



of ~~October~~ April forward said budget to the boards of participating libraries. This budget shall be published, and a hearing held thereon before the last day of ~~November~~ May.

(c) Non-Participating Areas. The system board shall also prepare a list of those areas within each county of the library region wherein public libraries, library districts, school-community libraries, or association libraries are not maintained as authorized in the Idaho Code. Such lists shall be forwarded to the state library board and to the board of county commissioners of each affected county. The system board shall include in its preliminary budget an estimate of the kinds of services which the system could provide to those areas without established libraries, and the cost of such services, and shall forward this to the appropriate boards of county commissioners.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

Approved March 17, 1982.

CHAPTER 83  
(H.B. No. 503)

AN ACT

RELATING TO AGE DISCRIMINATION IN EMPLOYMENT; AMENDING SECTION 67-5901, IDAHO CODE, TO PROVIDE REFERENCES; AMENDING SECTION 67-5902, IDAHO CODE, TO REDEFINE EMPLOYER; AMENDING SECTION 67-5909, IDAHO CODE, TO INCLUDE AGE DISCRIMINATION IN ACTS PROHIBITED; AMENDING SECTION 67-5910, IDAHO CODE, TO PROVIDE LIMITATIONS; AMENDING CHAPTER 59, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5911, IDAHO CODE, TO PROHIBIT REPRISALS FOR OPPOSING UNLAWFUL PRACTICES; AMENDING SECTION 44-1701, IDAHO CODE, TO REDEFINE DIRECTOR; AND REPEALING CHAPTER 16, TITLE 44, IDAHO CODE.

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

SECTION 1. That Section 67-5901, Idaho Code, be, and the same is hereby amended to read as follows:

67-5901. PURPOSE OF ACT. The general purposes of this act are:

(1) To provide for execution within the state of the policies embodied in the federal Civil Rights Act of ~~1965-and-to-make-uniform the-laws-of-those-states-which-enact-this-act;~~ 1964, as amended, and the Age Discrimination in Employment Act of 1967, as amended.

(2) To secure for all individuals within the state freedom from discrimination because of race, color, religion, sex or national origin in connection with employment, public accommodations, education and real property transactions, and discrimination because of sex age in connection with employment, and thereby to protect their interest



in personal dignity, to make available to the state their full productive capacities, to secure the state against domestic strife and unrest, to preserve the public safety, health, and general welfare, and to promote the interests, rights and privileges of individuals within the state.

SECTION 2. That Section 67-5902, Idaho Code, be, and the same is hereby amended to read as follows:

67-5902. DEFINITIONS. In this act, unless the context otherwise requires:

(1) "Commission" means the commission on human rights created by this act;

(2) "Commissioner" means a member of the commission;

(3) "Discriminatory practice" means a practice designated as discriminatory under the terms of this act;

(4) "National origin" includes the national origin of an ancestor;

(5) "Person" includes an individual, association, corporation, joint apprenticeship committee, joint-stock company, labor union, legal representative, mutual company, partnership, any other legal or commercial entity, the state, or any governmental entity or agency;

(6) "Employer" means a person who has ten (10) or more employees or--a-person-who-as-contractor-or-subcontractor-is-furnishing-material-or-performing-work-for-the-state-or-a-governmental-entity-or-agency-of-the-state-and-includes-an-agent-of-such-a-person for each working day in each of twenty (20) or more calendar weeks in the current or preceding calendar year. The term also means;

(a) a person who as contractor or subcontractor is furnishing material or performing work for the state;

(b) agency of or any governmental entity within the state; and

(c) any agent of such employer;.

(7) "Employment agency" means a person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person;

(8) "Labor organization" includes;

(a) an organization of any kind, an agency or employee representation committee, group, association, or plan in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievance, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment;

(b) a conference, general committee, joint or system board, or joint council which is subordinate to a national or international labor organization; or

(c) an agent of a labor organization.

(9) "Place of public accommodation" means a business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public;

(10) "Educational institution" means a public or private insti-

tution and includes an academy, college, elementary or secondary school, extension course, kindergarten, nursery, school system, or university and a business, nursing, professional, secretarial, technical, or vocational school; and includes an agent of an educational institution;

(11) "Real property" includes buildings, structures, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal or any interest therein;

(12) "Real estate transaction" includes the sale, exchange, rental or lease of real property;

(13) "Housing accommodation" includes any improved or unimproved real property, or part thereof, which is used or occupied, or as the home or residence of one or more individuals;

(14) "Real estate broker or salesman" means a person, whether licensed or not, who, for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself out as engaged in these activities, or who negotiates or attempts to negotiate a loan secured or to be secured by mortgage or other encumbrance upon real property, or who is engaged in the business of listing real property in a publication; or a person employed by or acting on behalf of any of these.

SECTION 3. That Section 67-5909, Idaho Code, be, and the same is hereby amended to read as follows:

67-5909. ACTS PROHIBITED. It shall be a prohibited act to discriminate against a person because of, or on a basis of, race, color, religion; sex or national origin, in any of the following and on the basis of age in subsections (1), (2), (3) and (4) following:

(1) For an employer to fail or refuse to hire, to discharge, or to otherwise discriminate against an individual with respect to compensation or the terms, conditions or privileges of employment or to reduce the wage of any employee in order to comply with this act;

(2) For an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against an individual or to classify or refer an individual for employment;

(3) For a labor organization;

(a) to exclude or to expel from membership, or to otherwise discriminate against, a member or applicant for membership,

(b) to limit, segregate or classify membership, or to fail or refuse to refer for employment an individual in any way,

1. which would deprive an individual of employment opportunities, or

2. which would limit employment opportunities or adversely affect the status of an employee or of an applicant for employment, or

(c) to cause or attempt to cause an employer to violate this act.

(4) For an employer labor organization or employment agency to print or publish or cause to be printed or published a notice or advertisement relating to employment by the employer or membership in or a classification or referral for employment by the labor organiza-

tion, or relating to a classification or referral for employment by an employment agency, indicating a preference, limitation, specification or discrimination; but a notice or advertisement may indicate a preference limitation, specification, or discrimination when such is a bona fide occupational qualification for employment;

(5) For a person;

(a) to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation, or

(b) to print, circulate, post, or mail or otherwise cause to be published a statement, advertisement or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages of a place of public accommodation will be refused, withheld from, or denied an individual or that an individual's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable, or undesirable.

(6) For an educational institution;

(a) to exclude, expel, limit, or otherwise discriminate against an individual seeking admission as a student or an individual enrolled as a student in the terms, conditions, and privileges of the institution, or

(b) to make or use a written or oral inquiry or form of application for admission that elicits or attempts to elicit information, or to make or keep a record, of an applicant for admission, except as permitted by the regulations of the commission,

(c) to print or publish or cause to be printed or published a catalogue or other notice or advertisement indicating a preference, limitation, specification, discrimination of an applicant for admission, or

(d) to announce or follow a policy of denial or limitation through a quota or otherwise of educational opportunities of a group or its members.

(7) For an owner or any other person engaging in a real estate transaction, or for a real estate broker or salesman;

(a) to refuse to engage in a real estate transaction with a person,

(b) to discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith,

(c) to refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person,

(d) to refuse to negotiate a real estate transaction with a person,

(e) to represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or to fail to bring a property listing to his attention, or to refuse to permit him to inspect real property,

(f) to print, circulate, post or mail or cause to be so published a statement, advertisement or sign, or to use a form of application for a real estate transaction, or to make a record or inquiry in connection with a prospective real estate transaction, which indicates, directly or indirectly, an intent to make a limitation,

specification, or discrimination with respect thereto, or  
(g) to offer, solicit, accept, use or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection therewith.

(8) For a person to whom application is made for financial assistance in connection with a real estate transaction or for the construction, rehabilitation, repair, maintenance, or improvement of real property, or a representative of such a person;

(a) to discriminate against the applicant,

(b) to use a form of application for financial assistance or to make or keep a record or inquiry in connection with applications for financial assistance which indicates directly or indirectly, an intent to make a limitation, specification, or discrimination.

(9) To insert in a written instrument relating to real property a provision which purports to forbid or restrict the conveyance, encumbrance, occupancy or lease thereof;

(10) For a person for the purpose of inducing a real estate transaction from which he may benefit financially;

(a) to represent that a change has occurred or will or may occur in the composition of the owners or occupants in the block, neighborhood, or area in which the real property is located, or

(b) to represent that this change will or may result in the lowering of property values, an increase in criminal or anti-social behavior, or a decline in the quality of schools in the block, neighborhood, or area in which the real property is located.

SECTION 4. That Section 67-5910, Idaho Code, be, and the same is hereby amended to read as follows:

67-5910. ACTS-EXEMPTED LIMITATIONS. (1) This act does not apply to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by the corporation, association, or society of its religious activities.

(2) It is not a discriminatory practice;

(a) for an employer to employ an employee, or an employment agency to classify or refer for employment an individual, for a labor organization to classify its membership or to classify or refer for employment an individual, or for an employer, labor organization, or joint labor-management committee controlling an apprenticeship or other training or retraining program, on the basis of his religion, sex, or national origin, or age if religion, sex, or national origin, or age is a bona fide occupational qualification reasonably necessary to the normal operation of the business or enterprise, or

(b) for an employer, employment agency, or labor organization to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as a retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this act, except that no such employee benefit plan shall excuse the failure to hire any individual, and no such seniority system or employee

benefit plan shall require or permit involuntary retirement of any individual specified by section 67-5910(7), Idaho Code, of this act because of the age of such individual; however, the prohibition against age discrimination contained in this act shall not be construed to prohibit compulsory retirement if such retirement is permitted under the terms of 29 USC, section 631(c)(1) and (2), or (c) for a religious educational institution or an educational organization to limit employment or give preference to members of the same religion.

(3) This act does not apply to a private club, or other establishment not in fact open to the public, except to the extent that the goods, services, facilities, privileges, advantages or accommodations of the establishment are made available to the customers or patrons of another establishment that is a place of public accommodation.

(4) Notwithstanding any other provisions of this act, it is not a discriminatory practice for;

(a) a religious educational institution or an educational institution operated, supervised, or controlled by a religious institution (operated, supervised, or controlled by a religious institution) or organization to limit admission or give preference to applicants of the same religion, or

(b) an educational institution to accept and administer an inter vivos or testamentary gift upon the terms and conditions prescribed by the donor.

(5) The provisions of section 67-5909(7) do not apply;

(a) to the rental of a housing accommodation in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the lessor or a member of his family resides in one (1) of the housing accommodations, or

(b) to the rental of a room or rooms in a housing accommodation by an individual if he or a member of his family resides therein.

(6) It is not a discriminatory practice for a religious institution or organization or a charitable or educational organization operated, supervised or controlled by a religious institution or organization to give preference to members of the same religion in a real property transaction.

(7) The prohibitions against discrimination based on age contained in this act shall be limited to individuals who are at least forty (40) years of age but less than seventy (70) years of age.

SECTION 5. That Chapter 59, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-5911, Idaho Code, and to read as follows:

67-5911. REPRISALS FOR OPPOSING UNLAWFUL PRACTICES. It shall be unlawful for an employer, employment agency, or labor organization to discriminate against any individual because he or she has opposed any practice made unlawful by this act or because such individual has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under this act.

SECTION 6. That Section 44-1701, Idaho Code, be, and the same is



hereby amended to read as follows:

44-1701. DEFINITIONS. As used in this act:

(1) "Employee" means any individual employed by an employer, including individuals employed by the state or any of its political subdivisions.

(2) "Employer" includes any person acting directly or indirectly in the interest of an employer in relation to an employee.

(3) "Wage rate" means all compensation for employment, including payment in kind and amounts paid by employers for employee benefits, as defined by the director in regulations issued under this act.

(4) "Employ" includes to suffer or permit to work.

(5) "Occupation" includes any industry, trade, business or branch thereof, or any employment or class of employment.

(6) "Director" means the director of the ~~department-of-labor-and-industrial-services~~ human rights commission.

SECTION 7. That Chapter 16, Title 44, Idaho Code, be, and the same is hereby repealed.

Approved March 17, 1982.

#### CHAPTER 84

(H.B. No. 608, As Amended)

#### AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029B, IDAHO CODE, TO ALLOW AN IDAHO INCOME TAX CREDIT FOR CONTRIBUTIONS MADE TO NON-PROFIT YOUTH FACILITIES AND NONPROFIT REHABILITATION FACILITIES.

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

SECTION 1. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3029B, Idaho Code, and to read as follows:

63-3029B. INCOME TAX CREDIT FOR REHABILITATION FACILITIES - LIMITATION. At the election of the taxpayer, there shall be allowed, subject to the applicable limitations provided herein, as a credit against the income tax imposed by chapter 30, title 63, Idaho Code, an amount equal to fifty percent (50%) of the aggregate amount of charitable contributions made by such taxpayer during the year to the Idaho youth ranch, to the north Idaho childrens' home, or to a nonprofit rehabilitation facility located within the state of Idaho.

(1) In the case of a taxpayer other than a corporation, the amount allowable as a credit under this section for any taxable year shall not exceed twenty percent (20%) of such taxpayer's total income tax liability imposed by section 63-3024, Idaho Code, for the year, or





of ~~October~~ April forward said budget to the boards of participating libraries. This budget shall be published, and a hearing held thereon before the last day of ~~November~~ May.

(c) Non-Participating Areas. The system board shall also prepare a list of those areas within each county of the library region wherein public libraries, library districts, school-community libraries, or association libraries are not maintained as authorized in the Idaho Code. Such lists shall be forwarded to the state library board and to the board of county commissioners of each affected county. The system board shall include in its preliminary budget an estimate of the kinds of services which the system could provide to those areas without established libraries, and the cost of such services, and shall forward this to the appropriate boards of county commissioners.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

Approved March 17, 1982.

CHAPTER 83  
(H.B. No. 503)

RS 7437

AN ACT

RELATING TO AGE DISCRIMINATION IN EMPLOYMENT; AMENDING SECTION 67-5901, IDAHO CODE, TO PROVIDE REFERENCES; AMENDING SECTION 67-5902, IDAHO CODE, TO REDEFINE EMPLOYER; AMENDING SECTION 67-5909, IDAHO CODE, TO INCLUDE AGE DISCRIMINATION IN ACTS PROHIBITED; AMENDING SECTION 67-5910, IDAHO CODE, TO PROVIDE LIMITATIONS; AMENDING CHAPTER 59, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5911, IDAHO CODE, TO PROHIBIT REPRISALS FOR OPPOSING UNLAWFUL PRACTICES; AMENDING SECTION 44-1701, IDAHO CODE, TO REDEFINE DIRECTOR; AND REPEALING CHAPTER 16, TITLE 44, IDAHO CODE.

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

SECTION 1. That Section 67-5901, Idaho Code, be, and the same is hereby amended to read as follows:

67-5901. PURPOSE OF ACT. The general purposes of this act are:

(1) To provide for execution within the state of the policies embodied in the federal Civil Rights Act of 1965 ~~and to make uniform the laws of those states which enact this act~~; 1964, as amended, and the Age Discrimination in Employment Act of 1967, as amended.

(2) To secure for all individuals within the state freedom from discrimination because of race, color, religion, sex or national origin in connection with employment, public accommodations, education and real property transactions, and discrimination because of sex age in connection with employment, and thereby to protect their interest



in personal dignity, to make available to the state their full productive capacities, to secure the state against domestic strife and unrest, to preserve the public safety, health, and general welfare, and to promote the interests, rights and privileges of individuals within the state.

SECTION 2. That Section 67-5902, Idaho Code, be, and the same is hereby amended to read as follows:

**67-5902. DEFINITIONS.** In this act, unless the context otherwise requires:

(1) "Commission" means the commission on human rights created by this act;

(2) "Commissioner" means a member of the commission;

(3) "Discriminatory practice" means a practice designated as discriminatory under the terms of this act;

(4) "National origin" includes the national origin of an ancestor;

(5) "Person" includes an individual, association, corporation, joint apprenticeship committee, joint-stock company, labor union, legal representative, mutual company, partnership, any other legal or commercial entity, the state, or any governmental entity or agency;

(6) "Employer" means a person who has ten (10) or more employees ~~or--a-person-who-as-contractor-or-subcontractor-is-furnishing-material or-performing-work-for-the-state-or-a-governmental-entity-or-agency-of the-state-and-includes-an-agent-of-such-a-person~~ for each working day in each of twenty (20) or more calendar weeks in the current or preceding calendar year. The term also means;

(a) a person who as contractor or subcontractor is furnishing material or performing work for the state;

(b) agency of or any governmental entity within the state; and

(c) any agent of such employer;

(7) "Employment agency" means a person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person;

(8) "Labor organization" includes;

(a) an organization of any kind, an agency or employee representation committee, group, association, or plan in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievance, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment;

(b) a conference, general committee, joint or system board, or joint council which is subordinate to a national or international labor organization; or

(c) an agent of a labor organization.

(9) "Place of public accommodation" means a business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public;

(10) "Educational institution" means a public or private insti-



tution and includes an academy, college, elementary or secondary school, extension course, kindergarten, nursery, school system, or university and a business, nursing, professional, secretarial, technical, or vocational school; and includes an agent of an educational institution;

(11) "Real property" includes buildings, structures, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal or any interest therein;

(12) "Real estate transaction" includes the sale, exchange, rental or lease of real property;

(13) "Housing accommodation" includes any improved or unimproved real property, or part thereof, which is used or occupied, or as the home or residence of one or more individuals;

(14) "Real estate broker or salesman" means a person, whether licensed or not, who, for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself out as engaged in these activities, or who negotiates or attempts to negotiate a loan secured or to be secured by mortgage or other encumbrance upon real property, or who is engaged in the business of listing real property in a publication; or a person employed by or acting on behalf of any of these.

SECTION 3. That Section 67-5909, Idaho Code, be, and the same is hereby amended to read as follows:

**67-5909. ACTS PROHIBITED.** It shall be a prohibited act to discriminate against a person because of, or on a basis of, race, color, religion, sex or national origin, in any of the following and on the basis of age in subsections (1), (2), (3) and (4) following:

(1) For an employer to fail or refuse to hire, to discharge, or to otherwise discriminate against an individual with respect to compensation or the terms, conditions or privileges of employment or to reduce the wage of any employee in order to comply with this act;

(2) For an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against an individual or to classify or refer an individual for employment;

(3) For a labor organization;

(a) to exclude or to expel from membership, or to otherwise discriminate against, a member or applicant for membership,

(b) to limit, segregate or classify membership, or to fail or refuse to refer for employment an individual in any way,

1. which would deprive an individual of employment opportunities, or

2. which would limit employment opportunities or adversely affect the status of an employee or of an applicant for employment, or

(c) to cause or attempt to cause an employer to violate this act.

(4) For an employer labor organization or employment agency to print or publish or cause to be printed or published a notice or advertisement relating to employment by the employer or membership in or a classification or referral for employment by the labor organiza-



tion, or relating to a classification or referral for employment by an employment agency, indicating a preference, limitation, specification or discrimination; but a notice or advertisement may indicate a preference limitation, specification, or discrimination when such is a bona fide occupational qualification for employment;

(5) For a person;

(a) to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation, or

(b) to print, circulate, post, or mail or otherwise cause to be published a statement, advertisement or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages of a place of public accommodation will be refused, withheld from, or denied an individual or that an individual's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable, or undesirable.

(6) For an educational institution;

(a) to exclude, expel, limit, or otherwise discriminate against an individual seeking admission as a student or an individual enrolled as a student in the terms, conditions, and privileges of the institution, or

(b) to make or use a written or oral inquiry or form of application for admission that elicits or attempts to elicit information, or to make or keep a record, of an applicant for admission, except as permitted by the regulations of the commission,

(c) to print or publish or cause to be printed or published a catalogue or other notice or advertisement indicating a preference, limitation, specification, discrimination of an applicant for admission, or

(d) to announce or follow a policy of denial or limitation through a quota or otherwise of educational opportunities of a group or its members.

(7) For an owner or any other person engaging in a real estate transaction, or for a real estate broker or salesman;

(a) to refuse to engage in a real estate transaction with a person,

(b) to discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith,

(c) to refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person,

(d) to refuse to negotiate a real estate transaction with a person,

(e) to represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or to fail to bring a property listing to his attention, or to refuse to permit him to inspect real property,

(f) to print, circulate, post or mail or cause to be so published a statement, advertisement or sign, or to use a form of application for a real estate transaction, or to make a record or inquiry in connection with a prospective real estate transaction, which indicates, directly or indirectly, an intent to make a limitation,



specification, or discrimination with respect thereto, or

(g) to offer, solicit, accept, use or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection therewith.

(8) For a person to whom application is made for financial assistance in connection with a real estate transaction or for the construction, rehabilitation, repair, maintenance, or improvement of real property, or a representative of such a person;

(a) to discriminate against the applicant,

(b) to use a form of application for financial assistance or to make or keep a record or inquiry in connection with applications for financial assistance which indicates directly or indirectly, an intent to make a limitation, specification, or discrimination.

(9) To insert in a written instrument relating to real property a provision which purports to forbid or restrict the conveyance, encumbrance, occupancy or lease thereof;

(10) For a person for the purpose of inducing a real estate transaction from which he may benefit financially;

(a) to represent that a change has occurred or will or may occur in the composition of the owners or occupants in the block, neighborhood, or area in which the real property is located, or

(b) to represent that this change will or may result in the lowering of property values, an increase in criminal or anti-social behavior, or a decline in the quality of schools in the block, neighborhood, or area in which the real property is located.

SECTION 4. That Section 67-5910, Idaho Code, be, and the same is hereby amended to read as follows:

**67-5910. ACTS-EXEMPTED LIMITATIONS.** (1) This act does not apply to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by the corporation, association, or society of its religious activities.

(2) It is not a discriminatory practice;

(a) for an employer to employ an employee, or an employment agency to classify or refer for employment an individual, for a labor organization to classify its membership or to classify or refer for employment an individual, or for an employer, labor organization, or joint labor-management committee controlling an apprenticeship or other training or retraining program, on the basis of his religion, sex, ~~or~~ national origin, or age if religion, sex, ~~or~~ national origin, or age is a bona fide occupational qualification reasonably necessary to the normal operation of the business or enterprise, or

(b) for an employer, employment agency, or labor organization to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as a retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this act, except that no such employee benefit plan shall excuse the failure to hire any individual, and no such seniority system or employee



benefit plan shall require or permit involuntary retirement of any individual specified by section 67-5910(7), Idaho Code, of this act because of the age of such individual; however, the prohibition against age discrimination contained in this act shall not be construed to prohibit compulsory retirement if such retirement is permitted under the terms of 29 USC, section 631(c)(1) and (2), or (c) for a religious educational institution or an educational organization to limit employment or give preference to members of the same religion.

(3) This act does not apply to a private club, or other establishment not in fact open to the public, except to the extent that the goods, services, facilities, privileges, advantages or accommodations of the establishment are made available to the customers or patrons of another establishment that is a place of public accommodation.

(4) Notwithstanding any other provisions of this act, it is not a discriminatory practice for;

(a) a religious educational institution or an educational institution operated, supervised, or controlled by a religious institution (operated, supervised, or controlled by a religious institution) or organization to limit admission or give preference to applicants of the same religion, or

(b) an educational institution to accept and administer an inter vivos or testamentary gift upon the terms and conditions prescribed by the donor.

(5) The provisions of section 67-5909(7) do not apply;

(a) to the rental of a housing accommodation in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the lessor or a member of his family resides in one (1) of the housing accommodations, or

(b) to the rental of a room or rooms in a housing accommodation by an individual if he or a member of his family resides therein.

(6) It is not a discriminatory practice for a religious institution or organization or a charitable or educational organization operated, supervised or controlled by a religious institution or organization to give preference to members of the same religion in a real property transaction.

(7) The prohibitions against discrimination based on age contained in this act shall be limited to individuals who are at least forty (40) years of age but less than seventy (70) years of age.

SECTION 5. That Chapter 59, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-5911, Idaho Code, and to read as follows:

**67-5911. REPRISALS FOR OPPOSING UNLAWFUL PRACTICES.** It shall be unlawful for an employer, employment agency, or labor organization to discriminate against any individual because he or she has opposed any practice made unlawful by this act or because such individual has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under this act.

SECTION 6. That Section 44-1701, Idaho Code, be, and the same is

## IN THE HOUSE OF REPRESENTATIVES

## HOUSE BILL NO. 503

## BY STATE AFFAIRS COMMITTEE

## AN ACT

1  
2 RELATING TO AGE DISCRIMINATION IN EMPLOYMENT; AMENDING SECTION 67-5901,  
3 IDAHO CODE, TO PROVIDE REFERENCES; AMENDING SECTION 67-5902, IDAHO  
4 CODE, TO REDEFINE EMPLOYER; AMENDING SECTION 67-5909, IDAHO CODE, TO  
5 INCLUDE AGE DISCRIMINATION IN ACTS PROHIBITED; AMENDING SECTION  
6 67-5910, IDAHO CODE, TO PROVIDE LIMITATIONS; AMENDING CHAPTER 59, TITLE  
7 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5911, IDAHO CODE,  
8 TO PROHIBIT REPRISALS FOR OPPOSING UNLAWFUL PRACTICES; AMENDING SECTION  
9 44-1701, IDAHO CODE, TO REDEFINE DIRECTOR; AND REPEALING CHAPTER 16,  
10 TITLE 44, IDAHO CODE.

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

12 SECTION 1. That Section 67-5901, Idaho Code, be, and the same is  
13 hereby amended to read as follows:

14 67-5901. PURPOSE OF ACT. The general purposes of this act are:

15 (1) To provide for execution within the state of the policies embodied  
16 in the federal Civil Rights Act of ~~1965-and-to-make-uniform-the-laws-of~~  
17 ~~those-states-which-enact-this-act;~~ 1964, as amended, and the Age Discrimi-  
18 nation in Employment Act of 1967, as amended.

19 (2) To secure for all individuals within the state freedom from dis-  
20 crimination because of race, color, religion, sex or national origin in  
21 connection with employment, public accommodations, education and real prop-  
22 erty transactions, and discrimination because of sex age in connection with  
23 employment, and thereby to protect their interest in personal dignity, to  
24 make available to the state their full productive capacities, to secure the  
25 state against domestic strife and unrest, to preserve the public safety,  
26 health, and general welfare, and to promote the interests, rights and  
27 privileges of individuals within the state.

28 SECTION 2. That Section 67-5902, Idaho Code, be, and the same is  
29 hereby amended to read as follows:

30 67-5902. DEFINITIONS. In this act, unless the context otherwise  
31 requires:

32 (1) "Commission" means the commission on human rights created by this  
33 act;

34 (2) "Commissioner" means a member of the commission;

35 (3) "Discriminatory practice" means a practice designated as discrimi-  
36 natory under the terms of this act;

37 (4) "National origin" includes the national origin of an ancestor;

38 (5) "Person" includes an individual, association, corporation, joint  
39 apprenticeship committee, joint-stock company, labor union, legal repre-  
40 sentative, mutual company, partnership, any other legal or commercial  
41 entity, the state, or any governmental entity or agency;

42 (6) "Employer" means a person who has ten (10) or more employees or--a



1 person--who--as--contractor-or-subcontractor-is-furnishing-material-or-per-  
 2 forming-work-for-the-state-or-a-governmental-entity-or-agency-of-the--state  
 3 and--includes--an--agent--of--such-a-person for each working day in each of  
 4 twenty (20) or more calendar weeks in the current or preceding calendar  
 5 year. The term also means;

6 (a) a person who as contractor or subcontractor is furnishing material  
 7 or performing work for the state;

8 (b) agency of or any governmental entity within the state; and

9 (c) any agent of such employer;.

10 (7) "Employment agency" means a person regularly undertaking with or  
 11 without compensation to procure employees for an employer or to procure for  
 12 employees opportunities to work for an employer and includes an agent of  
 13 such a person;

14 (8) "Labor organization" includes;

15 (a) an organization of any kind, an agency or employee representation  
 16 committee, group, association, or plan in which employees participate  
 17 and which exists for the purpose, in whole or in part, of dealing with  
 18 employers concerning grievance, labor disputes, wages, rates of pay,  
 19 hours, or other terms or conditions of employment;

20 (b) a conference, general committee, joint or system board, or joint  
 21 council which is subordinate to a national or international labor orga-  
 22 nization; or

23 (c) an agent of a labor organization.

24 (9) "Place of public accommodation" means a business, accommodation,  
 25 refreshment, entertainment, recreation, or transportation facility of any  
 26 kind, whether licensed or not, whose goods, services, facilities, privi-  
 27 leges, advantages or accommodations are extended, offered, sold, or other-  
 28 wise made available to the public;

29 (10) "Educational institution" means a public or private institution  
 30 and includes an academy, college, elementary or secondary school, extension  
 31 course, kindergarten, nursery, school system, or university and a business,  
 32 nursing, professional, secretarial, technical, or vocational school; and  
 33 includes an agent of an educational institution;

34 (11) "Real property" includes buildings, structures, real estate,  
 35 lands, tenements, leaseholds, interests in real estate cooperatives, con-  
 36 dominiums, and hereditaments, corporeal and incorporeal or any interest  
 37 therein;

38 (12) "Real estate transaction" includes the sale, exchange, rental or  
 39 lease of real property;

40 (13) "Housing accommodation" includes any improved or unimproved real  
 41 property, or part thereof, which is used or occupied, or as the home or  
 42 residence of one or more individuals;

43 (14) "Real estate broker or salesman" means a person, whether licensed  
 44 or not, who, for or with the expectation of receiving a consideration,  
 45 lists, sells, purchases, exchanges, rents, or leases real property, or who  
 46 negotiates or attempts to negotiate any of these activities, or who holds  
 47 himself out as engaged in these activities, or who negotiates or attempts  
 48 to negotiate a loan secured or to be secured by mortgage or other encum-  
 49 brance upon real property, or who is engaged in the business of listing  
 50 real property in a publication; or a person employed by or acting on behalf  
 51 of any of these.



1       SECTION 3. That Section 67-5909, Idaho Code, be, and the same is  
2 hereby amended to read as follows:

3       67-5909. ACTS PROHIBITED. It shall be a prohibited act to discriminate  
4 against a person because of, or on a basis of, race, color, religion, sex  
5 or national origin, in any of the following and on the basis of age in sub-  
6 sections (1), (2), (3) and (4) following:

7       (1) For an employer to fail or refuse to hire, to discharge, or to  
8 otherwise discriminate against an individual with respect to compensation  
9 or the terms, conditions or privileges of employment or to reduce the wage  
10 of any employee in order to comply with this act;

11       (2) For an employment agency to fail or refuse to refer for employ-  
12 ment, or otherwise to discriminate against an individual or to classify or  
13 refer an individual for employment;

14       (3) For a labor organization;

15       (a) to exclude or to expel from membership, or to otherwise discrimi-  
16 nate against, a member or applicant for membership,

17       (b) to limit, segregate or classify membership, or to fail or refuse  
18 to refer for employment an individual in any way,

19           1. which would deprive an individual of employment opportunities,  
20 or

21           2. which would limit employment opportunities or adversely affect  
22 the status of an employee or of an applicant for employment, or

23       (c) to cause or attempt to cause an employer to violate this act.

24       (4) For an employer labor organization or employment agency to print  
25 or publish or cause to be printed or published a notice or advertisement  
26 relating to employment by the employer or membership in or a classification  
27 or referral for employment by the labor organization, or relating to a  
28 classification or referral for employment by an employment agency, indi-  
29 cating a preference, limitation, specification or discrimination; but a  
30 notice or advertisement may indicate a preference limitation, specifica-  
31 tion, or discrimination when such is a bona fide occupational qualification  
32 for employment;

33       (5) For a person;

34       (a) to deny an individual the full and equal enjoyment of the goods,  
35 services, facilities, privileges, advantages and accommodations of a  
36 place of public accommodation, or

37       (b) to print, circulate, post, or mail or otherwise cause to be pub-  
38 lished a statement, advertisement or sign which indicates that the full  
39 and equal enjoyment of the goods, services, facilities, privileges,  
40 advantages of a place of public accommodation will be refused, withheld  
41 from, or denied an individual or that an individual's patronage of or  
42 presence at a place of public accommodation is objectionable,  
43 unwelcome, unacceptable, or undesirable.

44       (6) For an educational institution;

45       (a) to exclude, expel, limit, or otherwise discriminate against an  
46 individual seeking admission as a student or an individual enrolled as  
47 a student in the terms, conditions, and privileges of the institution,  
48 or

49       (b) to make or use a written or oral inquiry or form of application  
50 for admission that elicits or attempts to elicit information, or to  
51 make or keep a record, of an applicant for admission, except as permit-

1       ted by the regulations of the commission,

2       (c) to print or publish or cause to be printed or published a  
3       catalogue or other notice or advertisement indicating a preference,  
4       limitation, specification, discrimination of an applicant for admis-  
5       sion, or

6       (d) to announce or follow a policy of denial or limitation through a  
7       quota or otherwise of educational opportunities of a group or its mem-  
8       bers.

9       (7) For an owner or any other person engaging in a real estate trans-  
10      action, or for a real estate broker or salesman;

11      (a) to refuse to engage in a real estate transaction with a person,

12      (b) to discriminate against a person in the terms, conditions or  
13      privileges of a real estate transaction or in the furnishing of facili-  
14      ties or services in connection therewith,

15      (c) to refuse to receive or to fail to transmit a bona fide offer to  
16      engage in a real estate transaction from a person,

17      (d) to refuse to negotiate a real estate transaction with a person,

18      (e) to represent to a person that real property is not available for  
19      inspection, sale, rental, or lease when in fact it is so available, or  
20      to fail to bring a property listing to his attention, or to refuse to  
21      permit him to inspect real property,

22      (f) to print, circulate, post or mail or cause to be so published a  
23      statement, advertisement or sign, or to use a form of application for a  
24      real estate transaction, or to make a record or inquiry in connection  
25      with a prospective real estate transaction, which indicates, directly  
26      or indirectly, an intent to make a limitation, specification, or dis-  
27      crimination with respect thereto, or

28      (g) to offer, solicit, accept, use or retain a listing of real prop-  
29      erty with the understanding that a person may be discriminated against  
30      in a real estate transaction or in the furnishing of facilities or ser-  
31      vices in connection therewith.

32      (8) For a person to whom application is made for financial assistance  
33      in connection with a real estate transaction or for the construction, reha-  
34      bilitation, repair, maintenance, or improvement of real property, or a  
35      representative of such a person;

36      (a) to discriminate against the applicant,

37      (b) to use a form of application for financial assistance or to make  
38      or keep a record or inquiry in connection with applications for finan-  
39      cial assistance which indicates directly or indirectly, an intent to  
40      make a limitation, specification, or discrimination.

41      (9) To insert in a written instrument relating to real property a  
42      provision which purports to forbid or restrict the conveyance, encumbrance,  
43      occupancy or lease thereof;

44      (10) For a person for the purpose of inducing a real estate trans-  
45      action from which he may benefit financially;

46      (a) to represent that a change has occurred or will or may occur in  
47      the composition of the owners or occupants in the block, neighborhood,  
48      or area in which the real property is located, or

49      (b) to represent that this change will or may result in the lowering  
50      of property values, an increase in criminal or anti-social behavior, or  
51      a decline in the quality of schools in the block, neighborhood, or area  
52      in which the real property is located.

SECTION 4. That Section 67-5910, Idaho Code, be, and the same is hereby amended to read as follows:

67-5910. ACTS-EXEMPTED LIMITATIONS. (1) This act does not apply to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by the corporation, association, or society of its religious activities.

(2) It is not a discriminatory practice;

(a) for an employer to employ an employee, or an employment agency to classify or refer for employment an individual, for a labor organization to classify its membership or to classify or refer for employment an individual, or for an employer, labor organization, or joint labor-management committee controlling an apprenticeship or other training or retraining program, on the basis of his religion, sex, or national origin, or age if religion, sex, or national origin, or age is a bona fide occupational qualification reasonably necessary to the normal operation of the business or enterprise, or

(b) for an employer, employment agency, or labor organization to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as a retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this act, except that no such employee benefit plan shall excuse the failure to hire any individual, and no such seniority system or employee benefit plan shall require or permit involuntary retirement of any individual specified by section 67-5910(7), Idaho Code, of this act because of the age of such individual; however, the prohibition against age discrimination contained in this act shall not be construed to prohibit compulsory retirement if such retirement is permitted under the terms of 29 USC, section 631(c)(1) and (2), or

(c) for a religious educational institution or an educational organization to limit employment or give preference to members of the same religion.

(3) This act does not apply to a private club, or other establishment not in fact open to the public, except to the extent that the goods, services, facilities, privileges, advantages or accommodations of the establishment are made available to the customers or patrons of another establishment that is a place of public accommodation.

(4) Notwithstanding any other provisions of this act, it is not a discriminatory practice for;

(a) a religious educational institution or an educational institution operated, supervised, or controlled by a religious institution (operated, supervised, or controlled by a religious institution) or organization to limit admission or give preference to applicants of the same religion, or

(b) an educational institution to accept and administer an inter vivos or testamentary gift upon the terms and conditions prescribed by the donor.

(5) The provisions of section 67-5909(7) do not apply;

(a) to the rental of a housing accommodation in a building which contains housing accommodations for not more than two (2) families living

SECTION 4. That Section 67-5910, Idaho Code, be, and the same is hereby amended to read as follows:

67-5910. ACTS-EXEMPTED LIMITATIONS. (1) This act does not apply to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by the corporation, association, or society of its religious activities.

(2) It is not a discriminatory practice;

(a) for an employer to employ an employee, or an employment agency to classify or refer for employment an individual, for a labor organization to classify its membership or to classify or refer for employment an individual, or for an employer, labor organization, or joint labor-management committee controlling an apprenticeship or other training or retraining program, on the basis of his religion, sex, or national origin, or age if religion, sex, or national origin, or age is a bona fide occupational qualification reasonably necessary to the normal operation of the business or enterprise, or

(b) for an employer, employment agency, or labor organization to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as a retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this act, except that no such employee benefit plan shall excuse the failure to hire any individual, and no such seniority system or employee benefit plan shall require or permit involuntary retirement of any individual specified by section 67-5910(7), Idaho Code, of this act because of the age of such individual; however, the prohibition against age discrimination contained in this act shall not be construed to prohibit compulsory retirement if such retirement is permitted under the terms of 29 USC, section 631(c)(1) and (2), or

(c) for a religious educational institution or an educational organization to limit employment or give preference to members of the same religion.

(3) This act does not apply to a private club, or other establishment not in fact open to the public, except to the extent that the goods, services, facilities, privileges, advantages or accommodations of the establishment are made available to the customers or patrons of another establishment that is a place of public accommodation.

(4) Notwithstanding any other provisions of this act, it is not a discriminatory practice for;

(a) a religious educational institution or an educational institution operated, supervised, or controlled by a religious institution (operated, supervised, or controlled by a religious institution) or organization to limit admission or give preference to applicants of the same religion, or

(b) an educational institution to accept and administer an inter vivos or testamentary gift upon the terms and conditions prescribed by the donor.

(5) The provisions of section 67-5909(7) do not apply;

(a) to the rental of a housing accommodation in a building which contains housing accommodations for not more than two (2) families living

1 independently of each other, if the lessor or a member of his family  
2 resides in one (1) of the housing accommodations, or

3 (b) to the rental of a room or rooms in a housing accommodation by an  
4 individual if he or a member of his family resides therein.

5 (6) It is not a discriminatory practice for a religious institution or  
6 organization or a charitable or educational organization operated, super-  
7 vised or controlled by a religious institution or organization to give  
8 preference to members of the same religion in a real property transaction.

9 (7) The prohibitions against discrimination based on age contained in  
10 this act shall be limited to individuals who are at least forty (40) years  
11 of age but less than seventy (70) years of age.

12 SECTION 5. That Chapter 59, Title 67, Idaho Code, be, and the same is  
13 hereby amended by the addition thereto of a NEW SECTION, to be known and  
14 designated as Section 67-5911, Idaho Code, and to read as follows:

15 67-5911. REPRISALS FOR OPPOSING UNLAWFUL PRACTICES. It shall be unlaw-  
16 ful for an employer, employment agency, or labor organization to discrimi-  
17 nate against any individual because he or she has opposed any practice made  
18 unlawful by this act or because such individual has made a charge, testi-  
19 fied, assisted, or participated in any manner in an investigation, proceed-  
20 ing, or litigation under this act.

21 SECTION 6. That Section 44-1701, Idaho Code, be, and the same is  
22 hereby amended to read as follows:

23 44-1701. DEFINITIONS. As used in this act:

24 (1) "Employee" means any individual employed by an employer, including  
25 individuals employed by the state or any of its political subdivisions.

26 (2) "Employer" includes any person acting directly or indirectly in  
27 the interest of an employer in relation to an employee.

28 (3) "Wage rate" means all compensation for employment, including pay-  
29 ment in kind and amounts paid by employers for employee benefits, as  
30 defined by the director in regulations issued under this act.

31 (4) "Employ" includes to suffer or permit to work.

32 (5) "Occupation" includes any industry, trade, business or branch  
33 thereof, or any employment or class of employment.

34 (6) "Director" means the director of the ~~department--of--labor--and~~  
35 ~~industrial-services~~ human rights commission.

36 SECTION 7. That Chapter 16, Title 44, Idaho Code, be, and the same is  
37 hereby repealed.



**H503 EMPLOYMENT** - Amends and adds to existing law to prohibit age discrimination in employment based on the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to provide that the Director of the Human Rights Commission rather than the Director of the Department of Labor and Industrial Services has powers and duties with respect to unlawful pay practices.

By.....State Affairs

1/20 House intro - 1st rdg - to printing  
1/25 Rpt prt - to St Aff  
2/15 Rpt out - rec d/p - to 2nd rdg  
2/16 2nd rdg - to 3rd rdg  
2/17 3rd rdg - PASSED - 48-21-1  
NAYS -- Antone, Bateman, Brackett, Brooks, Edwards, Fuller, Geddes, Golder, Hollifield, Infanger, Johnson (29), Jones, Knigge, Munger, Neibaur, Sessions, Stivers, Stucki, Tibbitts, Winchester, Mr. Speaker.  
Absent and excused -- Keeton.  
Title apvd - to Senate  
2/18 Senate intro - 1st rdg - to St Aff  
3/1 Rpt out - rec d/p - to 2nd rdg  
3/2 2nd rdg - to 3rd rdg  
3/8 3rd rdg - PASSED - 34-0-1  
NAYS -- none.  
Absent and excused -- Merrill.  
Title apvd - to House  
./9 To enrol  
3/10 Rpt enrol - Sp signed  
3/11 Pres signed  
3/12 To Governor  
3/17 Governor signed  
Session Law Chapter 83  
Effective: 7-1-82

**H504 BEER** - Amends existing law to define the term "trade area" for beer distributors and wholesalers in relation to the posting of prices.

By.....State Affairs

1/20 House intro - 1st rdg - to printing  
1/21 Rpt prt - to St Aff  
2/4 Rpt out - rec d/p - to 2nd rdg  
2/5 2nd rdg - to 3rd rdg  
2/8 3rd rdg - PASSED - 57-9-4  
NAYS -- Bengson, Boyd, Bunting, Fuller, Gilbert, Hooper, Infanger, Kearnes, Tibbitts.  
Absent and excused -- Barlow, Keeton, Lacy, Mr. Speaker.  
Title apvd - to Senate  
2/9 Senate intro - 1st rdg - to St Aff  
3/2 Rpt out - rec d/p - to 2nd rdg  
3/3 2nd rdg - to 3rd rdg  
3/8 3rd rdg - FAILED - 13-21-1  
AYES -- Abrahams, Budge, Crystal, Fairchild, Little, Moore, Parry, Peavey, Ricks, Steen, Swenson, Williams, Yarbrough.  
Absent and excused -- Merrill.  
To Chief Clerk

**H505 GAMBLING** - Adds to and amends existing law to prohibit gambling on premises licensed for the sale of beer.

By.....State Affairs

1/20 House intro - 1st rdg - to printing  
1/25 Rpt prt - to St Aff

**H506 GOVERNOR -- LEGISLATORS -- SECURITY** - Amends existing law to allow the Department of Law Enforcement to provide security and protection for the Governor, the Governor's family and both houses of the Legislature while in session.

By.....State Affairs

1/20 House intro - 1st rdg - to printing

1/21 Rpt prt - to St Aff  
2/11 Rpt out - rec d/p - to 2nd rdg  
2/12 2nd rdg - to 3rd rdg  
2/15 3rd rdg - PASSED - 53-13-4  
NAYS -- Barlow, Bateman, Gilbert, Gwartney, Higgins, Horsch, Keeton, Stephenson, Stoicheff, Strasser, Trillhaase, Winchester, Mr. Speaker.  
Absent and excused -- Danielson, Davidson, Fullmer, McDermott.  
Title apvd - to Senate  
2/16 Senate intro - 1st rdg - to St Aff  
2/19 Rpt out - rec d/p - to 2nd rdg  
2/22 2nd rdg - to 3rd rdg  
2/25 3rd rdg - PASSED - 20-12-3  
NAYS -- Auld, Beitelspacher, Budge, Floyd, Klein, Moore, Parry, Steen, Sverdsten, Watkins, Williams, Yarbrough.  
Absent and excused -- Brassey, Marley, Van Engelen.  
Title apvd - to House  
2/26 To enrol  
3/1 Rpt enrol - Sp signed  
3/2 Pres signed  
3/3 To Governor  
3/4 Governor signed  
Session Law Chapter 30  
Effective: 3-4-82

**H507 BARTENDERS** - Repeals existing law to eliminate the licensure of bartenders.

By.....State Affairs

1/20 House intro - 1st rdg - to printing  
1/21 Rpt prt - to St Aff  
2/11 Rpt out - rec d/p - to 2nd rdg  
2/12 2nd rdg - to 3rd rdg  
2/15 3rd rdg - PASSED - 40-28-2  
NAYS -- Barlow, Bateman, Bengson, Chatburn, Edwards, Emery, Geddes, Golder, Hale, Hammond, Horsch, Infanger, Johnson (29), Jones, Montgomery, Munger, Neibaur, Orme, Parks, Paxman, Sessions, Sharp, Smyser, Stephenson, Strasser, Stucki, Tibbitts, Winchester.  
Absent and excused -- Danielson, Fullmer.  
Title apvd - to Senate  
2/16 Senate intro - 1st rdg - to St Aff  
2/25 Rpt out - rec d/p - to 2nd rdg  
2/26 2nd rdg - to 3rd rdg  
3/1 3rd rdg - FAILED - 15-20-0  
AYES -- Abrahams, Beitelspacher, Bradshaw, Clemm, Fairchild, Gould, Kiebert, Lannen, Little, Mitchell, Noh, Peavey, Steen, Sverdsten, Van Engelen.  
Absent and excused -- none.  
Hld for reconsideration  
3/2 Reconsidered - PASSED - 24-11-0  
NAYS -- Budge, Crystal, Klein, Merrill, Parry, Ricks, Risch, Steen, Watkins, Williams, Yarbrough.  
Absent and excused -- none.  
Title apvd - to House  
3/3 To enrol  
3/4 Rpt enrol - Sp signed - Pres signed  
3/5 To Governor  
3/10 Governor signed  
Session Law Chapter 45  
Effective: 7-1-82

**H508 REAL ESTATE** - Adds to existing law to provide for the payment of interest on reserve accounts maintained in connection with certain real estate loans.

By.....Business

1/20 House intro - 1st rdg - to printing  
1/21 Rpt prt - to Bus  
2/4 Rpt out - rec d/p - to 2nd rdg  
2/5 2nd rdg - to 3rd rdg  
2/10 3rd rdg - PASSED - 35-29-6  
NAYS -- Adams, Antone, Bateman, Brackett, Braun,

## STATEMENT OF PURPOSE

RS 7437

Discrimination Statutes. The purpose of the legislation is to consolidate existing anti-discrimination statutes within one enforcement agency. This is effectuated by moving age and equal pay from Department of Labor to the Commission. A secondary purpose is to amend the age discrimination act to make it reasonably comparable in scope, in terms of persons covered, practices prohibited and remedies available to the federal Age Discrimination in Employment Act in order that the State may be eligible for a funded deferral status for age discrimination complaints filed with EEOC.

## FISCAL IMPACT

The transfer of age and equal pay statutes to the Commission will require the addition of 0.5 FTE (civil rights investigator). This should cost \$15,000 for all wages and benefits plus operating expenditures including long distance telephone and travel in FY 83. The revenue will be half general fund monies and half anticipated federal funds to be received for processing age discrimination complaints. The current reimbursement rate is \$375 per resolved complaint. \$5,000, of the \$7,500 in General Account is a transfer from the Department of Labor and Industrial Services.

- 485 (RS 7712) Stoicheff. Rev/Tax 2-2-82.
- 486 (RS 7733) Stoicheff. Rev/Tax 2-2-82.
- 487 (RS 7705) Jud 1-15-82; 2-11-82.  
Senate Jud 3-1-82; 3-5-82.
- 488 (RS 7579) Rev/Tax 1-18-82; 2-4-82.  
Senate Loc Gov 3-1-82; 3-3-82.
- 489 (RS 7587) Rev/Tax 1-18-82; 1-21-82.  
Senate Loc Gov 3-10-82.
- 490 (RS 7588) Rev/Tax 1-18-82; 1-21-82; 3-10-82.  
Senate Loc Gov 2-1-82; 2-3-82; 2-24-82; 3-1-82.
- 491 (RS 7714) Fullmer.
- 492 (RS 7709) Health/Wel 1-18-82; 2-8-82.  
Senate HEW 3-5-82.
- 493 (RS 7527) Loc Gov 1-18-82.
- 494 (RS 7666) Loc Gov 1-18-82; 3-2-82; 3-4-82.  
Senate Loc Gov 3-16-82 PM.
- 495 (RS 7676) Loc Gov 1-18-82.
- 496 (RS 7671) Loc Gov 1-18-82; 2-2-82.  
Senate Loc Gov 3-16-82 AM.
- 497 (RS 7526) Rev/Tax 1-19-82; 1-22-82; 1-26-82; 3-10-82.
- 498 (RS 7581) Rev/Tax 1-19-82; 1-22-82; 3-10-82.  
Senate Loc Gov 2-15-82.
- 499 (RS 7583) Rev/Tax 1-19-82; 1-22-82.  
Senate Loc Gov 2-8-82.
- 500 (RS 7584) Rev/Tax 1-19-82; 1-22-82.  
Senate Loc Gov 3-8-82.
- 501 (RS 7590) Rev/Tax 1-19-82; 2-3-82.  
Senate Loc Gov 3-12-82; 3-15-82.
- 502 (RS 7609) St Aff 1-19-82.  
Jud 2-23-82; 3-3-82.  
Senate St Aff 3-16-82.
- 503 (RS 7437) St Aff 1-19-82; 2-12-82.  
Senate St Aff 2-26-82.
- 504 (RS 7315) St Aff 1-19-82; 2-4-82.  
Senate St Aff 2-24-82; 3-1-82.



MINUTES OF THE MEETING OF THE STATE AFFAIRS COMMITTEE

Held Tuesday, January 19, 1982

TIME: 9:30 a.m.

PLACE: Room 412, Statehouse

PRESENT: Danielson Harris Hammond  
Kennevick Bateman Braun  
Chatburn Paxman Stoicheff  
Little Higgins  
Lewis Smyser  
Smith McDermott

ABSENT: Kearnes Montgomery  
Bunting  
Winchester

GUESTS: Mr. Dick Cade, Dept. of Law Enforcement  
Mr. Dick Burns, Dept. of Law Enforcement  
Ms. Marilyn Shuler, Human Rights Commission

The meeting was called to order by Chairman Danielson.

RS 7609: RELATING TO THREATS TOWARDS ELECTED OFFICIALS.  
Mr. Cade explained that this bill would provide that a first offense would be a misdemeanor and a second offense would be a felony. Rep. Higgins noted a spelling error on line 18.

MOTION: A motion was made by Representative Lewis to introduce RS 7609 after making the spelling correction. The motion was seconded by Rep. Harris. The Motion Carried.

RS 7653: WOULD REPEAL A SECTION OF THE IDAHO CODE DEALING WITH THE ISSUANCE AND USE OF BARTENDERS' PERMITS. Mr. Cade spoke in behalf of this legislation. He explained that as of October 1, 1982, the FBI will charge \$12.00 per applicant fingerprint card. All bartender permit holders are finger-printed. This would require a raising of the permit to \$15.00 per year. As other people serving drinks are not required to buy a permit, the law enforcement people would like to repeal this law.

MOTION: Representative Harris made a motion to introduce RS 7653. Rep. Braun seconded the motion. The Motion Carried.

RS 7662: WOULD EXPAND LAW ENFORCEMENT RESPONSIBILITIES TO INCLUDE SECURITY OF GOVERNOR AND IMMEDIATE FAMILY. Mr. Cade spoke for this bill, he mentioned several instances during the past year of threats or actual acts of violence. A discussion followed as to present security arrangement for the Governor.

MOTION: Representative Smyser moved to introduce RS 7662, Rep. Lewis seconded the motion. The Motion Carried.

RS 7664: WOULD PROHIBIT ANY FORM OF GAMING ON PREMISES LICENSED FOR THE SALE OF BEER. Mr. Cade explained that this would provide a new section into the beer code, would prohibit gambling on beer license premises. At present time the beer license is not affected by a gambling violation.

MOTION: Representative Harris moved to introduce RS 7664, Rep. Hammond seconded the motion. A division was called. 8 Yes, 7 No. The Motion Carried.

RS 7315: WOULD DEFINE TERM "TRADE AREA" IN RELATION TO POSTING PRICES BY WHOLESALE BEER VENDORS. Rep. Smyser explained that this bill would allow distributors to have an area. This legislation would give some guidance as the rural areas now are discriminated against.

MOTION: Representative McDermott made a motion to introduce RS 7315, Rep. Chatburn seconded the motion. The Motion Carried.

RS 7654C1: RELATING TO CONTROLLED SUBSTANCES - FORFEITURES. Mr. Burns spoke on this bill, would allow the criminal identification bureau to continue to provide fingerprint process services to those seeking employment in occupations requiring criminal record data. Rep. McDermott questioned the wording of this legislation.

MOTION: Rep. McDermott made a motion to return RS 7654C1 to the sponsor for redraft. Rep. Kennevik seconded the motion The Motion Carried. RS 7654C1 will be returned to sponsor.

RS 7437: RELATING TO AGE DISCRIMINATION IN EMPLOYMENT. Marilyn Shuler of the Human Rights Commission spoke for this bill, it would transfer existing employee discrimination cases from the Department of Labor to the Human Rights Commission. It would protect the older worker and put the state law in synchronization with Federal Law.

MOTION: Representative Harris made a motion to introduce RS 7437, Rep. McDermott seconded the motion. A Division was called 6 Yes, 4 No. The Motion Carried.

Chairman Danielson appointed the following subcommittees for Rules and Regulations.

Labor and Industrial Services

Representative Winchester                      Chairman  
Representative Lewis  
Representative Braun

Department of Employment

Representative Paxman                      Chairman  
Representative Harris  
Representative Hammond

State Liquor Dispensary

Representative Kearnes                      Chairman  
Representative Bateman  
Representative McDermott

Department of Lands

Representative Little                      Chairman  
Representative Chatburn  
Representative Smyser  
Representative Braun

Public Utilities Commission

Representative Montgomery                      Chairman  
Representative Hammond  
Representative Kennevik  
Representative Stoicheff

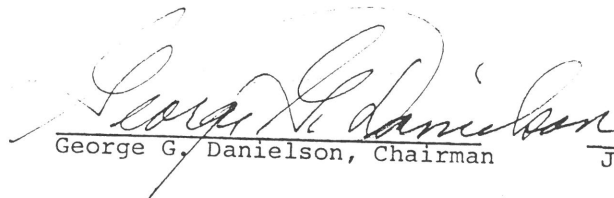
Dept. of Law Enforcement  
Horse Racing Commission

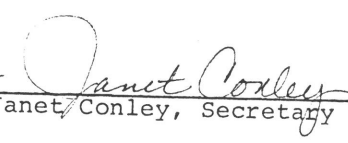
Representative Harris                      Chairman  
Representative Smith  
Representative Braun

Office of Governor  
Economic and Community Affairs

Representative Bunting                      Chairman  
Representative Harris  
Representative McDermott

There being no further business, the meeting was adjourned  
by the Chairman.

  
George G. Danielson, Chairman

  
Janet Conley, Secretary



MINUTES OF THE MEETING OF THE STATE AFFAIRS COMMITTEE

Held Friday, February 12, 1982

TIME: 9:30 a.m.

PLACE: Room 412, STATEHOUSE

PRESENT: Danielson Winchester Montgomery  
Kennevick Smith Smyser  
Little Harris McDermott  
Kearnes Bateman Braun  
Lewis Paxman Stoicheff  
Bunting Higgins

ABSENT: Chatburn  
Hammond

GUESTS: Marilyn Shuler, Human Rights Comm.  
Sam Nettinga, Dept. of Labor  
Jim Ware, Intermountain Gas  
Jim Fields, Idaho Assn. of Commerce and Industry  
Jim Bernau, National Fed. of Independent Business  
Gail Bray, League of Women Voters  
Lou Hammill, YWCA Womens' Crisis Center

The meeting was called to order by Chairman Danielson.  
Approval of the minutes of the meeting held February 12  
was requested.

MOTION: Representative Smith made a motion to accept the minutes as  
presented, Rep. Harris seconded the motion. The Motion Carried.

HB 503: RELATES TO AGE DISCRIMINATION IN EMPLOYMENT. Marilyn Shuler  
explained that this legislation would consolidate like functions  
of Labor Dept. and Human Rights Commission. It also places the  
Idaho age discrimination statute in conformance with the federal  
statute. This covers only people between ages of 40 and 70.  
Jim Ware explained that this law will eliminate the necessity  
of people having to deal with several agencies, which is time  
consuming and expensive.  
Jim Fields told the committee that his group supports HB 503.  
Jim Bernau spoke on behalf of small business, this group supports  
the bill, it would reduce complexity of laws for the small  
businessman.  
Gail Bray read a statement of support from League of Women Voters.  
Jack Farley stated that Idaho Senior Citizens are also in favor  
of HB 503.

MOTION: Representative McDermott made a motion to send HB 503 to the  
floor with a "DO PASS" Recommendation. Rep. Harris seconded  
the motion. The Motion Carried. Rep. McDermott and Rep. Bunting  
will sponsor HB 503 on the floor.

RS 7843: WOULD ESTABLISH DOMESTIC VIOLENCE GRANT BY PROVIDING AN ADDITIONAL  
FEE OF \$15.00 FOR EACH MARRIAGE LICENSE FOR THE PROJECT ACCOUNT.  
Lou Hammill of the YWCA Women's Crisis Center spoke for this  
legislation. She explained the network around the state sponsored  
by the YWCA. The Centers have sheltered 2,000 women in 1981 around  
the state. In Boise 148 women and 200 children in 18 months.  
She stated that the Centers are concerned about retaliatory  
contact rather than accidental. Because of the large amount of  
domestic disturbance calls involving assault and the constant  
cost to the community, it was decided to ask for State involve-  
ment. Mrs. Hammill pointed out two technical errors in the bill.

STATE AFFAIRS COMMITTEE

MINUTES

FEBRUARY 26, 1982

Rm 350, 4:00 p.m.

PRESENT: All members were present except for Senator Dobler.

Chairman Swenson called the meeting to order.

Senator Budge moved and Senator Yarbrough seconded the minutes of the previous meeting be approved as written. Motion carried.

Sam Kaufman was given time to speak to SJR 107, relating to pardoning powers. He said there was "fixed term sentencing" and that the judge has the power to fix a sentence, so wondering why this bill is needed. This bill would also restrict the commutation powers of the Commission by authorizing the sentencing court to prohibit any commutation of the sentence.

Senator Risch said that Mr. Kaufman should not object then to this bill if there is already "fixed term sentencing."

Mr. Kaufman said he objected to the bill because the fixed term takes place at the time of sentencing and after the man has served a period of time, he feels he should be allowed to come up for parole.

Senator Risch and Mr. Kaufman carried on a general discussion of the reasons behind this legislation and the need or not the need for it.

Mr. Kaufman feels the present law fully covers the situation and Senator Risch feels this is a law, SJR 107, that would be used very sparingly, but one that he feels is necessary considering the trend of parole boards today.

No further committee action was taken on SJR 107, which left it on the third reading of the calendar.

MOTION:

Senator Risch moved and Senator Kiebert seconded the appointment of Michael E. McNichols to the Judicial Council be sent out with a do confirm recommendation. Motion carried.

HB 593 SALARY SCHEDULE & A MINIMUM AGE AND ADMISSION TO PRACTICE REQUIREMENT FOR ATTORNEY AND NONATTORNEY MAGISTRATES.

Senator Swenson stated the Chairman of the Judiciary and Rules Committee had requested that this bill be returned to their Committee for action.

MOTION: Senator Risch moved and Senator Kiebert seconded this be returned to the Judiciary & Rules Committee. Motion carried.

HB 503 RELATING TO AGE DISCRIMINATION IN EMPLOYMENT.

Marilyn Shuler from the Human Rights Commission explained the legislation which would transfer anti-discrimination statutes from the Department of Labor to the Human Rights Commission.

MOTION: Senator Risch moved and Senator Yarbrough seconded this bill be sent out with a do pass recommendation. Motion carried.

SB 1408 COMPENSATION OF DIRECTORS OF IRRIGATION DISTRICTS.

Senator Swenson explained this would authorize the board of directors of an irrigation district to receive \$35 per day when attending meetings.

MOTION: Senator Steen moved and Senator Kiebert seconded this bill be sent out with a do pass recommendation. Motion carried.

SB 1407 TO ENABLE INSTITUTIONS OF HIGHER EDUCATION TO OBSERVE AN ALTERNATE DAY AS A HOLIDAY.

Senator Swenson explained this bill would allow the higher education institutions, on approval of the State Board of Education, to designate an alternative holiday when one falls on a day when classes are in session and thus the institutions must remain open.

MOTION: Senator Risch moved and Senator Kiebert seconded this bill go out with a do pass recommendation. Motion carried.

HB 567 COMPENSATION OF THE MEMBERS OF THE BOARD OF TAX APPEALS.

This legislation would increase the pay of the Tax commission from \$50 to \$75.



## HOUSE INDEX

House Bill No.	Introduced By	Intro- duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
501	Revenue and Taxation	20	INCOME TAX - Amends existing law to provide that the rate of interest on unpaid state income taxes shall be the same rate as applied to unpaid federal income taxes.	59	59	Senate Local Govern- ment and Taxation
502	State Affairs	22	CRIMINAL OFFENSES AND PROCEDURES - Adds to existing law to provide that it is a crime to threaten an elected state official of the executive branch of state government. (House Amendments -- p. 188)	324	336	Law
503	State Affairs	22	EMPLOYMENT - Amends and adds to existing law to prohibit age discrimination in employment based on the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to provide that the Director of the Human Rights Commission rather than the Director of the Department of Labor and Industrial Services has powers and duties with respect to unlawful pay practices.	102	270	Law
504	State Affairs	22	BEER - Amends existing law to define the term "trade area" for beer distributors and wholesalers in relation to the posting of prices.	64	192	Failed - Senate
505	State Affairs	22	GAMBLING - Adds to and amends existing law to prohibit gambling on premises licensed for the sale of beer.	---	28	House State Affairs
506	State Affairs	22	GOVERNOR -- LEGISLATORS -- SECURITY - Amends existing law to allow the Department of Law Enforcement to provide security and protection for the Governor, the Governor's family and both houses of the Legislature while in session.	91	178	Law
507	State Affairs	22	BARTENDERS - Repeals existing law to eliminate the licensure of bartenders.	92	208	Law
508	Business	22	REAL ESTATE - Adds to existing law to provide for the payment of interest on reserve accounts maintained in connection with certain real estate loans.	70	70	Senate Commerce and Labor
509	Business	22	INSURANCE - Amends existing law to provide that a statement regarding intent to defraud is optional on an insurance claims form.	39	326	Law
510	Education	22	LIBRARIES - Amends existing law to change the budget preparation date for regional library systems from the last day of October to the last day of April.	54	270	Law
511	Revenue and Taxation	23	INCOME TAX - Amends existing law to	39	208	Law

H 479, H 482 and H 483 and recommend that they do pass.

ANTONE, Chairman

HCR 29, HCR 30, H 479, H 482 and H 483 were filed for second reading.

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

Introduction, First Reading and Reference  
of Bills and Joint Resolutions

HOUSE BILL NO. 502

By State Affairs Committee

AN ACT

RELATING TO THREATS TOWARDS ELECTED OFFICIALS; AMENDING CHAPTER 13, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-1353A, IDAHO CODE, TO PROVIDE THAT IT IS A CRIME TO THREATEN ELECTED OFFICIALS AND TO PROVIDE THAT THE FIRST OFFENSE IS A MISDEMEANOR AND A SECOND OR SUBSEQUENT OFFENSE IS A FELONY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 503

By State Affairs Committee

AN ACT

RELATING TO AGE DISCRIMINATION IN EMPLOYMENT; AMENDING SECTION 67-5901, IDAHO CODE, TO PROVIDE REFERENCES; AMENDING SECTION 67-5902, IDAHO CODE, TO REDEFINE EMPLOYER; AMENDING SECTION 67-5909, IDAHO CODE, TO INCLUDE AGE DISCRIMINATION IN ACTS PROHIBITED; AMENDING SECTION 67-5910, IDAHO CODE, TO PROVIDE LIMITATIONS; AMENDING CHAPTER 59, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5911, IDAHO CODE, TO PROHIBIT REPRISALS FOR OPPOSING UNLAWFUL PRACTICES; AMENDING SECTION 44-1701, IDAHO CODE, TO REDEFINE DIRECTOR; AND REPEALING CHAPTER 16, TITLE 44, IDAHO CODE.

HOUSE BILL NO. 504

By State Affairs Committee

AN ACT

RELATING TO POSTING OF PRICES BY WHOLESALE BEER VENDORS; AMENDING SECTION 23-1029, IDAHO CODE, TO DEFINE THE TERM "TRADE AREA"; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 505

By State Affairs Committee

AN ACT

RELATING TO GAMBLING; AMENDING CHAPTER 10, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1019, IDAHO CODE, TO PROHIBIT ANY FORM OF GAMING ON PREMISES LICENSED FOR THE SALE OF BEER; AND AMENDING SECTION 23-1001, IDAHO CODE, TO DEFINE THE WORD "GAMING."

HOUSE BILL NO. 506

By State Affairs Committee

AN ACT

RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF LAW ENFORCEMENT; AMENDING SECTION 67-2901, IDAHO CODE, TO PROVIDE DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF LAW ENFORCEMENT RELATING TO THE SECURITY AND PROTECTION OF THE GOVERNOR AND THE GOVERNOR'S IMMEDIATE FAMILY, AND THE LEGISLATURE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 507

By State Affairs Committee

AN ACT

RELATING TO THE RETAIL SALE OF ALCOHOLIC BEVERAGES;

REPEALING SECTIONS 23-922, 23-922A, 23-924, 23-925 AND 23-925a, IDAHO CODE, RELATING TO THE ISSUANCE AND USE OF BARTENDERS' PERMITS.

HOUSE BILL NO. 508

By Business Committee

AN ACT

RELATING TO RESERVE ACCOUNTS; AMENDING TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW PART 1, CHAPTER 40, TITLE 28, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT; TO DEFINE TERMS; TO PROVIDE PAYMENT OF INTEREST ON RESERVE ACCOUNTS ESTABLISHED IN CONNECTION WITH CERTAIN REAL ESTATE LOANS AND TO PROVIDE EXCEPTIONS; TO PROVIDE THAT NOTICE BE GIVEN TO THE BORROWER; TO PROVIDE OPTIONS WHICH MAY BE OFFERED TO THE BORROWER AND TO PROVIDE DISCLOSURE; TO REQUIRE ANNUAL STATEMENTS BE FURNISHED BY THE LENDER; TO PROVIDE AN OBLIGATION TO PAY FROM A RESERVE ACCOUNT AND TO PROVIDE LIABILITY FOR NEGLIGENT FAILURE TO PAY; TO PROVIDE THE MAXIMUM AMOUNT OF REQUIRED DEPOSITS TO BE PLACED IN A RESERVE ACCOUNT; TO PROVIDE THE AMOUNT OF DAMAGES THAT MAY BE RECOVERED AND TO PROVIDE LIMITATIONS ON LIABILITY; TO PROVIDE LIMITATIONS ON RECOVERY FOR ACCOUNTS ESTABLISHED PRIOR TO JANUARY 1, 1983; TO PROVIDE APPLICABILITY OF THE CHAPTER; TO PROVIDE SEVERABILITY; AND TO PROVIDE AN EFFECTIVE DATE.

HOUSE BILL NO. 509

By Business Committee

AN ACT

RELATING TO INSURANCE TRADE PRACTICES; AMENDING SECTION 41-1331, IDAHO CODE, TO PROVIDE THAT A STATEMENT REGARDING INTENT TO DEFRAUD IS OPTIONAL ON A CLAIMS FORM.

HOUSE BILL NO. 510

By Education Committee

AN ACT

RELATING TO FINANCING OF REGIONAL LIBRARY SYSTEMS; AMENDING SECTION 33-2614, IDAHO CODE, TO CHANGE THE DATES FOR PREPARATION OF PRELIMINARY BUDGETS, PUBLICATION AND HEARINGS; AND DECLARING AN EMERGENCY.

H 502, H 503, H 504, H 505, H 506, H 507, H 508, H 509 and H 510 were introduced, read the first time at length, and referred to the Printing and Legislative Expense Committee.

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

Adjournment

Moved by Mr. Little that the House do now adjourn until 11:30 o'clock a.m., Thursday, January 21, 1982. Seconded by Mr. Hammond. Motion carried.

Whereupon the Speaker declared the House adjourned until 11:30 o'clock a.m., Thursday, January 21, 1982.

RALPH OLMSTEAD, Speaker

Attest:

PHYLLIS WATSON, Chief Clerk

H 593, as amended, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

H 480, as amended, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 595, as amended, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

### Third Reading of Bills and Joint Resolutions

H 676 was read the third time at length, section by section, and placed before the House for final consideration.

The question being, "Shall H 676 pass?"

Roll call resulted as follows:

AYES -- Adams, Antone, Barlow, Bateman, Bengson, Boyd, Brackett, Braun, Brooks, Bunting, Chatburn, Danielson, Davidson, Dean, Edwards, Emery, Geddes, Gilbert, Golder, Gurnsey, Gwartney, Hale, Hammond, Harris, Hedlund, Higgins, Hollifield, Hooper, Horsch, Horvath, Infanger, Isaac, Johnson (6), Johnson (29), Jones, Kearnes, Keeton, Kelly, Kenneville, Knigge, Lacy, Lewis, Little, Lucas, Lytle, McDermott, McLaughlin, Montgomery, Munger, Neibaur, Orme, Parks, Paxman, Reid, Scates, Sessions, Sharp, Smith, Smyser, Stephenson, Stivers, Stoicheff, Strasser, Stucki, Thomas, Tibbitts, Trillhaase, Winchester, Mr. Speaker. Total -- 69.

NAYS -- none.

Absent and excused -- Fullmer. Total -- 1.

Total -- 70.

Whereupon the Speaker declared H 676 passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Johnson (29) asked unanimous consent that HJR 13 be held on the Third Reading Calendar until Monday, February 22, 1982. There being no objection, it was so ordered.

H 503 was read the third time at length, section by section, and placed before the House for final consideration.

The question being, "Shall H 503 pass?"

Roll call resulted as follows:

AYES -- Adams, Barlow, Bengson, Boyd, Braun, Bunting, Chatburn, Danielson, Davidson, Dean, Emery, Gilbert, Gurnsey, Gwartney, Hale, Hammond, Harris, Hedlund, Higgins, Hooper, Horsch, Horvath, Isaac, Johnson (6), Kearnes, Kelly, Kenneville, Lacy, Lewis, Little, Lucas, Lytle, McDermott, McLaughlin, Montgomery, Orme, Parks, Paxman, Reid, Scates, Sharp, Smith, Smyser, Stephenson, Stoicheff, Strasser, Thomas, Trillhaase. Total -- 48.

NAYS -- Antone, Bateman, Brackett, Brooks, Edwards, Fullmer, Geddes, Golder, Hollifield, Infanger, Johnson (29), Jones, Knigge, Munger, Neibaur, Sessions, Stivers, Stucki, Tibbitts, Winchester, Mr. Speaker. Total -- 21.

Absent and excused -- Keeton. Total -- 1.

Paired vote:

AYE -- Barlow                      NAY -- Fullmer  
(Pair enumerated in roll call above.)  
Total -- 70.

Whereupon the Speaker declared H 503 passed the House. Title was approved and the bill ordered transmitted to the Senate.

Moved by Mr. Little that the House do now recess until 1:30 o'clock p.m. Seconded by Mr. Hammond. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 o'clock p.m.

### RECESS

### AFTERNOON SESSION

The House reconvened at 1:30 o'clock p.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused -- Fullmer, Geddes, Gurnsey, Stucki. Total -- 4.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

H 568, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

The question being, "Shall H 568, as amended, pass?"

Roll call resulted as follows:

AYES -- Adams, Antone, Barlow, Bateman, Bengson, Boyd, Brackett, Braun, Brooks, Bunting, Chatburn, Dean, Edwards, Emery, Fullmer, Gilbert, Golder, Gwartney, Hale, Hammond, Harris, Hedlund, Higgins, Hollifield, Hooper, Horsch, Horvath, Infanger, Isaac, Johnson (29), Jones, Kearnes, Keeton, Kelly, Kenneville, Knigge, Lacy, Lewis, Little, Lucas, McDermott, McLaughlin, Montgomery, Munger, Neibaur, Orme, Parks, Paxman, Reid, Scates, Sessions, Sharp, Smith, Smyser, Stephenson, Stivers, Strasser, Stucki, Thomas, Tibbitts, Trillhaase, Mr. Speaker. Total -- 62.

NAYS -- Danielson, Davidson, Geddes, Gurnsey, Johnson (6), Lytle, Stoicheff, Winchester. Total -- 8.

Absent and excused -- none.

Paired votes:

AYE -- Stucki                      NAY -- Geddes  
AYE -- Fullmer                    NAY -- Winchester  
AYE -- Bengson                    NAY -- Gurnsey  
(Pairs enumerated in roll call above.)  
Total -- 70.

Whereupon the Speaker declared H 568, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 487, as amended, was read the third time at



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

Adjournment

Moved by Mr. Little that the House do now adjourn until 9:00 o'clock a.m., Thursday, March 18, 1982. Seconded by Mr. Hammond. Motion carried.

Whereupon the Speaker declared the House adjourned until 9:00 o'clock a.m., Thursday, March 18, 1982.  
RALPH OLMSTEAD, Speaker

Attest:  
PHYLLIS WATSON, Chief Clerk

SIXTY-SEVENTH LEGISLATIVE DAY  
THURSDAY, MARCH 18, 1982

House of Representatives

The House convened at 9:00 o'clock a.m., the Speaker in the Chair.

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

Prayer was offered by Chaplain Donald Baird.

Approval of Journal

March 18, 1982

Mr. Speaker:

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

STIVERS, Chairman

Moved by Mr. Stivers that the report be adopted. Seconded by Miss McDermott. Report adopted.

Consideration of Messages from the Governor  
and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 17, 1982

The Honorable Ralph Olmstead  
Speaker of the House

Dear Mr. Speaker:

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

H 510  
H 503  
H 608, as amended  
H 568, as amended  
H 565  
H 566  
H 661  
H 679  
H 588, as amended

H 551  
H 578  
H 517  
H 516, as amended

Sincerely,  
/s/ JOHN V. EVANS  
GOVERNOR

OFFICE OF THE GOVERNOR  
Boise

March 18, 1982

The Honorable Ralph Olmstead  
Speaker of the House

Dear Mr. Speaker:

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

H 645

Sincerely,  
/s/ JOHN V. EVANS  
GOVERNOR

March 17, 1982

Mr. Speaker:

I return herewith H 732, H 809, H 710, H 763, H 593, as amended, H 535 and H 526 which have passed the Senate.

BAXTER, Secretary  
H 732, H 809, H 710, H 763, H 593, as amended, H 535 and H 526 were referred to the Judiciary, Rules and Administration Committee for enrolling.

Report of Standing Committees

March 18, 1982

Mr. Speaker:

We, your COMMITTEE ON PRINTING AND LEGISLATIVE EXPENSE, report that we have had correctly printed HCR 46, HCR 47, H 831 and H 832 and House Amendments to H 752, S 1258, S 1320, H 817 and H 826.

HALE, Chairman  
HCR 46 and H 832 were filed for second reading.  
HCR 47 was referred to the Health and Welfare Committee.

H 831 was referred to the State Affairs Committee.

March 18, 1982

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have correctly enrolled HJM 14, H 793, H 703, H 537, H 602, as amended, H 603, H 604, H 797, H 798, H 799, H 803, H 804, H 805, H 807, H 808, H 553, as amended in the Senate, H 662, as amended in the Senate, and H 618, as amended in the Senate.

STIVERS, Chairman  
The Speaker announced he was about to sign enrolled HJM 14, H 793, H 703, H 537, H 602, as amended, H 603, H 604, H 797, H 798, H 799, H 803, H 804, H 805, H 807, H 808, H 553, as amended in the Senate, H 662, as amended in the Senate, and H 618, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

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S 1394 and S 1395 were referred to the Finance Committee.

S 1396 was referred to the Judiciary and Rules Committee.

February 18, 1982

The JUDICIARY AND RULES Committee reports that Senate Amendments to H 530 and S 1285 have been correctly printed.

KLEIN, Chairman

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

February 18, 1982

The JUDICIARY AND RULES Committee reports that S 1285, as amended, has been correctly engrossed.

KLEIN, Chairman

S 1285, as amended, was filed for first reading.

February 17, 1982

The JUDICIARY AND RULES Committee reports that Enrolled S 1275 was delivered to the Office of the Governor at 1:30 p.m., February 17, 1982.

KLEIN, Chairman

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

February 17, 1982

The FINANCE Committee reports out H 670 with the recommendation that it do pass.

LITTLE, Chairman

H 670 was filed for second reading.

February 17, 1982

The FINANCE Committee reports out S 1384, S 1385, S 1386, S 1387, and S 1393 with the recommendation that they do pass.

LITTLE, Chairman

S 1384, S 1385, S 1386, S 1387, and S 1393 were filed for second reading.

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

#### Messages from the Governor

February 17, 1982

The Honorable Philip E. Batt  
President of the Senate  
State of Idaho  
Statehouse

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bills, to wit:

S 1266

Sincerely,  
/s/ JOHN V. EVANS  
GOVERNOR

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

#### Messages from the House

February 17, 1982

Mr. President:

I transmit herewith Enrolled H 478 for the signature of the

President, and I return herewith Enrolled S 1273 which have been signed by the Speaker.

WATSON, Chief Clerk

The President announced he was about to sign Enrolled H 478, and when so signed, ordered it returned to the House.

Enrolled S 1273 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

February 17, 1982

Mr. President:

I transmit herewith H 676, H 503, H 568, as amended, H 487, as amended, and H 608, as amended, which have passed the House.

WATSON, Chief Clerk

H 676, H 503, H 568, as amended, H 487, as amended, and H 608, as amended, were filed for first reading.

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

##### House Petitions, Resolutions and Memorials

S 1285, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

H 530, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

H 676, by Appropriations Committee, was introduced, read the first time at length and referred to the Finance Committee.

H 503, by State Affairs Committee, was introduced, read the first time at length and referred to the State Affairs Committee.

H 568, as amended, by Agricultural Affairs Committee, was introduced, read the first time at length and referred to the Agricultural Affairs Committee.

H 487, as amended, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length and referred to the Judiciary and Rules Committee.

H 608, as amended, by Revenue and Taxation Committee, was introduced, read the first time at length and referred to the Local Government and Taxation Committee.

#### Second Reading of Bills

S 1335, by Transportation Committee, was read the second time at length and filed for third reading.

H 556 and H 576, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

S 1287 and S 1299, by Commerce and Labor Committee, were read the second time at length and filed for third reading.

S 1368, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 476, H 477, and H 531, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

S 1250, as amended, by Health, Education and Welfare Committee, was read the second time at length and filed for third reading.

S 1269, as amended, by Commerce and Labor Committee, was read the second time at length and filed for third reading.

Senator Twilegar was recorded present at this order of business.

#### Third Reading of Bills

On request by Senator Barker, granted by unanimous consent,



Roll call resulted as follows:

AYES — Abrahams, Auld, Barker, Beitelspacher, Bilyeu, Bradshaw, Brassey, Budge, Clemm, Crystal, Dobler, Fairchild, Floyd, Gould, Kiebert, Klein, Lannen, Little, Marley, Mitchell, Moore, Noh, Parry, Peavey, Ricks, Risch, Steen, Sverdsten, Swenson, Twilegar, Van Engelen, Watkins, Williams, Yarbrough. Total — 34.

NAYS — None.

Absent and excused — Merrill. Total — 1.

Total — 35.

Whereupon the Acting President declared **H 608**, as amended, passed, title was approved and the bill ordered returned to the House.

**H 747**, having been held, 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, Auld, Barker, Beitelspacher, Bilyeu, Bradshaw, Brassey, Budge, Clemm, Crystal, Dobler, Fairchild, Floyd, Gould, Kiebert, Klein, Lannen, Little, Marley, Mitchell, Moore, Noh, Parry, Peavey, Ricks, Risch, Steen, Sverdsten, Swenson, Twilegar, Van Engelen, Watkins, Williams, Yarbrough. Total — 34.

NAYS — None.

Absent and excused — Merrill. Total — 1.

Total — 35.

Whereupon the Acting President declared **H 747** passed, title was approved and the bill ordered returned to the House.

**H 750** 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, Auld, Barker, Beitelspacher, Bilyeu, Bradshaw, Brassey, Budge, Clemm, Crystal, Dobler, Fairchild, Floyd, Gould, Kiebert, Klein, Lannen, Little, Marley, Mitchell, Moore, Noh, Parry, Peavey, Ricks, Risch, Steen, Sverdsten, Swenson, Twilegar, Van Engelen, Watkins, Williams, Yarbrough. Total — 34.

NAYS — None.

Absent and excused — Merrill. Total — 1.

Total — 35.

Whereupon the Acting President declared **H 750** passed, title was approved and the bill ordered returned to the House.

On request by Senator Risch, granted by unanimous consent, **H 751** retained its place on the Third Reading Calendar for one legislative day.

**H 565** 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, Auld, Barker, Beitelspacher, Bilyeu, Bradshaw, Brassey, Budge, Clemm, Crystal, Dobler, Fairchild, Floyd, Gould, Kiebert, Klein, Lannen, Little, Marley, Mitchell, Moore, Noh, Parry, Peavey, Ricks, Risch, Steen, Sverdsten, Swenson, Twilegar, Van Engelen, Watkins, Williams, Yarbrough. Total — 34.

NAYS — None.

Absent and excused — Merrill. Total — 1.

Total — 35.

Whereupon the Acting President declared **H 565** passed, title was approved and the bill ordered returned to the House.

**H 566** was read the third time at length, section by section, and placed before the Senate for final consideration, the question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES — Abrahams, Auld, Barker, Beitelspacher, Bilyeu, Bradshaw, Brassey, Budge, Clemm, Crystal, Dobler, Fairchild, Floyd, Gould, Kiebert, Klein, Lannen, Little, Marley, Mitchell, Moore, Noh, Parry, Peavey, Ricks, Risch, Steen, Sverdsten, Swenson, Twilegar, Van Engelen, Watkins, Williams, Yarbrough. Total — 34.

NAYS — None.

Absent and excused — Merrill. Total — 1.

Total — 35.

Whereupon the Acting President declared **H 566** passed, title was approved and the bill ordered returned to the House.

**H 578** 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, Auld, Barker, Beitelspacher, Bilyeu, Bradshaw, Brassey, Budge, Clemm, Crystal, Dobler, Fairchild, Floyd, Gould, Kiebert, Klein, Lannen, Little, Marley, Mitchell, Moore, Noh, Parry, Peavey, Ricks, Risch, Steen, Sverdsten, Swenson, Twilegar, Van Engelen, Watkins, Williams, Yarbrough. Total — 34.

NAYS — None.

Absent and excused — Merrill. Total — 1.

Total — 35.

Whereupon the Acting President declared **H 578** passed, title was approved and the bill ordered returned to the House.

**H 503** 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, Auld, Barker, Beitelspacher, Bilyeu, Bradshaw, Brassey, Budge, Clemm, Crystal, Dobler, Fairchild, Floyd, Gould, Kiebert, Klein, Lannen, Little, Marley, Mitchell, Moore, Noh, Parry, Peavey, Ricks, Risch, Steen, Sverdsten, Swenson, Twilegar, Van Engelen, Watkins, Williams, Yarbrough. Total — 34.

NAYS — None.

Absent and excused — Merrill. Total — 1.

Total — 35.

Whereupon the Acting President declared **H 503** passed, title was approved and the bill ordered returned to the House.

The President Pro Tempore returned to the Chair.

**H 756** 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:



March 10, 1982

Mr. President:

I transmit herewith Enrolled **H 608**, as amended, **H 747**, **H 750**, **H 565**, **H 566**, **H 578**, **H 503**, **H 756**, **H 588**, as amended, **H 679**, **H 661**, **HJR 14**, **H 559**, **H 562**, **H 606**, **H 585**, as amended, **H 510**, **H 551**, and **H 577** for the signature of the President.

WATSON, Chief Clerk

The President announced he was about to sign Enrolled **H 608**, as amended, **H 747**, **H 750**, **H 565**, **H 566**, **H 578**, **H 503**, **H 756**, **H 588**, as amended, **H 679**, **H 661**, **HJR 14**, **H 559**, **H 562**, **H 606**, **H 585**, as amended, **H 510**, **H 551**, and **H 577**, and when so signed, ordered them returned to the House.

March 10, 1982

Mr. President:

I transmit herewith Enrolled **H 643** and **H 645** for the signature of the President.

WATSON, Chief Clerk

The President announced he was about to sign Enrolled **H 643** and **H 645**, and when so signed, ordered them returned to the House.

On request by Senator Risch, granted by unanimous consent, **S 1387**, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to concurrence in the House amendments.

March 11, 1982

Mr. President:

I transmit herewith **H 514**, and the Governor's veto message which passed the House, the Governor's veto notwithstanding.

WATSON, Chief Clerk

The President announced that **H 514** and the Governor's veto message were before the Senate for consideration.

The Secretary read the following Governor's veto message:

March 10, 1982

The Honorable Ralph Olmstead  
Speaker of the House  
House of Representatives  
State of Idaho  
Statehouse Mail

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting herewith, without my approval, disapproved and vetoed

## HOUSE BILL NO. 514

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 4:05 p.m. on March 4, 1982.

House Bill 514 attempts to solve a difficult problem in a very progressive manner. By preserving an Idaho prevailing wage requirement for public works contracts and severing the tie to the federal prevailing wage determinations, it reflects the give-and-take among the interested parties that is the hallmark of good legislation.

Unfortunately, however, this legislation has several fatal technical problems that are outlined in the attached analysis which I have included as part of my message. As a result, this legislation would be doomed to protracted litigation in the courts to determine its real intent and purpose, thereby delaying progress on public works contracts. This not only threatens much-needed sewer and highway projects but also deals a severe blow to the already reeling Idaho construction industry. This industry is fac-

ing the hardest times it has seen in years. It would be irresponsible for me to contribute to its difficulties by allowing this defective legislation to become law.

Minor changes can correct House Bill 514. I am hopeful that the Legislature will act quickly to correct the deficiencies, create an Idaho prevailing wage requirement, and allow units of government to get on with much-needed public works projects, which will create jobs for Idaho construction workers.

For these reasons, I have withheld my approval, disapproved and vetoed House Bill No. 514.

Sincerely,  
/s/JOHN V. EVANS  
GOVERNOR

The question being, "Shall **H 514** become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES — Abrahams, Auld, Barker, Bradshaw, Brassey, Budge, Crystal, Fairchild, Floyd, Klein, Little, Moore, Noh, Parry, Ricks, Risch, Steen, Sverdsten, Swenson, Van Engelen, Watkins, Williams, Yarbrough. Total — 23.

NAYS — Beitelspacher, Bilyeu, Clemm, Dobler, Gould, Kiebert, Lannen, Marley, Merrill, Mitchell, Peavey, Twilegar. Total — 12.

Total — 35.

Less than two-thirds having voted in the affirmative, the President declared the Governor's veto was sustained and **H 514** and the veto message ordered returned to the House.

## Motions and Resolutions

The President announced that the House amendments to **S 1280** were now before the Senate for consideration, the question being, "Shall the Senate concur in the House amendments to **S 1280**?"

On motion by Senator Barker, seconded by Senator Kiebert, the Senate concurred, by voice vote, in the House amendments to **S 1280**, as amended in the House.

**S 1280**, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced the House amendments to **S 1387** were now before the Senate for consideration, the question being, "Shall the Senate concur in the House amendments to **S 1387**?"

Moved by Senator Noh, seconded by Senator Mitchell, that the Senate concur in the House amendments to **S 1387**.

An amended motion was made by Senator Little, seconded by Senator Ricks, that the Senate not concur in the House amendments to **S 1387**.

The question being, "Shall the amended motion pass?"

The President called President Pro Tempore Budge to the Chair.

Roll call vote was requested by Senators Risch, Steen and Bilyeu.

The question being, "Shall the Senate not concur in the House amendments to **S 1387**?"

Roll call resulted as follows:

AYES — Abrahams, Auld, Barker, Bradshaw, Budge, Crystal, Floyd, Little, Moore, Parry, Ricks, Risch, Steen, Swenson, Van Engelen, Watkins, Williams, Yarbrough. Total — 18.

NAYS — Beitelspacher, Bilyeu, Brassey, Clemm, Dobler, Fair-

**Idaho Human Rights Act  
1982 Legislative History Check Lists**

H.B. #503  
RS 7437  
67-5901, 5902, 5901  
5910, 5911

Item	Included	Notes
Session Law	✓ <i>PR</i>	
Bill	✓	
Bill Status	✓	
Statement of Purpose	✓ <i>PR</i>	
Committee Minutes		
- House	✓ <i>PR</i>	
- Senate	✓ <i>PR</i>	
Journal		
- House	✓	
- Senate	✓	
Interim Committee Minutes	N/A <i>PR</i>	