that the Department of Health and Welfare be an Executive Dept. of State Government. ....	66	103	Law
409	State Affairs	47	Revising the Retirement Benefit Formula of the Public Employee Retirement System Board. .... (House amendments p. 78)	95	209	Law
410	State Affairs	47	Relating to income benefit death payments made to children. ....	73	129	Law
411	Business	48	Providing that consumer lenders close on same holidays as banks and they shall maintain \$50,000 in assets. ....	86	86	Senate Commerce and Labor
412	Business	48	Pertaining to qualifications of real estate brokers or salesmen, and staggering renewal periods for licenses and fees. ....	137	272	Law
413	Appropriations	48	Refunding surplus moneys to State Board of Education to be distributed to various counties. ....	72	152	Law

proved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

COPPLE,  
Chairman.

Moved by Mr. Copple that the report be adopted.

Seconded by Mr. Loveless.

Report adopted.

Representatives Ravenscroft and Greenawalt introduced to the House Miss Sharon Davis, the reigning Miss Idaho, who spoke briefly to the members of the House.

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

January 31, 1974.

Mr. Speaker:

I return herewith Enrolled H 354 which has been signed by the President.

HARPER,  
Secretary

Enrolled H 354 was referred to the Judiciary, Rules and Administration Committee for transmittal to the Governor.

#### Report of Standing Committees

February 1, 1974.

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration H 392 and recommend that it do pass.

LARSEN,  
Chairman.

H 392 was filed for second reading.

February 1, 1974.

Mr. Speaker:

We, your COMMITTEE ON PRINTING AND LEGISLATIVE EXPENSE, report that we have had correctly printed H 381, H 396, H 397 and H 398.

DANIELSON,  
Chairman.

H 381 was referred to the Select Committee on Executive Reorganization.

H 396 and H 397 were referred to the State Affairs Committee.

H 398 was referred to the Transportation and Defense Committee.

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

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

##### HOUSE BILL NO. 399

##### By AGRICULTURAL AFFAIRS COMMITTEE

##### AN ACT

Amending Section 42-2208, Idaho Code, relating to interest on delinquent assessments, by providing that the rate of interest on delinquent assessments be increased from six per cent to eight per cent; and providing an effective date.

H 399 was introduced, read the first time at length, and referred to the Printing and Legislative Expense Committee.

##### HOUSE BILL NO. 400

##### By EXECUTIVE REORGANIZATION COMMITTEE

##### AN ACT

To reorganize the Executive Department of State Government pursuant to Section 20, Article IV, of the Constitution of the State of Idaho; repealing Sections 67-807, and 67-1910, Chapter 40, Chapter 50 and Chapter

61, Title 67, Idaho Code; amending Section 67-802, Idaho Code, to provide for the office of the Governor, to provide for the organization of the office, and to provide for Executive orders of the Governor; amending Section 67-4701, Idaho Code, to create the Division of Tourism and Industrial Development in the office of the Governor; amending Section 67-4702, Idaho Code, to provide for the appointment of an Administrator of the Division; amending Section 67-4703, Idaho Code, to provide name changes and to provide that employees of the division be subject to the provisions of Chapter 53, Title 67, Idaho Code; amending Sections 67-4704 and 67-4705, Idaho Code, to provide name changes; amending Section 23-201, Idaho Code, to create the State Liquor Dispensary in the office of the Governor, to provide that the dispensary shall be a division of the office for the purposes of Chapter 24, Title 67, Idaho Code, and to provide that the Administrator of the Division shall be known as the Superintendent; amending Section 23-207, Idaho Code, to provide that employees of the Division be subject to the provisions of Chapter 53, Title 67, Idaho Code; amending Section 23-217, Idaho Code, to provide name changes; amending Section 46-112, Idaho Code, to provide that the Adjutant General shall be Chief of Staff and Administrative Head of the Military Division of the office of the Governor and to provide that certain clerical and other personnel in the Division shall be subject to the provisions of Section 67-5303(j), Idaho Code; amending Section 46-1001, Idaho Code, to provide name changes; amending Section 46-1002, Idaho Code, to create the Bureau of Disaster Relief and Civil Defense; amending Section 46-1004, Idaho Code, to provide for the Chief of the Bureau of Disaster Relief and Civil Defense; amending Section 46-1005, Idaho Code, to provide name changes, and to provide that employees of the Bureau be subject to the provisions of Chapter 53, Title 67, Idaho Code; amending Section 46-1007, Idaho Code, to provide name changes; amending Section 19-5102, Idaho Code, to create the Law Enforcement Planning Commission in the Division of Budget, policy planning and coordination, and to provide name changes; amending Section 19-5113, Idaho Code, to provide name changes; amending Chapter 19, Title 67, Idaho Code, by the addition of a new Section 67-1910, Idaho Code, to provide management duties of the Division of budget, policy planning and coordination; amending Sections 67-1911, Idaho Code, to provide planning responsibilities of the Division of budget, policy planning and coordination, and to provide name changes; amending Section 67-1912, Idaho Code, to provide community affairs functions and responsibilities of the Division of Budget, Policy Planning and Coordination, and to provide name changes; amending Sections 67-1913, 67-1915, 67-1916 and 67-1917, Idaho Code, to provide name changes; amending Section 67-3501, Idaho Code, to strike references to the Division of the Budget and to provide duties for the Administrator of the Division of Budget, Policy Planning and Coordination; amending Sections 67-3502, 67-3503, 67-3504, 67-3505, 67-3508, 67-3511, 67-3512, 67-3513, 67-3516, 67-3517 and 67-3518, Idaho Code, to provide name changes; amending Chapter 35, Title 67, Idaho Code, by the addition of a new Section 67-3519, Idaho Code, to provide for additional powers, duties, functions and responsibilities of the Division of Budget, Policy Planning and Coordination relating to lists of employee positions; amending Section 67-3520, Idaho Code, to provide name changes; amending Section 67-5903, Idaho Code, to create the Commission on Human Rights in the Office of the Governor, to provide that the terms of office of members of the Commission holding office prior to July 1, 1974, shall terminate on July 1, 1974, and to provide that the Governor shall appoint members of the Commission for staggered terms of three years; amending Section 67-5904, Idaho Code, to strike obsolete references, to provide that the Commission may appoint a staff Director, and to provide that other staff of the Commission shall be subject to the provisions of Chapter 53, Title 67, Idaho Code; amending Section 67-5905, Idaho Code, to provide name changes; amending Section 67-6203, Idaho



### Third Reading of Bills and Joint Resolutions

HJM 19 was read the third time at length and placed before the House for final consideration.

The question being,

"Shall HJM 19 be adopted?"

HJM 19 was adopted by voice vote and it was ordered transmitted to the Senate.

HJM 17 was read the third time at length and placed before the House for final consideration.

The question being, "Shall HJM 17 be adopted?"

HJM 17 was adopted by voice vote and it was ordered transmitted to the Senate.

At this time Mr. Koch took the Chair.

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

The question being, "Shall H 388 pass?"

Roll call resulted as follows:

AYES—Andersen, Branson, Butler, Copple, Davidson, Dobler, Eyre, Harlow, Hartvigsen, Hedlund, Johnson (35), Judd, Kenneville, Koch, Little (9), Little (10), McAllister, McCann, Merrill, Onweiler, Reid, Rice, Roberts, Snow, Snyder, Sweeney, Swisher, Wesche, Wheeler, Worthen, Mr. Speaker. Total—31.

NAYS—Antone, Barron, Bishop, Bunting, Chatburn, Clements, Condie, Danielson, Dean, Dunn, Elgin, Fitz, Fogg, Gines, Greenawalt, Hale, Hammond, Infanger, Ingram, Johnson (29), Kearnes, Kraus, Larsen, Lewis, Loveless, McHan, Miller, Miner, Neider, Olmstead, Otter, Ravenscroft, Reardon, Scoresby, Sessions, Tibbitts, Winchester. Total—37.

Absent and excused—Jackson, Lincoln. Total—2.

Total—70.

Whereupon the Speaker Pro Tem declared H 388 failed to pass the House.

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

The question being, "Shall H 400 pass?"

Moved by Mr. Little (10) that the House do now recess until 1:30 p.m. Seconded by Mr. Sweeney. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:30 p.m.

### RECESS

#### Afternoon Session

The House reconvened at 1:30 p.m., pursuant to recess, the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused—Copple, Jackson, Neider and Onweiler. Total—4.

Total—70.

Pursuant to recess the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

The question being, "Shall H 400 pass?"

Roll call resulted as follows:

AYES—Andersen, Bishop, Branson, Butler, Chatburn, Davidson, Dobler, Dunn, Eyre, Fitz, Hale, Hammond, Harlow, Hartvigsen, Hedlund, Johnson (35), Judd, Kenneville, Koch, Lewis, Lincoln, Little (9), Little (10), McAllister, McCann, Merrill, Miller, Otter, Reid, Rice, Roberts, Scoresby, Sessions, Snow, Snyder, Sweeney, Swisher, Wesche, Wheeler, Worthen, Mr. Speaker. Total—41.

NAYS—Antone, Barron, Bunting, Clements, Condie, Danielson, Dean, Elgin, Fogg, Gines, Greenawalt, Infanger, Ingram, Johnson (29), Kearnes, Kraus, Larsen, Loveless, McHan, Miner, Olmstead, Ravenscroft, Reardon, Tibbitts, Winchester. Total—25.

Absent and excused—Copple, Jackson, Neider, Onweiler. Total—4.

Total—70.

Whereupon the Speaker declared H 400 passed the House.

Title was approved and the bill ordered transmitted to the Senate.

Having voted on the prevailing side, Mr. Hammond gave notice that he may on this or the next legislative day move for reconsideration of the vote by which H 388 failed to pass the House. H 388 was ordered held at the desk.

Mr. Koch asked unanimous consent that S 1293 retain its place on the third reading calendar until the next legislative day. There being no objection, it was so ordered.

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

### Miscellaneous and Unfinished Business

Having voted on the prevailing side, Mr. Otter gave notice that he may on this or the next legislative day move for reconsideration of the vote by which H 400 passed the House. H 400 was ordered held at the desk.

### Adjournment

Moved by Mr. Koch that the House do now adjourn until 10:00 a.m., Thursday, February 7, 1974.

Seconded by Mr. Hammond.

Motion carried.

Whereupon the Speaker declared the House adjourned until 10:00 a.m., Thursday, February 7, 1974.

WILLIAM J. LANTING,  
Speaker.

Attest:  
RICHARD TUININGA,  
Assistant Chief Clerk.

### TWENTY-FIFTH LEGISLATIVE DAY

THURSDAY, FEBRUARY 7, 1974

House of Representatives.

The House convened at 10:00 a.m., pursuant to adjournment, the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Guest Chaplain, Reverend Robert Brown.

### Approval of Journal

February 7, 1974.

Mr. Speaker:

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

COPPLE,  
Chairman.

Moved by Mr. Copple that the report be adopted.

Seconded by Miss McDermott.

Report adopted.

## Presentation of Petitions and Communications

STATE OF IDAHO

Supreme Court

February 19, 1974

Mr. Craig Harvey, Chief Clerk  
House of Representatives  
Idaho Legislature  
Statehouse  
Boise, Idaho 83720

Dear Mr. Harvey:

In compliance with Idaho Code, section 67-5217, I am transmitting to you the Department of Highways changes in rules and regulations dated February 14, 1974, and also the University of Idaho changes in Handbook of Policy and Procedure dated February 1, 1974, that have been filed in the State Law Library.

Very truly yours,

/s/ LAURA M. PERSHING  
Law Librarian

STATE OF IDAHO

Supreme Court

February 19, 1974

Mr. Craig Harvey, Chief Clerk  
House of Representatives  
Idaho Legislature  
Statehouse  
Boise, Idaho 83720

Dear Mr. Harvey:

In compliance with Idaho Code, section 67-5217, I am transmitting to you the rules and regulations of the State Tax Commission:

Motor Fuels Tax Regulations  
Income Tax Regulation pertaining to Indians  
Ad Valorem Tax Regulations

I am also transmitting to you recent changes in the rules and regulations of the Department of Environmental and Community Services. These regulations have been filed in the State Law Library.

Very truly yours,

/s/ LAURA M. PERSHING  
Law Librarian

The Department of Highways rules and regulations were referred to the Transportation and Defense Committee.

The University of Idaho Handbook of Policy and Procedures was referred to the Education Committee.

The State Tax Commission regulations were referred to the Revenue and Taxation Committee.

The Department of Environmental and Community Services Regulations were referred to the Health and Welfare Committee.

## Adjournment

Moved by Mr. Koch that the House do now adjourn until 10:00 a.m., Friday, February 22, 1974.

Seconded by Mr. Hammond.

Motion carried.

Whereupon the Speaker declared the House adjourned until 10:00 a.m., Friday, February 22, 1974.

WILLIAM J. LANTING,  
Speaker.

Attest:

CRAIG HARVEY,  
Chief Clerk.

## FORTIETH LEGISLATIVE DAY

FRIDAY, FEBRUARY 22, 1974

House of Representatives.

The House convened at 10:00 a.m., pursuant to adjournment, the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused—Eyre. Total—1.

Total—70.

Prayer was offered by Chaplain Roy Howes.

## Approval of Journal

February 22, 1974.

Mr. Speaker:

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

COPPLE,  
Chairman.

Moved by Mr. Copple that the report be adopted.

Seconded by Miss McDermott.

Report adopted.

## Consideration of Messages from the Governor and the Senate

February 21, 1974.

Mr. Speaker:

I transmit herewith S 1351, S 1406, S 1380, S 1346, S 1386, S 1357, S 1396, and S 1418, and I return herewith H 399, H 350, and H 410 which have passed the Senate.

HARPER,  
Secretary.

S 1351, S 1406, S 1380, S 1346, S 1386, S 1357, S 1396, and S 1418 were filed for first reading.

H 399, H 350 and H 410 were referred to the Judiciary, Rules and Administration Committee for enrolling.

February 21, 1974.

Mr. Speaker:

I transmit herewith Enrolled SCR 130 for the signature of the Speaker.

HARPER,  
Secretary.

The Speaker announced that he was about to sign Enrolled SCR 130 and when so signed ordered it returned to the Senate.

STATE OF IDAHO  
Office of the Governor  
Boise

February 21, 1974

Honorable William J. Lanting  
Speaker of the House  
House of Representatives  
Statehouse Mail

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved and am transmitting to the Secretary of State the following House Bills, to wit:

No. 381  
No. 383  
No. 388  
No. 398 as amended in the Senate  
No. 400  
No. 408  
No. 416

Sincerely,

/s/ CECIL D. ANDRUS  
Governor

## SENATE INDEX

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383	Executive Reorganization Committee	Law	DEPARTMENT OF REVENUE AND TAXATION, establishing as an executive department of state government.....	58	96	102
385	Little	Held in Senate Committee	DAYLIGHT SAVING TIME, exempting a portion of state from provisions..... A.H. (see House Journal)	72	—	72
386	Business Committee	Law	SECURITIES, transactions, full disclosure. A.H. (see House Journal) A.H. (see House Journal)	185	238	240
388	Executive Reorganization Committee	Law	DEPARTMENT OF WATER RESOURCES, establishing as an executive department of state government.....	67	97	102
392	Revenue and Taxation Committee	Veto	PARKS AND RECREATION, Capital Improvement Fund. .... A.S. ....	58 187	204	234
393	Local Government Committee	Law	PUBLIC HEALTH DISTRICTS, pertaining to budget hearing notice..... A.H. (see House Journal)	138	158	167
394	Health and Welfare Committee	Law	HEALTH, establishing Maintenance Organization Act. .... A.H. (see House Journal)	194	221	234
395	Health and Welfare Committee	Law	REHABILITATION ACT OF 1973, accepting. ....	99	199	205
396	State Affairs Committee	Veto	STATE AGENCIES, rules and regulations providing for publication.....	111	151	181
397	State Affairs Committee	Law	FIREMEN, medical and health standards. A.H. (see House Journal)	105	154	167
398	Transportation and Defense Committee	Law	DISASTER RELIEF FUND, created in State Treasury. .... A.S. ....	51 90	91	99
399	Agricultural Affairs Committee	Law	IRRIGATION, increasing interest on delinquent assessments. ....	89	109	116
400	Executive Reorganization Committee	Law	OFFICE OF THE GOVERNOR, establishing as an executive department of state government. ....	67	96	102
401	Resources and Conservation Committee	Law	LANDS, oil and gas leases and rentals....	67	199	205
402	Resources and Conservation Committee	Law	CITIES, on parity with counties as potential grantees of non-endowment of state lands. ....	163	279	293
403	Business Committee	Law	COLLECTION AGENCY OFFICES, to maintain office in state..... A.H. (see House Journal)	168	219	222
405	Resources and Conservation Committee	Law	STATE LANDS, terms of sale..... A.S. .... A.S. ....	163 187 200	215	247
407	Health and Welfare Committee	Law	BIRTH CONTROL, contraceptive advertising. .... A.S. .... A.S. ....	100 132 161	173	197
408	Executive Reorganization Committee	Law	DEPARTMENT OF HEALTH AND WELFARE, establishing as an executive department of state government.....	80	97	102
409	State Affairs Committee	Law	RETIREMENT, revising formula..... A.H. (see House Journal)	105	154	167
410	State Affairs Committee	Law	WORKMEN'S COMPENSATION, death benefits to dependent child.....	89	110	116
411	Business Committee	Held in Senate Committee	CONSUMER CREDIT CODE, requiring consumer lenders close on same holidays as banks and maintain \$50,000 in assets...	99	—	99



hearing shall be required, by changing the requirement for public hearings on budgets exceeding one thousand dollars and substituting thereof a minimum budget of twenty-five hundred dollars, striking the requirement that a budget be certified to the County Auditor, County Assessor, and State Board of Equalization, and providing that such budgets shall be certified to the Board of County Commissioners.

S. 1367

**By LOCAL GOVERNMENT AND TAXATION  
COMMITTEE**

**AN ACT**

Amending Section 67-1206, Idaho Code, relating to transfers of balances in funds, by providing that the State Auditor shall transfer and apportion the balance in the General Fund as of June 30 of each year to the various counties, and providing procedures.

S. 1368

**By LOCAL GOVERNMENT AND TAXATION  
COMMITTEE**

**AN ACT**

Amending Section 42-3202, Idaho Code, by providing that residents of the district and owners of property in the district may vote in district elections and providing that holders of bona fide contracts to purchase land in the district qualify as owners of property entitled to vote in district elections; and declaring an emergency.

S. 1369

**By LOCAL GOVERNMENT AND TAXATION  
COMMITTEE**

**AN ACT**

Amending Section 40-3004, Idaho Code, relating to appointment, terms and per diem of County-Wide Highway District Commissioners, by providing that the Commissioners shall receive twenty-five dollars for each meeting called by the Commission, and by providing that a Commissioner may be compensated for additional services.

S. 1370

**By COMMERCE AND LABOR COMMITTEE**

**AN ACT**

Repealing Sections 28-22-108, 28-22-109, 28-22-110 and 28-22-111, Idaho Code, which relate to maximum discount on interest rates that may be charged on monthly installment loan contracts by national banks, state banks, savings and loan associations and those operating under the supervision of the Idaho State Commission of Finance with the exception of credit unions, also maximum late charges that may be charged on overdue monthly installments and for an interest charge on any final judgment rendered on such contracts, and the declaration of legislative intent with respect thereto; amending Chapter 22, Title 28, Idaho Code, by the addition of a new Section 28-22-108, Idaho Code, providing that the maximum interest rates established by Sections 28-22-105 and 28-22-106, Idaho Code, shall not apply to supervised financial organizations, as these entities are defined in Section 28-31-301(17), Idaho Code, and insurance companies or corporations and mortgage loan companies or corporations engaged in the business of making loans secured by a mortgage or deed of trust on real property; and providing severability.

S. 1354, S. 1355, S. 1356, S. 1357, S. 1358, S. 1359, S. 1360, S. 1361, S. 1362, S. 1363, S. 1364, S. 1365, S. 1366, S. 1367, S. 1368, S. 1369 and S. 1370 were introduced, read the first time at length and referred to the Judiciary and Rules Committee for printing.

H. 400 and H. 388, by Executive Reorganization Committee, were introduced, read the first time at length and referred to the Executive Reorganization Committee.

H.C.R. 41

**By WAYS AND MEANS COMMITTEE**

**A CONCURRENT RESOLUTION**

Providing for a Joint Session of the House of Representatives and the Senate, inviting the Governor and elective officials to attend a memorial program commemorating the birth of Abraham Lincoln.

H.C.R. 41, was read at length and referred to the Transportation Committee.

H. 379, by Business Committee, was introduced, read the first time at length and referred to the Commerce and Labor Committee.

H. 401, by Resources and Conservation Committee, was introduced, read the first time at length and referred to the Resources and Environment Committee.

**Second Reading of Bills**

H. 398, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

**Third Reading of Bills**

On request by Senator Steen, granted by unanimous consent, S. 1311 retained its place on the Third Reading Calendar until Tuesday, February 12, 1974.

Senator Klein requested she be marked present at this order of business.

S. 1310 was read the third time at length, section by section and placed before the Senate for final consideration, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES—Abrahams, Barker, Batt, Bilyeu, Bivens, Brasey, Brown, Chase, Cobbs, Egbert, Ellsworth, Eskelin, Evans, High, Katseanes, Kinghorn, Klein, Mitchell, Murphy, Peavey, Saxvik, Snow, Stoicheff, Summers, Swenson, Yarbrough, Yost. Total—27.

NAYS—Budge, Steen, Watkins. Total—3.

Absent and excused—Hanson, Smith, Tacke, White, Williams. Total—5.

Total—35.

Whereupon the President declared S. 1310 passed, title was approved and the bill ordered transmitted to the House.

On request by Senator Batt, granted by unanimous consent, S. 1331 retained its place on the Third Reading Calendar.

S. 1320 was read the third time at length, section by section and placed before the Senate for final consideration, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES—Abrahams, Barker, Batt, Bilyeu, Bivens, Brasey, Brown, Budge, Cobbs, Egbert, Ellsworth, Eskelin, Evans, High, Katseanes, Kinghorn, Klein, Mitchell, Murphy, Peavey, Saxvik, Smith, Snow, Steen, Stoicheff, Summers, Swenson, Watkins, Yarbrough, Yost. Total—30.

NAYS—None.

Absent and excused—Chase, Hanson, Tacke, White, Williams. Total—5.

Total—35.

Whereupon the President declared S. 1320 passed, title was approved and the bill ordered transmitted to the House.

H. 375 was read the third time at length, section by section and placed before the Senate for final consideration, the question being,



Bonnie Favor, Rhonda Putnam, Vickie Clark, Tamara Sloviacek, Jean McClintick, Pat Borchard, Christiane Rudd, Duane Mabey and Bill Swam.

Proper notice having been served, Senator Bivens moved, seconded by Senator Murphy, that the vote by which S. 1311 lost in the Senate be now reconsidered.

Roll call vote was requested by Senators Bivens, Barker and Yost.

The question being,

"Shall the motion pass?"

Roll call resulted as follows:

AYES—Abrahams, Barker, Batt, Bivens, Brassey, Budge, Cobbs, Egbert, Ellsworth, High, Katseanes, Klein, Murphy, Peavey, Saxvik, Smith, Steen, Stoicheff, Watkins, White, Williams, Yarbrough, Yost. Total—23.

NAYS—Brown, Eskelin, Hanson, Kinghorn, Mitchell, Snow, Tacke. Total—7.

Absent and excused—Bilyeu, Chase, Evans, Summers, Swenson. Total—5.

Total—35.

Whereupon the President declared the motion passed and S. 1311 was before the Senate for consideration.

On request by Senator Bivens, granted by unanimous consent S. 1311 was placed at the foot of the Third Reading Calendar.

#### Second Reading of Bills

S. 1296, by Health, Education and Welfare Committee, was read the second time at length and filed for third reading.

S. 1265, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S. 1299, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S. 1312, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H. 416, by Executive Reorganization Committee, was read the second time at length and filed for third reading.

#### Third Reading of Bills

The President called Senator Williams to the Chair.

S. 1303 was read the third time at length, section by section and placed before the Senate for final consideration, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES—Abrahams, Batt, Brassey, Brown, Budge, Chase, Cobbs, Egbert, Ellsworth, Eskelin, Hanson, Katseanes, Kinghorn, Klein, Peavey, Smith, Steen, Stoicheff, Tacke, Watkins, White, Williams, Yost. Total—23.

NAYS—Barker, Bivens, High, Mitchell, Murphy, Saxvik, Snow, Yarbrough. Total—8.

Absent and excused—Bilyeu, Evans, Summers, Swenson. Total—4.

Total—35.

Whereupon the Acting President declared S. 1303 passed, title was approved and the bill ordered transmitted to the House.

S. 1358 was read the third time at length, section by section and placed before the Senate for final consideration, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES—Abrahams, Barker, Batt, Bivens, Brown, Budge, Chase, Cobbs, Egbert, Ellsworth, Eskelin, Hanson, High,

Katseanes, Kinghorn, Klein, Mitchell, Peavey, Saxvik, Smith, Snow, Steen, Stoicheff, Tacke, Watkins, White, Williams, Yarbrough, Yost. Total—29.

NAYS—None.

Absent and excused—Bilyeu, Brassey, Evans, Murphy, Summers, Swenson. Total—6.

Total—35.

Whereupon the Acting President declared S. 1358 passed, title was approved and the bill ordered transmitted to the House.

On request by Senator Brown, granted by unanimous consent, H. 383, H. 381, H. 400, H. 388 and H. 408 were placed at the head of the Third Reading Calendar.

On request by Senator Snow, granted by unanimous consent, S. 1341 retained its place on the Third Reading Calendar for two legislative days.

H. 383 was read the third time at length, section by section and placed before the Senate for final consideration, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES—Abrahams, Barker, Batt, Bivens, Brown, Chase, Cobbs, Egbert, Eskelin, Evans, Hanson, High, Klein, Mitchell, Murphy, Peavey, Saxvik, Smith, Snow, Steen, Stoicheff, Tacke, Watkins, White, Williams, Yarbrough, Yost. Total—27.

NAYS—Budge. Total—1.

Absent and excused—Bilyeu, Brassey, Ellsworth, Katseanes, Kinghorn, Summers, Swenson. Total—7.

Total—35.

Whereupon the Acting President declared H. 383 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, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES—Abrahams, Barker, Batt, Bivens, Brown, Chase, Cobbs, Egbert, Evans, Hanson, High, Kinghorn, Klein, Mitchell, Murphy, Peavey, Saxvik, Smith, Snow, Stoicheff, Tacke, Watkins, White, Yarbrough, Yost. Total—25.

NAYS—Budge, Steen, Williams. Total—3.

Absent and excused—Bilyeu, Brassey, Ellsworth, Eskelin, Katseanes, Summers, Swenson. Total—7.

Total—35.

Whereupon the Acting President declared H. 381 passed, title was approved and the bill ordered returned to the House.

H. 400 was read the third time at length, section by section and placed before the Senate for final consideration, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES — Abrahams, Barker, Batt, Bivens, Brassey, Brown, Chase, Cobbs, Egbert, Ellsworth, Eskelin, Evans, Hanson, High, Kinghorn, Klein, Mitchell, Murphy, Peavey, Saxvik, Smith, Snow, Stoicheff, Tacke, White, Yarbrough. Total—26.

NAYS — Budge, Steen, Swenson, Watkins, Williams, Yost. Total—6.

Absent and excused — Bilyeu, Katseanes, Summers. Total—3.

Total—35.

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

#### Messages from the House

February 18, 1974.

Mr. President:

I transmit herewith: H. 424, H. 425, H. 439, H. 419 and H. 432 and return herewith: S. 1320, S. 1254, S. 1331 and S. 1334 which have passed the House.

HARVEY,  
Chief Clerk.

H. 424, H. 425, H. 439, H. 419 and H. 432 were filed for first reading.

S. 1320, S. 1254, S. 1331 and S. 1334 were referred to the Judiciary and Rules Committee for enrolling.

February 18, 1974.

Mr. President:

I transmit herewith Enrolled H.J.M. 17, H.J.M. 18, H. 383, H. 381, H. 400, H. 388 and H. 408 for the signature of the President and return herewith Enrolled S. 1280, as amended in the House, which has been signed by the Speaker.

HARVEY,  
Chief Clerk.

The President announced he was about to sign Enrolled H.J.M. 17, H.J.M. 18, H. 383, H. 381, H. 400, H. 388 and H. 408, and when so signed, ordered them returned to the House.

Enrolled S. 1280, as amended in the House, was referred to the Judiciary and Rules Committee for transmittal to the office of the Governor.

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

S. 1425

#### By STATE AFFAIRS COMMITTEE

##### AN ACT

Amending Section 54-2506, Idaho Code, relating to the duties of the Idaho State Horse Racing Commission, by providing that license fees shall be as set by the Commission; and amending Section 54-2513, Idaho Code, relating to distribution of deposits, by increasing the percentage of licensee receipts to be retained by licensee and to be deposited to the public school fund, increasing the percentage to be paid to the Idaho State Horse Racing Commission, and by providing that one-half of one per centum shall be distributed by the licensee to benefit Idaho bred racing horses.

S. 1425 was introduced, read the first time at length and referred to the Judiciary and Rules Committee for printing.

H. 424, by Business Committee, was introduced, read the first time at length and referred to the Commerce and Labor Committee.

H. 425, by Agricultural Affairs Committee, was introduced, read the first time at length and referred to the Agricultural Affairs Committee.

H. 439, by Ingram, was introduced, read the first time at length and on request by Senator Brown, granted by unanimous consent, was referred to the Executive Reorganization Committee.

H. 419, by Local Government Committee, was introduced, read the first time at length and referred to the Local Government and Taxation Committee.

H. 432, by State Affairs Committee, was introduced, read the first time at length and referred to the Transportation Committee.

#### Third Reading of Bills

S. 1299, as amended, was read the third time at length, section by section and placed before the Senate for final consideration, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES—Abrahams, Barker, Batt, Bilyeu, Bivens, Brown, Budge, Chase, Cobbs, Egbert, Ellsworth, Eskelin Evans, Hanson, High, Katseanes, Kinghorn, Klein, Mitchell, Murphy, Peavey, Saxvik, Smith, Snow, Summers, Swenson, Tacke, Watkins, White, Williams, Yarbrough, Yost. Total—32.

NAYS—Steen, Stoicheff. Total—2.

Absent and excused—Brassey. Total—1.

Total—35.

Whereupon the President declared S. 1299, as amended, passed, title was approved and the bill ordered transmitted to the House.

The President called Senator Peavey to the Chair.

S. 1312, as amended, was read the third time at length, section by section and placed before the Senate for final consideration, the question being,

"Shall the bill pass?"

Roll call resulted as follows:

AYES—Abrahams, Batt, Bivens, Brassey, Budge, Chase, Cobbs, Egbert, Ellsworth, Eskelin, Hanson, High, Katseanes, Klein, Mitchell, Peavey, Saxvik, Smith, Snow, Steen, Stoicheff, Summers, Swenson, Tacke, White, Yost. Total—26.

NAYS—Barker, Bilyeu, Brown, Evans, Kinghorn, Murphy, Watkins, Williams, Yarbrough. Total—9.

Total—35.

Whereupon the Acting President declared S. 1312, as amended, passed, title was approved and the bill ordered transmitted to the House.

S. 1351, S. 1406, S. 1380 and H. 399 retained their place on the Third Reading Calendar.

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

#### Miscellaneous Business

On motion by Senator Batt, seconded by Senator Chase, the Senate adjourned until 11:00 o'clock a.m., Wednesday, February 20, 1974.

JOHN T. PEAVEY,  
Acting President.

Attest:  
PAT HARPER  
Secretary.

#### THIRTY-EIGHTH LEGISLATIVE DAY WEDNESDAY, FEBRUARY 20, 1974

Senate Chamber, Boise, Idaho,

February 20, 1974.

President Pro Tempore Ellsworth called the Senate to order at 11:00 o'clock a.m.

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

The following prayer was offered by Chaplain Newell Morgan:

Our loving, Heavenly Father do bring to the remembrance of Thy people Thine ancient and time-honored promise: "If my people which are called by my name shall humble themselves, and pray, and seek my face, and turn from their wicked ways, then will I hear from heaven, and will forgive their sin, and will heal their land."

Lord God of Hosts, forgive us. May it be by Thy Divine guidance and Thy power that our beloved land once again become God's own country, a nation contrite in heart, con-

# Idaho Human Rights Act 1974 Legislative History Check Lists

H.B. 400  
R.S. 1068

Item	Included	Notes
Session Law	✓ R	
Bill	✓ R	
Bill Status	✓ R	
Statement of Purpose	✓ R	- no additional Statement of Purpose
Committee Minutes		
- House	✓ R	
- Senate	✓ R	
Journal		
- House	✓ R	
- Senate	✓ R	
Interim Committee Minutes	N/A R	

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