



and orders placed with the lowest responsible bidder. If the competitive sealed proposal method is used, award shall be made to the lowest responsible bidder on the basis of initial proposals received or following receipt and evaluation of best and final offers. The administrator shall have the right to reject any and all bids pursuant to rules established for the division.

Where both the bids and quality of property offered are the same, preference shall be given to property of local and domestic production and manufacture or from bidders having a significant Idaho economic presence as defined in the Idaho Code.

SECTION 36. That Section 67-5906, Idaho Code, be, and the same is hereby amended to read as follows:

67-5906. POWERS AND DUTIES OF COMMISSION. The Idaho commission on human rights shall have the following powers and duties:

(1) To investigate complaints of alleged violation of this act and act upon its findings pursuant to the provisions contained in this chapter;

(2) To make bylaws for its own government and procedure not inconsistent with the laws of this state;

(3) To maintain an office in ~~the city of Boise~~ Ada county and other offices within the state as it may deem necessary;

(4) To meet and exercise its powers at any place within the state;

(5) To appear in court and before other administrative bodies;

(6) To cooperate or contract with individuals and state, local and other agencies, both public and private, including agencies of the federal government and of other states;

(7) To accept public grants or private gifts, bequests, or other payments;

(8) To receive and act on complaints;

(9) To furnish technical assistance requested by persons subject to this act to further compliance with the act or an order issued thereunder;

(10) To make studies appropriate to effectuate the purposes and policies of this act and to make the results thereof available to the public;

(11) To render at least annually a comprehensive written report to the governor and to the legislature. The report may contain recommendations of the commission for legislative or other action to effectuate the purposes and policies of this act.

(12) In accordance with chapter 52, title 67, Idaho Code, to adopt, promulgate, amend and rescind rules and regulations to effectuate the purposes and policies of this act, including regulations rules requiring the posting or inclusion in advertising material of notices prepared or approved by the commission.

SECTION 37. That Section 72-509, Idaho Code, be, and the same is hereby amended to read as follows:

72-509. OFFICES AND SUPPLIES. (1) The principal office of the commission shall be located in ~~the capital city of the state~~ Ada county.

(2) The commission may establish such branch offices, divisions, sections and advisory committees in such localities in this state as it







charge of one (1) set of said controls and such flight is solely for instruction or for the demonstration of said aircraft to a bona fide prospective purchaser.

(e) Transfer of Aircraft. When the ownership of an aircraft registered under the provisions of this section is transferred, the new owner will be required to register the aircraft under the provisions of this section. If the transferor wishes to register another aircraft he shall pay the registration fee required by this section less the amount of registration fee already paid on the aircraft which was sold, or if the transferor shall have an aircraft to be registered with a useful load less than the aircraft that was sold, he shall pay a transfer fee of one dollar (\$1.00).

Approved March 26, 2001.

CHAPTER 183  
(H.B. No. 128)

AN ACT

RELATING TO OFFICE LOCATIONS FOR STATE GOVERNMENT; AMENDING SECTION 22-1203, IDAHO CODE, TO PROVIDE THAT THE EXECUTIVE OFFICE OF THE POTATO COMMISSION IS ESTABLISHED IN ADA COUNTY; AMENDING SECTION 22-2540, IDAHO CODE, TO DELETE REFERENCE TO BOISE AS THE PLACE WHERE THE DISTRICT COURT GIVES NOTICE TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-2913, IDAHO CODE, TO PROVIDE THAT THE EXECUTIVE OFFICE OF THE BEAN COMMISSION IS ESTABLISHED IN ADA COUNTY; AMENDING SECTION 22-3424, IDAHO CODE, TO DELETE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE RECEIVING NOTICE AT BOISE; AMENDING SECTION 22-4103, IDAHO CODE, TO PROVIDE THAT THE AGRICULTURAL LABOR BOARD SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-202, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL PLACE OF BUSINESS OF THE STATE LIQUOR DISPENSARY SHALL BE IN ADA COUNTY; AMENDING SECTION 25-2510, IDAHO CODE, TO PROVIDE FOR RETURN OF BALLOTS TO THE MAIN OFFICE OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 33-102, IDAHO CODE, TO PROVIDE THAT THE OFFICE OF THE STATE BOARD OF EDUCATION SHALL BE LOCATED IN ADA COUNTY; AMENDING SECTION 33-118A, IDAHO CODE, TO DELETE REFERENCE TO CURRICULAR MATERIALS BEING MAINTAINED BY THE DEPARTMENT OF EDUCATION IN BOISE; AMENDING SECTION 36-101, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF FISH AND GAME'S PRINCIPAL OFFICE SHALL BE IN ADA COUNTY; AMENDING SECTION 36-102, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE FISH AND GAME COMMISSION SHALL BE IN ADA COUNTY; AMENDING SECTION 36-104, IDAHO CODE, TO DELETE REFERENCE TO OFFICES BEING IN THE CITY OF BOISE; AMENDING SECTION 40-307, IDAHO CODE, TO PROVIDE THAT PERMANENT OFFICES OF THE TRANSPORTATION BOARD SHALL BE IN ADA COUNTY; AMENDING SECTION 40-2402, IDAHO CODE, TO PROVIDE THAT THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL SHALL MAINTAIN OFFICES IN ADA COUNTY; AMENDING SECTION 41-1041, IDAHO CODE, TO DELETE REFERENCE TO EXAMINATIONS BEING AVAILABLE AT BOISE; AMENDING SECTION 41-1046, IDAHO CODE, TO DELETE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE HAVING AN OFFICE IN BOISE AND TO MAKE A TECHNICAL CORRECTION; AMENDING



SECTION 42-1733, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE WATER RESOURCE BOARD SHALL BE IN ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-2011, IDAHO CODE, TO DELETE REFERENCE TO THE DEPARTMENT OF WATER RESOURCES HAVING AN OFFICE IN THE CAPITOL AT BOISE CITY; AMENDING SECTION 43-401, IDAHO CODE, TO DELETE REFERENCE TO A REPORT OF THE DEPARTMENT OF WATER RESOURCES BEING AVAILABLE AT THEIR OFFICE AT THE STATE CAPITOL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-202, IDAHO CODE, TO PROVIDE THAT CERTAIN FORMS BE AVAILABLE AT THE IDAHO TRANSPORTATION DEPARTMENT IN ADA COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-205, IDAHO CODE, TO PROVIDE THAT THE BOARD OF ACCOUNTANCY SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY; AMENDING SECTION 54-1906, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL PLACE OF BUSINESS OF THE PUBLIC WORKS CONTRACTORS BOARD SHALL BE IN ADA COUNTY; AMENDING SECTION 54-1913, IDAHO CODE, TO DELETE REFERENCE TO THE PUBLIC WORKS CONTRACTORS BOARD MAINTAINING AN OFFICE IN BOISE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-106, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL MAINTAIN A CENTRAL OFFICE IN ADA COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-314, IDAHO CODE, TO PROVIDE THAT STATE LAND SALES BE HELD IN ADA COUNTY UNLESS OTHERWISE DIRECTED BY THE STATE BOARD OF LAND COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 61-208, IDAHO CODE, TO PROVIDE THAT THE PUBLIC UTILITIES COMMISSION SHALL MAINTAIN ITS OFFICE IN ADA COUNTY; AMENDING SECTION 61-1205, IDAHO CODE, TO PROVIDE THAT THE NORTHWEST POWER PLANNING COUNCIL SHALL HAVE ITS OFFICES IN ADA COUNTY; AMENDING SECTION 63-101, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL HAVE AN OFFICE IN ADA COUNTY; AMENDING SECTION 63-2518, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION HAS THE AUTHORITY TO CITE ANY PERSON TO APPEAR BEFORE IT IN ITS ADA COUNTY OFFICE; AMENDING SECTION 63-3807, IDAHO CODE, TO PROVIDE THAT THE BOARD OF TAX APPEALS SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY; AMENDING SECTION 63-3810, IDAHO CODE, TO PROVIDE THAT A REHEARING BY THE TAX APPEALS BOARD WILL BE CONDUCTED IN ADA COUNTY; AMENDING SECTION 67-1502, IDAHO CODE, TO PROVIDE THAT THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL BE IN ADA COUNTY; AMENDING SECTION 67-1703, IDAHO CODE, TO PROVIDE THAT THE COMMISSIONERS ON UNIFORM STATE LAWS SHALL MEET IN ADA COUNTY; AMENDING SECTION 67-2502, IDAHO CODE, TO PROVIDE THAT EACH DEPARTMENT SHALL MAINTAIN A CENTRAL OFFICE IN ADA COUNTY AND MAY MAINTAIN OFFICES AT OTHER PLACES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5718, IDAHO CODE, TO DELETE REFERENCE TO BOISE FOR THE LOCATION OF THE DIVISION OF PURCHASING AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5906, IDAHO CODE, TO PROVIDE THAT THE HUMAN RIGHTS COMMISSION SHALL MAINTAIN AN OFFICE IN ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-509, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE INDUSTRIAL COMMISSION SHALL BE IN ADA COUNTY.

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

SECTION 1. That Section 22-1203, Idaho Code, be, and the same is hereby amended to read as follows:



and orders placed with the lowest responsible bidder. If the competitive sealed proposal method is used, award shall be made to the lowest responsible bidder on the basis of initial proposals received or following receipt and evaluation of best and final offers. The administrator shall have the right to reject any and all bids pursuant to rules established for the division.

Where both the bids and quality of property offered are the same, preference shall be given to property of local and domestic production and manufacture or from bidders having a significant Idaho economic presence as defined in the Idaho Code.

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(2) To make bylaws for its own government and procedure not inconsistent with the laws of this state;

(3) To maintain an office in ~~the city of Boise~~ Ada county and other offices within the state as it may deem necessary;

(4) To meet and exercise its powers at any place within the state;

(5) To appear in court and before other administrative bodies;

(6) To cooperate or contract with individuals and state, local and other agencies, both public and private, including agencies of the federal government and of other states;

(7) To accept public grants or private gifts, bequests, or other payments;

(8) To receive and act on complaints;

(9) To furnish technical assistance requested by persons subject to this act to further compliance with the act or an order issued thereunder;

(10) To make studies appropriate to effectuate the purposes and policies of this act and to make the results thereof available to the public;

(11) To render at least annually a comprehensive written report to the governor and to the legislature. The report may contain recommendations of the commission for legislative or other action to effectuate the purposes and policies of this act.

(12) In accordance with chapter 52, title 67, Idaho Code, to adopt, promulgate, amend and rescind rules ~~and regulations~~ to effectuate the purposes and policies of this act, including ~~regulations~~ rules requiring the posting or inclusion in advertising material of notices prepared or approved by the commission.

SECTION 37. That Section 72-509, Idaho Code, be, and the same is hereby amended to read as follows:

**72-509. OFFICES AND SUPPLIES.** (1) The principal office of the commission shall be located in ~~the capital city of the state~~ Ada county.

(2) The commission may establish such branch offices, divisions, sections and advisory committees in such localities in this state as it

## HOUSE BILL NO. 128 – Idaho State Legislature

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 [legislature.idaho.gov/sessioninfo/2001/legislation/H0128/](http://legislature.idaho.gov/sessioninfo/2001/legislation/H0128/)

### HOUSE BILL NO. 128

[View Daily Data Tracking History](#)

[View Bill Text](#)

[View Statement of Purpose / Fiscal Impact](#)

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Text to be added within a bill has been marked with Bold and Underline. Text to be removed has been marked with Strikethrough and Italic. How these codes are actually displayed will vary based on the browser software you are using.

**This sentence is marked with bold and underline to show added text.**

~~*This sentence is marked with strikethrough and italic, indicating text to be removed.*~~

### Daily Data Tracking History

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H0128.....by STATE AFFAIRS  
STATE GOVERNMENT - OFFICES - Amends existing law to provide that state government offices shall be in Ada County, rather than the statutory requirement of either at the state capitol or the City of Boise.

01/31 House intro - 1st rdg - to printing

02/01 Rpt prt - to St Aff

02/16 Rpt out - rec d/p - to 2nd rdg

02/19 2nd rdg - to 3rd rdg

02/22 3rd rdg - PASSED - 60-2-8

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young

NAYS -- Barrett, McKague

Absent and excused -- Boe, Gould, Hammond, Lake, Montgomery, Ridinger, Swan, Mr. Speaker



Floor Sponsor -- Kunz

Title apvd - to Senate

02/23 Senate intro - 1st rdg - to St Aff

03/01 Rpt out - rec d/p - to 2nd rdg

03/02 2nd rdg - to 3rd rdg

03/16 3rd rdg - PASSED - 34-0-1

AYES -- Andreason, Boatright, Branch(Bartlett), Brandt, Bunderson,  
Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin,  
Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough,  
King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder,  
Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth

NAYS -- None

Absent and excused -- Williams

Floor Sponsor -- Stennett

Title apvd - to House

03/19 To enrol

03/20 Rpt enrol - Sp signed

03/21 Pres signed - to Governor

03/26 Governor signed

Session Law Chapter 183

Effective: 07/01/01

## Bill Text

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	LEGISLATURE OF THE STATE OF IDAHO	
Fifty-sixth Legislature	First Regular Session - 2001	

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IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 128

BY STATE AFFAIRS COMMITTEE

1 AN ACT

2 RELATING TO OFFICE LOCATIONS FOR STATE GOVERNMENT; AMENDING SECTION  
22-1203,

3 IDAHO CODE, TO PROVIDE THAT THE EXECUTIVE OFFICE OF THE POTATO  
COMMISSION

4 IS ESTABLISHED IN ADA COUNTY; AMENDING SECTION 22-2540, IDAHO  
CODE, TO

5 DELETE REFERENCE TO BOISE AS THE PLACE WHERE THE DISTRICT COURT  
GIVES

6 NOTICE TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE; AMENDING  
SECTION



7 22-2913, IDAHO CODE, TO PROVIDE THAT THE EXECUTIVE OFFICE OF THE  
BEAN COM-  
8 MISSION IS ESTABLISHED IN ADA COUNTY; AMENDING SECTION 22-3424,  
IDAHO  
9 CODE, TO DELETE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF  
AGRICULTURE  
10 RECEIVING NOTICE AT BOISE; AMENDING SECTION 22-4103, IDAHO CODE, TO  
PRO-  
11 VIDE THAT THE AGRICULTURAL LABOR BOARD SHALL HAVE ITS PRINCIPAL  
OFFICE IN  
12 ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION  
23-202,  
13 IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL PLACE OF BUSINESS OF THE  
STATE  
14 LIQUOR DISPENSARY SHALL BE IN ADA COUNTY; AMENDING SECTION 25-2510,  
IDAHO  
15 CODE, TO PROVIDE FOR RETURN OF BALLOTS TO THE MAIN OFFICE OF THE  
DEPART-  
16 MENT OF AGRICULTURE; AMENDING SECTION 33-102, IDAHO CODE, TO PROVIDE  
THAT  
17 THE OFFICE OF THE STATE BOARD OF EDUCATION SHALL BE LOCATED IN ADA  
COUNTY;  
18 AMENDING SECTION 33-118A, IDAHO CODE, TO DELETE REFERENCE TO  
CURRICULAR  
19 MATERIALS BEING MAINTAINED BY THE DEPARTMENT OF EDUCATION IN BOISE;  
AMEND-  
20 ING SECTION 36-101, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF  
FISH AND  
21 GAME'S PRINCIPAL OFFICE SHALL BE IN ADA COUNTY; AMENDING SECTION  
36-102,  
22 IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE FISH AND  
GAME COM-  
23 MISSION SHALL BE IN ADA COUNTY; AMENDING SECTION 36-104, IDAHO  
CODE, TO  
24 DELETE REFERENCE TO OFFICES BEING IN THE CITY OF BOISE; AMENDING  
SECTION  
25 40-307, IDAHO CODE, TO PROVIDE THAT PERMANENT OFFICES OF THE  
TRANSPORTA-  
26 TION BOARD SHALL BE IN ADA COUNTY; AMENDING SECTION 40-2402, IDAHO  
CODE,  
27 TO PROVIDE THAT THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL SHALL  
MAIN-  
28 TAIN OFFICES IN ADA COUNTY; AMENDING SECTION 41-1041, IDAHO  
CODE, TO  
29 DELETE REFERENCE TO EXAMINATIONS BEING AVAILABLE AT BOISE; AMENDING  
SEC-  
30 TION 41-1046, IDAHO CODE, TO DELETE REFERENCE TO THE DIRECTOR

OF THE  
31 DEPARTMENT OF INSURANCE HAVING AN OFFICE IN BOISE AND TO MAKE A  
TECHNICAL  
32 CORRECTION; AMENDING SECTION 42-1733, IDAHO CODE, TO PROVIDE  
THAT THE  
33 PRINCIPAL OFFICE OF THE WATER RESOURCE BOARD SHALL BE IN ADA COUNTY  
AND TO  
34 MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-2011, IDAHO  
CODE, TO  
35 DELETE REFERENCE TO THE DEPARTMENT OF WATER RESOURCES HAVING AN  
OFFICE IN  
36 THE CAPITOL AT BOISE CITY; AMENDING SECTION 43-401, IDAHO CODE, TO  
DELETE  
37 REFERENCE TO A REPORT OF THE DEPARTMENT OF WATER RESOURCES BEING  
AVAILABLE  
38 AT THEIR OFFICE AT THE STATE CAPITOL AND TO MAKE TECHNICAL  
CORRECTIONS;  
39 AMENDING SECTION 49-202, IDAHO CODE, TO PROVIDE THAT CERTAIN  
FORMS BE  
40 AVAILABLE AT THE IDAHO TRANSPORTATION DEPARTMENT IN ADA COUNTY AND  
TO MAKE  
41 A TECHNICAL CORRECTION; AMENDING SECTION 54-205, IDAHO CODE, TO  
PROVIDE  
42 THAT THE BOARD OF ACCOUNTANCY SHALL HAVE ITS PRINCIPAL OFFICE  
IN ADA  
43 COUNTY; AMENDING SECTION 54-1906, IDAHO CODE, TO PROVIDE THAT THE  
PRINCI-  
44 PAL PLACE OF BUSINESS OF THE PUBLIC WORKS CONTRACTORS BOARD SHALL  
BE IN  
45 ADA COUNTY; AMENDING SECTION 54-1913, IDAHO CODE, TO DELETE  
REFERENCE TO  
46 THE PUBLIC WORKS CONTRACTORS BOARD MAINTAINING AN OFFICE IN BOISE  
AND TO

2

1 MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-106, IDAHO CODE,  
TO PRO-  
2 VIDE THAT THE DEPARTMENT OF LANDS SHALL MAINTAIN A CENTRAL OFFICE  
IN ADA  
3 COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-314,  
IDAHO  
4 CODE, TO PROVIDE THAT STATE LAND SALES BE HELD IN ADA COUNTY UNLESS  
OTHER-  
5 WISE DIRECTED BY THE STATE BOARD OF LAND COMMISSIONERS AND TO MAKE A  
TECH-  
6 NICAL CORRECTION; AMENDING SECTION 61-208, IDAHO CODE, TO PROVIDE

THAT THE  
7 PUBLIC UTILITIES COMMISSION SHALL MAINTAIN ITS OFFICE IN ADA  
COUNTY;  
8 AMENDING SECTION 61-1205, IDAHO CODE, TO PROVIDE THAT THE NORTHWEST  
POWER  
9 PLANNING COUNCIL SHALL HAVE ITS OFFICES IN ADA COUNTY; AMENDING  
SECTION  
10 63-101, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL  
HAVE AN  
11 OFFICE IN ADA COUNTY; AMENDING SECTION 63-2518, IDAHO CODE, TO  
PROVIDE  
12 THAT THE STATE TAX COMMISSION HAS THE AUTHORITY TO CITE ANY  
PERSON TO  
13 APPEAR BEFORE IT IN ITS ADA COUNTY OFFICE; AMENDING SECTION 63-3807,  
IDAHO  
14 CODE, TO PROVIDE THAT THE BOARD OF TAX APPEALS SHALL HAVE ITS  
PRINCIPAL  
15 OFFICE IN ADA COUNTY; AMENDING SECTION 63-3810, IDAHO CODE, TO  
PROVIDE  
16 THAT A REHEARING BY THE TAX APPEALS BOARD WILL BE CONDUCTED IN ADA  
COUNTY;  
17 AMENDING SECTION 67-1502, IDAHO CODE, TO PROVIDE THAT THE OFFICE  
OF THE  
18 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL BE IN ADA COUNTY;  
AMENDING SEC-  
19 TION 67-1703, IDAHO CODE, TO PROVIDE THAT THE COMMISSIONERS ON  
UNIFORM  
20 STATE LAWS SHALL MEET IN ADA COUNTY; AMENDING SECTION 67-2502, IDAHO  
CODE,  
21 TO PROVIDE THAT EACH DEPARTMENT SHALL MAINTAIN A CENTRAL OFFICE  
IN ADA  
22 COUNTY AND MAY MAINTAIN OFFICES AT OTHER PLACES AND TO MAKE A  
TECHNICAL  
23 CORRECTION; AMENDING SECTION 67-5718, IDAHO CODE, TO DELETE  
REFERENCE TO  
24 BOISE FOR THE LOCATION OF THE DIVISION OF PURCHASING AND TO MAKE A  
TECHNI-  
25 CAL CORRECTION; AMENDING SECTION 67-5906, IDAHO CODE, TO PROVIDE  
THAT THE  
26 HUMAN RIGHTS COMMISSION SHALL MAINTAIN AN OFFICE IN ADA COUNTY AND  
TO MAKE  
27 TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-509, IDAHO CODE, TO  
PROVIDE  
28 THAT THE PRINCIPAL OFFICE OF THE INDUSTRIAL COMMISSION SHALL BE  
IN ADA  
29 COUNTY.



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

31 SECTION 1. That Section 22-1203, Idaho Code, be, and the same is  
hereby

32 amended to read as follows:

33 22-1203. EXECUTIVE OFFICE. The executive office of said  
commission is

34 hereby established ~~at Boise, Idaho~~ in Ada county.

35 SECTION 2. That Section 22-2540, Idaho Code, be, and the same is  
hereby

36 amended to read as follows:

37 22-2540. REVIEW OF ACTION OF DIRECTOR. Any individual who has  
exhausted

38 all administrative remedies available within the department and  
who is

39 aggrieved by a final decision in a contested case is entitled to  
judicial

40 review in accordance with chapter 52, title 67, Idaho Code. The review  
may be

41 obtained by filing in the district court within thirty (30) days  
following the

42 action of the director a written petition praying that such action  
be set

43 aside. A copy of such petition shall forthwith be delivered to the  
director

44 and within thirty (30) days thereafter, the director shall certify and  
file in

45 the district court of the area affected a transcript of any record  
pertaining

46 thereto, including a transcript of evidence received at any hearing of  
refer-

47 endum. The district court shall give notice by United States mail,  
to the

48 director, ~~at Boise, Idaho~~, and to the petitioner or petitioners of the  
time

49 and place at which the court will hear such petition, at which time any  
inter-

50 ested party may be heard. Upon completion of the hearing, the court  
shall

3

1 affirm, set aside or modify the action of the director, except that the  
find-

2 ing of the director as to the facts, if supported by substantial  
evidence,  
3 shall be conclusive.

4 SECTION 3. That Section 22-2913, Idaho Code, be, and the same is  
hereby  
5 amended to read as follows:

6 22-2913. EXECUTIVE OFFICE. The executive office of the  
commission is  
7 hereby established ~~at Boise, Idaho~~ in Ada county.

8 SECTION 4. That Section 22-3424, Idaho Code, be, and the same is  
hereby  
9 amended to read as follows:

10 22-3424. REVIEW OF ACTION OF DIRECTOR. Any person who has  
exhausted all  
11 administrative remedies available within the department and who is  
aggrieved  
12 by a final decision in a contested case is entitled to judicial  
review in  
13 accordance with the provisions of the administrative procedure act,  
chapter  
14 52, title 67, Idaho Code. The review may be obtained by filing in the  
district  
15 court within thirty (30) days' notice of the action of the director, a  
written  
16 petition praying that such action be set aside. A copy of such petition  
shall  
17 forthwith be delivered to the director, and within thirty (30) days  
thereafter  
18 the director shall certify and file in the district court of the area  
affected  
19 a transcript of any record pertaining thereto, including a transcript of  
evi-  
20 dence received at any hearing of referendum. The district court  
shall give  
21 notice, by United States mail, to the director of the department of  
agricul-  
22 ture, ~~at Boise, Idaho~~, and to the petitioner or petitioners, of the  
time and  
23 place at which the court will hear such petition, at which time any  
interested  
24 party may be heard. Upon completion of the hearing the court shall  
affirm, set  
25 aside or modify the action of the director, except that the findings

of the

26 director as to the facts, if supported by substantial evidence, shall  
be con-  
27 clusive.

28 SECTION 5. That Section 22-4103, Idaho Code, be, and the same is  
hereby

29 amended to read as follows:

30 22-4103. AGRICULTURAL LABOR BOARD AND FUND CREATED. (1) There is  
hereby

31 created and maintained in the department of employment pursuant to  
section 20,

32 article IV, of the constitution of the state of Idaho a board to be  
known as

33 the Idaho agricultural labor board, herein called the "board," which  
shall be

34 composed of five (5) members, appointed by the governor and subject to confir-

35 mation by the senate. Two (2) of the members shall be appointed from a  
list of

36 names submitted by labor organizations. Two (2) shall be appointed from  
a list

37 of names submitted by agricultural producer groups. One (1) member shall  
be a

38 representative of the public and shall be selected from a mutually  
agreed upon

39 list of not less than three (3) persons submitted to the governor by  
the four

40 (4) other members of the board. The public representative of the board  
will

41 act as its chairman. The initial terms of office of the members of the  
board

42 shall be two (2) years for one (1) of the labor representatives and one  
(1) of

43 the management representatives, and four (4) years for the other labor  
repre-

44 sentative and the other management representative and three (3) years  
for the

45 chairman. Thereafter all terms shall be for a period of four (4) years.  
Each

46 member of the board shall be eligible for reappointment and shall hold  
office

47 until his successor is appointed and qualified. In the event of  
vacancy, the

48 governor shall, within one (1) month, appoint a successor to fill the  
unex-



49 pired term of his predecessor. All appointments to the board shall be  
made in

4

1 conformity with the foregoing plan.

2 (2) A vacancy on the board shall not impair the right of the  
remaining

3 members to exercise all the powers of the board, and three (3) members  
of the

4 board shall constitute a quorum. The board may adopt an official seal  
and pre-

5 scribe the purposes for which it shall be used.

6 (3) The board shall, at the end of every year, make a report in  
writing

7 to the governor, stating the work it has done in hearing and deciding  
cases

8 and otherwise, and it shall sign and report in full an opinion in  
every case

9 decided by it.

10 (4) Each member of the board shall be compensated as provided by  
section

11 59-509(f), Idaho Code.

12 (5) The board may employ clerical and other employees as  
necessary, or

13 may authorize, by written agreement, the director of the department of  
employ-

14 ment to provide such clerical or other services as the board deems  
necessary.

15 (6) The principal office of the board shall be in ~~Boise~~ Ada  
county, but

16 it may meet and exercise any or all of its powers at any other place  
within

17 the state. The board may, by one (1) or more of its members or by such  
board

18 agents as it may designate, conduct in any part of this state any  
proceeding,

19 hearing, investigation, inquiry or election necessary to the  
performance of

20 its functions. A member who participates in any such proceeding shall  
not be

21 disqualified from subsequently participating in a decision of the board  
in the

22 same case.

23 (7) The board shall have the authority from time to time to make,  
amend,

24 and rescind such rules ~~and regulations~~ as may be necessary to carry

out the

25 provisions of this act. Rules ~~and regulations~~ under this act shall be  
promul-

26 gated and governed according to the provisions of chapter 52, title 67,  
Idaho

27 Code.

28 SECTION 6. That Section 23-202, Idaho Code, be, and the same is  
hereby

29 amended to read as follows:

30 23-202. PRINCIPAL PLACE OF BUSINESS. The principal place of  
business of

31 the dispensary shall be ~~at Boise City, Idaho~~ **in Ada county.**

32 SECTION 7. That Section 25-2510, Idaho Code, be, and the same is  
hereby

33 amended to read as follows:

34 25-2510. REFERENDUM FOR HORSE OWNERS. (1) Within three (3)  
years from

35 July 1, 2000, a referendum shall be held to determine if horse owners  
favor an

36 increase from one dollar (\$1.00) to three dollars (\$3.00) in the  
mandatory

37 assessment prescribed in section 25-2505, Idaho Code. The question  
shall be

38 submitted to all horse owners who had a brand inspection the year prior  
to the

39 referendum. Horse owners who have been issued a lifetime brand  
inspection

40 after July 1, 2000, are also eligible to participate in the referendum  
and may

41 do so by requesting a ballot from the Idaho horse board. Voting shall  
be by

42 secret ballots upon which the words "Do you favor the increase from one  
dollar

43 (\$1.00) to three dollars (\$3.00) in the mandatory assessment to fund the  
Idaho

44 Horse Board?" are printed with a square before each of the printed words  
"YES"

45 and "NO" with directions to insert an "X" mark in the square before the  
propo-

46 sition which the voter favors. If a majority of the referendum vote  
is in

47 favor of the mandatory assessment of three dollars (\$3.00), the  
provisions of

48 section 25-2505, Idaho Code, shall be extended indefinitely or until  
such time

49 that the horse board deems it necessary to hold another referendum  
on the

50 issue. If a majority of the referendum vote is against the three  
dollar

51 (\$3.00) assessment provided in section 25-2505, Idaho Code, the  
assessment

5

1 shall revert to one dollar (\$1.00) on the date the director of the  
department

2 of agriculture announces the results of the referendum.

3 (2) After five (5) years from the effective date of the  
referendum

4 required in subsection (1) of this section, and every five (5) years  
thereaf-

5 ter, a referendum on the continuation of the mandatory assessment to  
fund the

6 Idaho horse board may be held at the petition of horse owners, or  
at the

7 request of the Idaho horse board. The question shall be submitted to all  
horse

8 owners who paid an assessment the year before the referendum and by  
owners who

9 hold a lifetime brand inspection issued since July 1, 1993. The question  
shall

10 be submitted by secret ballots upon which the words, "Do you favor the  
contin-

11 uation of a mandatory assessment to fund the Idaho Horse Board?" are  
printed

12 with a square before each of the printed words "YES" and "NO" with  
directions

13 to insert an "X" mark in the square before the question which the  
voter

14 favors. If a majority of the referendum vote is in favor of  
continuing the

15 mandatory assessment, all of the provisions of chapter 25, title 25,  
Idaho

16 Code, shall continue. If a majority of the referendum vote is against  
continuing the

17 mandatory assessment, the assessment imposed in section 25-2505,  
Idaho

18 Code, shall cease to be mandatory on the date the director of the  
department

19 of agriculture announces the results of the referendum vote. The

procedures

20 necessary to initiate a referendum under this subsection are as follows:

21 (a) A referendum shall be held if the Idaho department of  
agriculture

22 receives a petition requesting such a referendum signed by ten  
percent

23 (10%) or more of horse owners who have had a brand inspection, in  
either

24 of the two (2) immediate past years; or

25 (b) A referendum shall be held if the Idaho department of  
agriculture

26 receives a written request for such referendum from the Idaho horse  
board.

27 (3) Any referendum held pursuant to subsections (1) and (2) of this  
sec-

28 tion shall be conducted as follows:

29 (a) Any referendum must be supervised by the Idaho department of  
agricul-

30 ture.

31 (b) Any referendum shall be held, and the result determined and  
declared

32 by the director of the department of agriculture, and recorded  
in the

33 office of the secretary of state.

34 (c) Notice of any referendum must be given by the Idaho horse  
board in a

35 manner determined by it. The ballots must be prepared by the Idaho  
horse

36 board and forwarded to eligible owners. Returned ballots shall be  
deliv-

37 ered to the Idaho department of agriculture, main office, ~~Boise,~~  
~~Idaho.~~

38 (d) The Idaho horse board shall pay the costs of any referendum.

39 SECTION 8. That Section 33-102, Idaho Code, be, and the same is  
hereby

40 amended to read as follows:

41 33-102. MEMBERSHIP -- APPOINTMENT -- TERM OF OFFICE --  
QUALIFICATIONS --

42 PLACE OF OFFICE. The state board of education shall consist of the  
state

43 superintendent of public instruction, who shall be an ex officio voting  
member

44 and who shall serve as executive secretary of the board for all  
elementary and

45 secondary school matters, and seven (7) members appointed by the

governor,

46 each for a term of five (5) years. Annually on the first day of March  
the gov-

47 ernor shall appoint members to fill the board positions for which the  
terms of

48 office have expired. The governor shall, by appointment, fill any  
vacancy on

49 the board, such appointment to be for the unexpired term of the  
retiring mem-

50 ber. Appointment to the board shall be made solely upon consideration  
of the

51 ability of such appointees efficiently to serve the interests of the  
people,

52 and education, without reference to locality, occupation, party  
affiliation or

53 religion. Any person appointed to said board shall have been a resident  
of the

6

1 state for not less than three (3) years prior to the date of  
appointment; and

2 shall qualify and assume the duties in accordance with laws governing  
similar

3 appointments to, and qualifications for, office on other state  
boards. All

4 appointments of members to the state board of education made after the  
effec-

5 tive date of this act must be confirmed by the senate.

6 Members of the state board of education holding office on the  
effective

7 date of this act shall continue in office for the balance of the term to  
which

8 they were appointed.

9 The state board shall have and maintain its office ~~at the state~~  
~~capitol~~ in

10 Ada county.

11 SECTION 9. That Section 33-118A, Idaho Code, be, and the same is  
hereby

12 amended to read as follows:

13 33-118A. CURRICULAR MATERIALS -- ADOPTION PROCEDURES. All  
curricular

14 materials adoption committees appointed by the state board of education  
shall

15 contain at least two (2) persons who are not public educators or

school

16 trustees. All meetings of curricular materials adoption committees shall be

17 open to the public. Any member of the public may attend such meetings and file

18 written or make oral objections to any curricular materials under consider-

19 ation. A complete and cataloged library of all curricular materials adopted

20 and used in Idaho public schools is to be maintained at the state department

21 of education ~~in Boise~~ at all times and open to the public.

22 "Curricular materials" is defined as textbook and instructional media

23 including software, audio/visual media and internet resources.

24 SECTION 10. That Section 36-101, Idaho Code, be, and the same is hereby

25 amended to read as follows:

26 36-101. FISH AND GAME DEPARTMENT. A department of fish and game is hereby

27 established. Said department shall, for the purposes of section 20, article IV

28 of the constitution of the state of Idaho, be an executive department of the

29 state government. The department shall have its principal office in ~~the city~~

30 ~~of Boise, state of Idaho~~ **Ada county.**

31 SECTION 11. That Section 36-102, Idaho Code, be, and the same is hereby

32 amended to read as follows:

33 36-102. IDAHO FISH AND GAME COMMISSION. (a) Creation. There is hereby

34 created the Idaho fish and game commission. The department of fish and game of

35 the state of Idaho is hereby placed under the supervision, management and con-

36 trol of said Idaho fish and game commission, hereinafter referred to as the

37 commission or as said commission.

38 (b) Membership -- Appointment -- Qualifications. The commission shall

39 consist of seven (7) members, to be appointed by the governor of the state of



40 Idaho, who shall hold office during the pleasure of the governor  
and who  
41 shall be subject to removal by him. The selection and appointment of  
said mem-  
42 bers shall be made solely upon consideration of the welfare and best  
interests  
43 of fish and game in the state of Idaho, and no person shall be  
appointed a  
44 member of said commission unless he shall be well informed upon, and  
inter-  
45 ested in, the subject of wildlife conservation and restoration. No  
member  
46 shall hold any other elective or appointive office, state, county or  
munici-  
47 pal, or any office in any political party organization. Not more than  
four (4)  
48 of the members of said commission shall at any time belong to the same  
politi-  
49 cal party. Each of the members of said commission shall be a citizen  
of the

7

1 United States, and of the state of Idaho, and a bona fide resident  
of the  
2 region from which he is appointed as hereinafter set forth. Said  
members so  
3 appointed shall act and assume full powers and duties upon  
appointment, as  
4 herein provided, but such appointments shall be subject to confirmation  
by the  
5 senate at its next session.  
6 (c) Creation of Regions. For the purpose of this act, the state of  
Idaho  
7 is divided into seven (7) regions, which shall be named:  
8 (1) Panhandle region to consist of the counties of Boundary,  
Bonner,  
9 Kootenai, Shoshone and Benewah;  
10 (2) Clearwater region to consist of the counties of Latah,  
Clearwater,  
11 Nez Perce, Lewis and Idaho;  
12 (3) Southwestern region to consist of the counties of Adams,  
Valley,  
13 Washington, Payette, Gem, Boise, Canyon, Ada, Elmore and Owyhee;  
14 (4) Magic Valley region to consist of the counties of Camas,  
Blaine,  
15 Gooding, Lincoln, Minidoka, Jerome, Twin Falls and Cassia;

16 (5) Southeastern region to consist of the counties of Bingham,  
Power,  
17 Bannock, Caribou, Oneida, Franklin and Bear Lake;  
18 (6) Upper Snake River region to consist of the counties of  
Clark, Fre-  
19 mont, Butte, Jefferson, Madison, Teton and Bonneville;  
20 (7) Salmon region to consist of the counties of Lemhi and Custer.  
21 Each of the above enumerated regions shall, at all times, be  
represented  
22 by one (1) member of the commission, appointed from said region by the  
gover-  
23 nor.  
24 (d) Terms of Office.  
25 (1) Except as provided in paragraph (2) of this subsection, the  
members  
26 of said commission shall be appointed for a term of four (4)  
years; pro-  
27 vided, that in the case of the death of any commissioner, or his  
removal  
28 from office as hereinbefore provided, the governor shall appoint a  
succes-  
29 sor from the same region for the unexpired term. Beginning in  
1999 and  
30 thereafter, the term of each member shall expire on June 30. The  
term of  
31 any member which would otherwise expire prior to June 30 shall be  
extended  
32 to June 30. No member shall serve more than two (2) terms, except  
that a  
33 member appointed to fill an unexpired term may be appointed to  
two (2)  
34 additional, full terms. Members serving on the effective date of  
this act  
35 shall be eligible to complete the term they are then serving, and  
shall  
36 thereafter be governed by the provisions of this subsection  
limiting the  
37 length of any additional terms to four (4) years and the number of  
terms  
38 to two (2).  
39 (2) In appointing successors for the members whose terms expire in  
1999,  
40 the governor shall designate two (2) members to be appointed for a  
term of  
41 three (3) years and two (2) members to be appointed for a term of  
four (4)  
42 years. Successors to the members appointed for a term of three (3)

years

43 shall be appointed for a term of four (4) years thereafter.

44 (e) Oath of Office -- Bond. Each commissioner shall, before  
entering upon

45 his official duties, take and subscribe to the official oath, in  
writing, as

46 provided by section 59-401, Idaho Code, to which said official oath  
there

47 shall be added a declaration as to the name of the political party to  
which

48 such commissioner belongs, and said commissioner shall be bonded to the  
state

49 of Idaho in the time, form, and manner prescribed by chapter 8,  
title 59,

50 Idaho Code.

51 (f) Compensation and Reimbursement for Expenses. Each member of the  
com-

52 mission shall be compensated as provided by section 59-509(h), Idaho  
Code. All

53 such compensation and expenses shall be paid from the fish and game  
account.

54 (g) Quorum. A majority of the commissioners shall constitute a  
quorum for

55 the transaction of any business, for the performance of any duty, or  
for the

8

1 exercise of any power.

2 (h) Office and Supplies. The commission shall have its principal  
office

3 in ~~the city of Boise~~ **Ada county** and is authorized to purchase supplies,  
equip-

4 ment, printed forms, and notices, and to issue such publications as  
may be

5 necessary.

6 SECTION 12. That Section 36-104, Idaho Code, be, and the same is  
hereby

7 amended to read as follows:

8 36-104. GENERAL POWERS AND DUTIES OF COMMISSION. (a)  
Organization --

9 Meetings. The members of the commission shall annually meet at their  
offices

10 ~~in the city of Boise~~ and organize by electing from their membership a  
chair-

11 man, who shall hold office for a period of one (1) year, or until his  
succes-  
12 sor has been duly elected. In addition to the regular annual meeting,  
to be  
13 held in January, said commission shall hold other regular quarterly  
meetings  
14 in April, July and October of each year at such places within the state  
as the  
15 commission shall select for the transaction of business. Special  
meetings may  
16 be called at any time and place by the chairman or a majority of the  
members  
17 of the commission. Notice of the time, place and purpose of any and  
all spe-  
18 cial meetings shall be given by the secretary to each member of the  
commission  
19 prior to said meeting.  
20 (b) Authorization for Commission Powers and Duties. For the  
purpose of  
21 administering the policy as declared in section 36-103, Idaho Code,  
the com-  
22 mission is hereby authorized and empowered to:  
23 1. Investigate and find facts regarding the status of the state's  
wild-  
24 life populations in order to give effect to the policy of the state  
here-  
25 inbefore announced.  
26 2. Hold hearings for the purpose of hearing testimony, considering  
evi-  
27 dence and determining the facts as to when the supply of any of the  
wild-  
28 life in this state will be injuriously affected by the taking  
thereof, or  
29 for the purpose of determining when an open season may be declared  
for the  
30 taking of wildlife. Whenever said commission determines that the  
supply of  
31 any particular species of wildlife is being, or will be, during  
any par-  
32 ticular period of time, injuriously affected by depletion by  
permitting  
33 the same to be taken, or if it should find a longer or different  
season,  
34 or different bag limit should be adopted for the better  
protection  
35 thereof, or if it finds that an open season may be declared without  
endan-

36           gering the supply thereof, then it shall make a rule or  
proclamation  
37           embodying its findings in respect to when, under what  
circumstances, in  
38           which localities, by what means, what sex, and in what amounts and  
numbers  
39           the wildlife of this state may be taken.  
40           3. Whenever it finds it necessary for the preservation,  
protection, or  
41           management of any wildlife of this state, by reason of any act of  
God or  
42           any other sudden or unexpected emergency, declare by temporary  
rule or  
43           proclamation the existence of such necessity, and the cause  
thereof, and  
44           prescribe and designate all affected areas or streams, and close  
the same  
45           to hunting, angling or trapping, or impose such restrictions and  
condi-  
46           tions upon hunting, angling or trapping as said commission shall  
find to  
47           be necessary. Every such temporary rule shall be made in accordance  
with  
48           the provisions of chapter 52, title 67, Idaho Code.  
49           4. At any time it shall deem necessary for the proper management of  
wild-  
50           life on any game preserve in the state of Idaho, declare an open  
season in  
51           any game preserve as it deems appropriate.  
52           5. (A) Upon notice to the public, hold a public drawing  
giving to  
53           license holders, under the wildlife laws of this state, the  
privilege

9

1           of drawing by lot for a controlled hunt permit authorizing the  
person  
2           to whom issued to hunt, kill, or attempt to kill any species of  
wild  
3           animals or birds designated by the commission under such rules  
as it  
4           shall prescribe.  
5           (B) The commission may, under rules or proclamations as it may  
pre-  
6           scribe, authorize the director to issue additional  
controlled hunt



7 permits and collect fees therefor authorizing landowners of  
property  
8 valuable for habitat or propagation purposes of deer, elk or  
ante-  
9 lope, or the landowner's designated agent(s) to hunt deer,  
elk or  
10 antelope in controlled hunts containing the eligible property  
owned  
11 by those landowners in units where any permits for deer, elk or  
ante-  
12 lope are limited.  
13 (C) A nonrefundable fee as specified in section 36-416, Idaho  
Code,  
14 shall be charged each applicant for a controlled hunt  
permit. Suc-  
15 cessful applicants for controlled hunt permits shall be  
charged the  
16 fee as specified in section 36-416, Idaho Code. Additionally,  
a fee  
17 may be charged for telephone and credit card orders in  
accordance  
18 with subsection (e)11. of section 36-106, Idaho Code. The  
department  
19 shall include a checkoff form to allow applicants to  
designate one  
20 dollar (\$1.00) of such nonrefundable application fee for  
transmittal  
21 to the reward fund of citizens against poaching, inc., an Idaho  
non-  
22 profit corporation. The net proceeds from the nonrefundable fee  
shall  
23 be deposited in the fish and game account and none of the  
net pro-  
24 ceeds shall be used to purchase lands.  
25 6. Adopt rules pertaining to the importation, exportation, release,  
sale,  
26 possession or transportation into, within or from the state of  
Idaho of  
27 any species of live, native or exotic wildlife or any eggs thereof.  
28 7. Acquire for and on behalf of the state of Idaho, by purchase,  
condem-  
29 nation, lease, agreement, gift, or other device, lands or waters  
suitable  
30 for the purposes hereinafter enumerated in this paragraph.  
Whenever the  
31 commission proposes to purchase a tract of land in excess of fifteen  
(15)

32            acres, the commission shall notify the board of county  
commissioners of  
33            the county where this land is located of the intended action. The  
board of  
34            county commissioners shall have ten (10) days after official  
notification  
35            to notify the commission whether or not they desire the commission  
to hold  
36            a public hearing on the intended purchase in the county. The  
commission  
37            shall give serious consideration to all public input received at the pub-  
lic hearing before making a final decision on the proposed  
38            acquisition.  
39            Following any land purchase, the fish and game commission shall  
provide,  
40            upon request by the board of county commissioners, within one  
hundred  
41            twenty (120) days, a management plan for the area purchased that  
would  
42            address noxious weed control, fencing, water management and other impor-  
tant issues raised during the public hearing. When considering  
43            purchasing  
44            lands pursuant to this paragraph, the commission shall first make  
a good  
45            faith attempt to obtain a conservation easement, as provided in  
chapter  
46            21, title 55, Idaho Code, before it may begin proceedings to  
purchase,  
47            condemn or otherwise acquire such lands. If the attempt to acquire a con-  
servation easement is unsuccessful and the commission then  
48            purchases,  
49            condemns or otherwise acquires the lands, the commission shall  
record in  
50            writing the reasons why the attempt at acquiring the conservation  
easement  
51            was unsuccessful and then file the same in its records and in a  
report to  
52            the joint finance-appropriations committee. The commission shall  
develop,  
53            operate, and maintain the lands, waters or conservation easements  
for said  
54            purposes, which are hereby declared a public use:  
55            (A) For fish hatcheries, nursery ponds, or game animal or  
game bird

10

1 farms;  
2 (B) For game, bird, fish or fur-bearing animal restoration,  
propaga- tion or protection;  
3  
4 (C) For public hunting, fishing or trapping areas to provide  
places where the public may fish, hunt, or trap in accordance with  
5 the pro- visions of law, or the regulation of the commission;  
6  
7 (D) To extend and consolidate by exchange, lands or waters  
suitable for the above purposes.  
8  
9 8. Enter into cooperative agreements with educational  
institutions, and  
10 state, federal, or other agencies to promote wildlife research  
and to  
11 train students for wildlife management.  
12 9. Enter into cooperative agreements with state and federal  
agencies,  
13 municipalities, corporations, organized groups of landowners,  
associa- tions, and individuals for the development of wildlife rearing,  
14 propagat- ing, management, protection and demonstration projects.  
15  
16 10. In the event owners or lawful possessors of land have  
restricted the  
17 operation of motor-propelled vehicles upon their land, the  
commission,  
18 upon consultation with all other potentially affected landowners,  
and hav- ing held a public hearing, if requested by not less than ten (10)  
19 resi- dents of any county in which the land is located, may enter into  
20 coopera- tive agreements with those owners or possessors to enforce those  
21 restric- tions when the restrictions protect wildlife or wildlife habitat.  
22 Pro- vided, however, the commission shall not enter into such  
23 agreements for  
24 lands which either lie outside or are not adjacent to any  
adjoining the  
25 proclaimed boundaries of the national forests in Idaho.  
26 (A) The landowners, with the assistance of the department,

shall  
27 cause notice of the restrictions, including the effective  
date  
28 thereof, to be posted on the main traveled roads entering the  
areas  
29 to which the restrictions apply. Provided, however, that  
nothing in  
30 this subsection shall allow the unlawful posting of signs or  
other  
31 information on or adjacent to public highways as defined in  
subsec-  
32 tion (5) of section 40-109, Idaho Code.  
33 (B) Nothing in this section authorizes the establishment  
of any  
34 restrictions that impede normal forest or range management  
opera-  
35 tions.  
36 (C) No person shall violate such restrictions on the use of  
motor-  
37 propelled vehicles or tear down or lay down any fencing or  
gates  
38 enclosing such a restricted area or remove, mutilate,  
damage or  
39 destroy any notices, signs or markers giving notice of such  
restric-  
40 tions. The commission may promulgate rules to administer the  
restric-  
41 tions and cooperative agreements addressed in this subsection.  
42 11. Capture, propagate, transport, buy, sell or exchange any  
species of  
43 wildlife needed for propagation or stocking purposes, or to exercise  
con-  
44 trol of undesirable species.  
45 12. Adopt rules pertaining to the application for, issuance of and  
admin-  
46 istration of a lifetime license certificate system.  
47 13. Adopt rules governing the application and issuance of permits  
for and  
48 administration of fishing contests on waters under the jurisdiction  
of the  
49 state. The fee for each permit shall be as provided for in section  
36-416,  
50 Idaho Code.  
51 14. Adopt rules governing the application for and issuance of  
licenses by  
52 telephone and other electronic methods.  
53 (c) Limitation on Powers. Nothing in this title shall be

construed to

54 authorize the commission to change any penalty prescribed by law for a  
viola-

55 tion of its provisions, or to change the amount of license fees or the  
author-

11

1 ity conferred by licenses prescribed by law.

2 (d) Organization of Work. The commission shall organize the  
department,

3 in accordance with the provisions of title 67, Idaho Code, into  
administrative

4 units as may be necessary to efficiently administer said  
department. All

5 employees of the department except the director shall be  
selected and

6 appointed by the director in conformance with the provisions of  
chapter 53,

7 title 67, Idaho Code.

8 SECTION 13. That Section 40-307, Idaho Code, be, and the same is  
hereby

9 amended to read as follows:

10 40-307. OFFICE OF BOARD -- ORGANIZATION MEETINGS -- OFFICERS. The  
perma-

11 nent offices of the board shall be maintained ~~at Boise City, Idaho~~  
in Ada

12 county, in suitable offices and quarters, with equipment, records and  
supplies

13 as may be deemed necessary to carry out the provisions of this title.  
The mem-

14 bers of the board shall select a vice chairman at the February meeting  
of each

15 year, and the board shall adopt a seal having upon it the words, "Idaho  
Trans-

16 portation Board--State of Idaho." The secretary of the board shall  
have care

17 and custody of the seal. The board shall appoint a secretary and fix his  
com-

18 pensation. The secretary shall hold office subject to the pleasure  
of the

19 board, and carry out administrative duties as delegated to him. For the  
admin-

20 istration of their functions the board may employ other employees and  
person-



21        nel as may be deemed necessary, prescribe their duties, and fix their  
compen-  
22        sation.

23                SECTION 14. That Section 40-2402, Idaho Code, be, and the same is  
hereby  
24        amended to read as follows:

25                40-2402. COUNCIL ORGANIZATION -- PERSONNEL. (1) The offices of the  
coun-  
26        cil shall be maintained ~~at Boise, Idaho~~ in Ada county, and the members  
shall  
27        meet and organize as soon as all appointments have been made, or as  
provided  
28        in section 40-2401, Idaho Code. At the initial meeting, and each year  
there-  
29        after, the members shall, by a majority vote of the total membership,  
elect a  
30        chairman and a vice chairman.  
31                (2) The council shall meet quarterly for regular business  
sessions, and  
32        at such other times at the call of the chairman, or at the request  
of any  
33        three (3) members.  
34                (3) The council may appoint a local highway administrator and  
fix his  
35        compensation, and the administrator shall hold office at the pleasure  
of the  
36        council. The administrator shall serve as secretary and executive  
officer of  
37        the council and carry out such duties as are delegated by the  
council. The  
38        council may employ other personnel, prescribe duties, and fix  
compensation.

39                SECTION 15. That Section 41-1041, Idaho Code, be, and the same is  
hereby  
40        amended to read as follows:

41                41-1041. CONDUCT OF EXAMINATION. (1) The director shall make any  
examina-  
42        tion required under section 41-1038, Idaho Code, available to  
applicants from  
43        time to time with reasonable frequency, and at places in this state  
reasonably  
44        accessible to such applicants. The director shall make each such  
examination

45 available ~~at Boise~~ on at least one (1) day of each week.  
46 (2) The director may permit the applicant to take, on the same day  
and at  
47 the same place, all examinations required for the license or  
licenses for  
48 which his application has theretofore been completed and is then  
pending, and  
49 for which the examinations fees have been paid. This provision shall not  
apply

12

1 as to examination for license as to variable annuity contracts.  
2 (3) The director shall give, conduct and grade all examinations in  
a fair  
3 and impartial manner, and without unfair discrimination as between  
individuals  
4 examined.

5 SECTION 16. That Section 41-1046, Idaho Code, be, and the same is  
hereby  
6 amended to read as follows:

7 41-1046. CONTINUATION, EXPIRATION OF LICENSE. (1) All agent,  
broker, con-  
8 sultant, limited agent, adjuster, and surplus line broker licenses  
issued  
9 under this code shall continue in force until expired, suspended,  
revoked or  
10 otherwise terminated, but subject to payment of the applicable  
continuation  
11 fee to the director at his office ~~in Boise~~ no less often than biennially  
on or  
12 before the expiration date referred to in subsection (2) of this  
section,  
13 accompanied by written request for such continuation and a continuing  
educa-  
14 tion statement verifying that the licensee has completed any continuing  
educa-  
15 tion requirements imposed by the director of insurance. An  
application for  
16 renewal is not complete and sufficient unless it is submitted with  
both the  
17 applicable fee and the completed continuing education statement. The  
continua-  
18 tion fees as stated in section 41-401, Idaho Code (fee schedule), are  
for a

19 one (1) year continuation; and licenses continued for two (2) years  
shall be  
20 subject to payment of a two (2) year continuation fee. Request for  
continua-  
21 tion shall be made in writing on forms to be supplied by the director.  
22 (2) The director may, in his discretion, fix the dates of  
expiration of  
23 respective licenses and appointments in such manner as is deemed by him  
to be  
24 advisable for an efficient distribution of the work load of his office.  
If as  
25 to a particular license or appointment the expiration date so fixed  
would upon  
26 first occurrence shorten the period for which license or appointment  
continua-  
27 tion fee has theretofore been paid, no refund of unearned fee shall be  
made;  
28 and if the expiration date so fixed as to a particular license or  
appointment  
29 would upon first occurrence lengthen the period for which license or  
appoint-  
30 ment continuation fee had theretofore been paid, the director shall  
charge no  
31 additional fee for such lengthened period. If another date is not so  
fixed by  
32 the director, each such license shall, unless continued as hereinabove  
pro-  
33 vided, expire at midnight on March 31.  
34 (3) Any license referred to in subsection (1) of this section as to  
which  
35 request for continuation, fee and completed continuing education  
statement is  
36 not so received by the director shall be deemed to have expired at  
midnight on  
37 the applicable expiration date. Request for continuation of any such  
license  
38 or payment of the continuation fee therefor which is received by the  
director  
39 within thirty (30) days after such expiration date may be accepted and  
effec-  
40 tuated by the director, in his discretion, if accompanied by a  
continuation  
41 fee of two (2) times the amount otherwise required.  
42 (4) As a condition to or in connection with the continuation of any  
agent  
43 or broker license the director may require the licensee to file  
with him



44 information relative to use made of the license during the next  
preceding two  
45 (2) calendar years, and especially showing whether the license has been  
used  
46 principally for the writing of controlled business, as defined in  
section  
47 41-1033, Idaho Code.  
48 (5) All sums tendered as fee for continuation of license as agent,  
bro-  
49 ker, consultant, limited agent, adjuster and surplus line broker  
shall be  
50 deemed earned when paid and shall not be subject to refund; except  
that the  
51 director shall refund any duplicate payment of any such fee.  
52 (6) (a) For the protection of the people of this state the  
director  
53 shall, by rule, establish additional educational requirements  
designed to

13

1 maintain and improve the insurance skills and knowledge of agents,  
brokers  
2 and consultants after being duly licensed by the department of  
insurance.  
3 The director shall also, by rule, establish an advisory committee,  
includ-  
4 ing limits on the term of service for members of the committee,  
comprised  
5 of representatives from each segment of the insurance industry, to  
assist  
6 the director in prescribing additional educational requirements and  
ful-  
7 filling the purposes of this legislation.  
8 (b) Subject to subsection (3) ~~above~~ **of this section**, the director  
shall  
9 not permit to be continued the license of any agent, broker or  
consultant  
10 who is licensed pursuant to section 41-1030, Idaho Code, and who is  
a res-  
11 ident of this state, unless such person has demonstrated to the  
satisfac-  
12 tion of the director that in addition to meeting the standards  
contained  
13 in section 41-1034, Idaho Code (qualifications for agents or  
brokers), or  
14 section 41-1035, Idaho Code (qualifications for consultants), as

may be

15 applicable, all the additional educational requirements as the  
director

16 may prescribe by rule adopted pursuant to this subsection have  
been met.

17 The provisions of this paragraph shall not apply to employees or  
owners of

18 travel agencies if the employee's or owner's license allows the  
sale of

19 travel or trip insurance to customers booking travel plans with the  
travel

20 agency, or to a limited agent who is licensed pursuant to section  
41-1045,

21 Idaho Code, or to persons regulated or licensed by the  
department of

22 finance pursuant to chapter 46, title 28, Idaho Code, national or  
state

23 chartered banks, federal or state chartered savings and loan  
associations,

24 or federal or state chartered credit unions dealing with  
insurance

25 licensed pursuant to section 41-1045, Idaho Code (limited  
agent's

26 license).

27 SECTION 17. That Section 42-1733, Idaho Code, be, and the same is  
hereby

28 amended to read as follows:

29 42-1733. ORGANIZATION. The business of the board shall be  
conducted as

30 follows:

31 (a) The first meeting of the board shall be held in the city of  
Boise

32 within thirty (30) days following its appointment and thereafter the  
board

33 shall hold no less than four (4) regular meetings annually on dates  
and at

34 places set by the board. The board shall maintain its principal office  
in ~~the~~

35 ~~city of Boise~~ **Ada county**. Special meetings of the board may be held by  
call of

36 the chairman, four (4) of the members of the board, or the governor. A  
major-

37 ity of board members at any meeting shall constitute a quorum for the  
trans-

38 action of any business. No notice shall be required for regular,

special or

39 adjourned meetings, providing the time and place of the meeting is fixed  
at a

40 meeting at which all of the board members are in attendance.

Otherwise, five

41 (5) days written or telegraphic notice setting out the time, place and  
purpose

42 of the meeting shall be required. Any meeting of the board at which all  
of the

43 members are present shall be as valid as if held pursuant to notice.

Members

44 may waive notice in writing either before or at the time of the meeting.

45 (b) All meetings at which official action is taken by the board  
shall be

46 open to the public; the board may hold executive sessions at which no  
official

47 action is taken.

48 (c) At its first meeting the board shall elect one (1) of its  
members

49 chairman and one (1) of its members vice chairman. Such officers  
shall hold

50 their respective offices for a period of two (2) years and until their  
succes-

51 sors are elected and qualified. Should a vacancy occur in either  
office, the

52 board shall elect a member to fill such vacancy for the remainder of the  
term.

53 (d) The chairman shall preside at all meetings of the board,  
perform the

14

1 normal duties of that office and such other duties as may be required  
of him

2 by the board.

3 (e) The vice chairman shall possess all of the powers and perform  
all of

4 the duties of the chairman in the event of the death, absence,  
disability or

5 refusal to act on the part of the chairman, and such authority shall  
extend

6 until a new chairman has been elected and qualified. He shall also  
perform

7 such other duties as may be required of him by the board.

8 (f) The board shall select a secretary who may be a member of the  
board.

9 The secretary shall be responsible for full and accurate minutes of all

meet-

10 ings of the board, a record of its proceedings, and every ruling,  
order and

11 decision made by it. He shall also perform such other duties as  
may be

12 required of him.

13 (g) The board shall adopt a seal having upon it the words, "Idaho  
water

14 resource board," which shall be placed in the care and custody of the  
direc-

15 tor.

16 (h) Each member of the board shall, before entering upon the  
discharge of

17 his official duties, file with the secretary of state the statutory  
oath of

18 office to which, and as a part thereof, shall be added a declaration  
of the

19 political party to which said board member belongs.

20 SECTION 18. That Section 42-2011, Idaho Code, be, and the same is  
hereby

21 amended to read as follows:

22 42-2011. FORFEITURE OF CONTRACT FOR CONTRACTOR'S DEFAULT -- SALE OF  
PROJ-

23 ECT. Upon the failure of any parties having contracts with the state  
for the

24 reclamation of lands segregated under the Carey Act to commence the  
construc-

25 tion of such ditches, canals or other irrigation works within the time  
speci-

26 fied by the contract or to perform all of the requirements of said  
contract

27 within the time specified in said contract with the state to the  
satisfaction

28 of the director of the department of water resources, it shall be the  
duty of

29 the director to give such parties written notice of such failure,  
and if,

30 after a period of sixty (60) days from the sending of such notice, they  
shall

31 have failed to proceed with the work or to conform to the provisions of  
their

32 contract with the state, the bond and contract of such parties and all  
works

33 constructed thereunder shall be at once and thereby forfeited to the  
state.

34           It shall be the duty of the director at once so to declare and give  
notice  
35       once each week for a period of four (4) weeks in some newspaper of  
general  
36       circulation in the county in which the work is situated and in one (1)  
news-  
37       paper at the state capital in like manner and for a like period of the  
for-  
38       feiture of said contract, and that upon a fixed day proposals will be  
received  
39       at the office of the department ~~in the capitol at Boise City~~ for the  
purchase  
40       of ditches, canals, other irrigation works, water rights and all other  
rights,  
41       privileges and benefits obtained under the provisions of the said  
contract and  
42       for the performance of the provisions of said contract with the  
state. The  
43       time for receiving said bids shall be at least sixty (60) days  
subsequent to  
44       the issuing of the last notice of forfeiture. Upon the request of any  
bidder  
45       the director shall specify in particular the needful things to be  
done in  
46       order to accomplish the substantial and satisfactory performance of said  
con-  
47       tract, and the director may require good and sufficient bond for such  
perfor-  
48       mance before confirming such sale. The money received by the department  
from  
49       the sale under the provisions of this section shall first be applied  
to the  
50       expenses incurred by the state in the forfeiture and disposal and to  
satisfy-  
51       ing the bond, and the surplus, if any exists, shall be paid into the  
Carey Act  
52       trust fund created under section 42-2018, Idaho Code.

15

1           SECTION 19. That Section 43-401, Idaho Code, be, and the same is  
hereby  
2       amended to read as follows:

3           43-401. PLAN OF CONSTRUCTION -- ISSUANCE OF BONDS --  
INDEBTEDNESS --

4       ELECTION. As soon as practicable after the organization of any such



district

5 the board of directors shall, by a resolution entered on its records,  
formu-

6 late a general plan of its proposed operations, in which it shall  
state what

7 constructed works or other property it proposes to purchase and the  
cost of

8 purchasing the same; and further what construction work it proposes to  
do and

9 how it proposes to raise the funds for carrying out said plan. For the  
purpose

10 of ascertaining the cost of any such construction work, said board shall  
cause

11 such surveys, examinations and plans to be made as shall demonstrate the  
prac-

12 ticability of such plan, and furnish the proper basis for an estimate  
of the

13 cost of carrying out the same. All such surveys, examinations, maps,  
plans and

14 estimates, shall be made under the direction of a competent irrigation  
engi-

15 neer and certified by him. Said board shall then submit a copy of the  
same to

16 the department of water resources, and within ninety (90) days  
thereafter the

17 department shall file a report upon the same with said board, which  
report

18 shall contain such matters as, in the judgment of the department may be  
desir-

19 able.

20 Upon receiving said report said board of directors shall proceed to  
deter-

21 mine the amount of money necessary to be raised, and shall immediately  
there-

22 after call a special election, at which shall be submitted to the  
electors of

23 said district possessing the qualifications hereinafter prescribed the  
ques-

24 tion whether or not the bonds of said district, or the right to enter  
into an

25 obligation with the United States in the manner hereinafter in this  
title pro-

26 vided, or whether a contractual arrangement with a money-lending  
institution

27 in the amount as determined, shall be authorized.

28 Notice of such election must be given by posting notices in three  
(3) pub-

29      lic places in each election precinct in said district at least four (4)  
weeks  
30      before the date of said election, and the publication thereof for  
the same  
31      length of time in some newspaper published in the district, and in  
case no  
32      paper is published in the district, then in a paper published in each  
county  
33      in which the district or any part thereof is located. Such notice must  
specify  
34      the time of holding the election, the qualifications of voters, the  
amount of  
35      bonds proposed to be issued, and, in case such maps and estimates  
have been  
36      made, it shall further state that copies thereof, and in all cases it  
shall  
37      state that said report of the department of water resources, are on  
file and  
38      open to public inspection by the people of the district, at the office  
of said  
39      board and at the office of the department of water resources. ~~at the~~  
~~state~~  
40      ~~capitol.~~  
41      No person who is not a resident holder of title or evidence of  
title to  
42      lands located and subject to assessment within such district, or the  
wife or  
43      husband of such holder of title or evidence of title, shall be  
entitled to  
44      vote at such election. Otherwise said election must be held and the  
results  
45      thereof determined and declared in all respects as nearly as  
practicable in  
46      conformity with the provisions of this title governing the election of  
offi-  
47      cers: provided, that no informalities in conducting such an election  
shall  
48      invalidate the same if the election shall have been otherwise fairly  
con-  
49      ducted. At such election the ballots shall contain the words "bonds--  
yes" or  
50      "bonds--no," or other words equivalent thereto. If two-thirds (2/3)  
of the  
51      votes cast are "bonds--yes" the board of directors shall cause bonds  
in said  
52      amount to be issued; if more than one-third (1/3) of the votes cast  
at any

53 bond election are "bonds--no" the result of such election shall be so  
declared

54 and entered of record.

16

1 And whenever thereafter said board in its judgment deems it for  
the best

2 interest of the district that the question of the issuance of bonds in  
said

3 amount, or any other amount, shall be submitted to the electors, it  
shall so

4 declare of record in its minutes, and may thereupon submit such  
questions to

5 said electors in the same manner and with like effect as at such  
previous

6 election.

7 SECTION 20. That Section 49-202, Idaho Code, be, and the same is  
hereby

8 amended to read as follows:

9 49-202. DUTIES OF DEPARTMENT. (1) All registration and driver's  
license

10 records in the office of the department shall be public records and  
open to

11 inspection by the public during normal business hours, except for  
those

12 records declared by law to be for the confidential use of the  
department, or

13 those records containing personal information subject to restrictions  
or con-

14 ditions regarding disclosure. If the department has contracted for a  
service

15 to be provided by another entity, an additional fee shall be charged  
by that

16 contractor whether the service is rendered during normal business hours,  
other

17 than normal business hours or on weekends.

18 (2) In addition to other fees required by law to be collected  
by the

19 department, the department shall collect the following:

20 (a) For certifying a copy of any record pertaining to any  
vehicle

21 license, any certificate of title, or any driver's license .....  
\$8.00

22 (b) For issuing every Idaho certificate of title .....

\$8.00  
23 (c) For furnishing a duplicate copy of any Idaho certificate of  
title  
24 .....  
\$8.00  
25 (d) For issuance or transfer of every certificate of title on a  
new or  
26 used vehicle or other titled vehicle in an expedited manner (rush  
titles),  
27 in addition to any other fee required by this section .....  
\$15.00  
28 (e) For recording a transitional ownership document, in addition  
to any  
29 other fee required by this section .....  
\$15.00  
30 (f) For furnishing a replacement of any receipt of registration ...  
\$3.00  
31 (g) For furnishing copies of registration or ownership of motor  
vehicles  
32 or driver's license records, per vehicle registration, accident  
report  
33 records, title or per driver's license record .....  
\$4.00  
34 Additional contractor fee, not to exceed .....  
\$4.00  
35 (h) For services in searching files of vehicle or other  
registrations,  
36 vehicle titles, or driver's licenses per hour .....  
\$10.00  
37 (i) Placing "stop" cards in vehicle registration or title files,  
each  
38 .....  
\$12.00  
39 (j) For issuance of an assigned or replacement vehicle  
identification  
40 number (VIN) .....  
\$10.00  
41 (k) For a vehicle identification number (VIN) inspection whether  
con-  
42 ducted by a city or county peace officer or any other peace  
officer or  
43 designated agent of the state of Idaho, per inspection .....  
\$3.00  
44 (l) For all replacement registration stickers, each .....  
\$1.00  
45 (m) For issuing letters of temporary vehicle clearance to Idaho  
based

46 motor carriers .....  
 \$10.00  
 47 (n) For all sample license plates, each .....  
 \$12.00  
 48 (o) For filing release of liability statements .....  
 \$2.00  
 49 (p) For safety and insurance programs for each vehicle  
 operated by a  
 50 motor carrier .....  
 \$2.00  
 51 A lesser amount may be set by rule of the board.  
 52 (3) The fees required in this section shall not apply when the  
 service is  
 53 furnished to any federal, state, county or city peace officer when such  
 ser-

17

1 vice is required in the performance of their duties as peace officers.  
 2 (4) The department may enter into agreements with private  
 companies or  
 3 public entities to provide the services for which a fee is collected in  
 sub-  
 4 section (2)(g) of this section. Such private contractor shall collect  
 the fee  
 5 prescribed and remit the fee to the department. The contractor shall  
 also col-  
 6 lect and retain the additional fee charged for his services.  
 7 (5) (a) The department shall pay three dollars (\$3.00) of the fee  
 col-  
 8 lected by a county assessor or other agent of the department as  
 provided  
 9 in subsection (2)(a) through (f) of this section, and four dollars  
 (\$4.00)  
 10 as provided in subsection (2)(g) of this section, to the county  
 assessor  
 11 or sheriff of the county or agent collecting such fee, which  
 shall be  
 12 deposited with the county treasurer and credited to the county  
 current  
 13 expense fund. The remainder of the fees collected as provided in  
 that sub-  
 14 section shall be paid by the department to the state treasurer and  
 placed  
 15 in the state highway fund.  
 16 (b) The fee collected under subsection (2)(k) of this section for  
 a VIN



17 inspection shall be placed in the city general fund if conducted by  
a city  
18 peace officer, in the county current expense fund if conducted by a  
county  
19 peace officer, shall be retained by the special agent authorized  
to per-  
20 form the inspection, or paid to the state treasurer and placed  
to the  
21 credit of the Idaho state police if conducted by the Idaho state  
police or  
22 in the state highway fund if conducted by the department.  
23 (c) The fee collected under subsection (2)(p) of this section for  
motor  
24 carriers shall be paid by the department to the state treasurer and  
placed  
25 in the state highway fund. The director and the director of the  
Idaho  
26 state police shall jointly determine the amount to be transferred  
from the  
27 state highway fund to the law enforcement fund for motor carrier  
safety  
28 programs conducted by the Idaho state police pursuant to the  
provisions of  
29 section 67-2901A, Idaho Code.  
30 (6) The department as often as practicable may provide to law  
enforcement  
31 agencies the record of suspensions and revocations of driver licenses  
via the  
32 Idaho law enforcement telecommunications system (ILETS).  
33 (7) The department shall provide the forms prescribed in  
chapter 5 of  
34 this title, shall receive and file in its office in ~~Boise, Idaho~~ Ada  
county,  
35 all instruments required in chapter 5 of this title to be filed  
with the  
36 department, shall prescribe a uniform method of numbering  
certificates of  
37 title, and maintain in the department indices for such certificates of  
title.  
38 All indices shall be by motor or identification number and  
alphabetical by  
39 name of the owner.  
40 (8) The department shall file each registration received under a  
distinct-  
41 tive registration number assigned to the vehicle and to the owner  
thereof.  
42 (9) The department shall not renew a driver's license or

identification

43 card when fees required by law have not been paid or where fees for  
past

44 periods are due, owing and unpaid including insufficient fund checks,  
until

45 those fees have been paid.

46 (10) The department shall not grant the registration of a vehicle  
when:

47 (a) The applicant is not entitled to registration under the  
provisions of

48 this title; or

49 (b) The applicant has neglected or refused to furnish the  
department with

50 the information required in the appropriate form or reasonable  
additional

51 information required by the department; or

52 (c) The fees required by law have not been paid, or where fees  
for past

53 registration periods are due, owing and unpaid including  
insufficient fund

54 checks.

55 (11) The department or its authorized agents have the authority to  
request

18

1 any person, to submit to medical, vision, highway, or written  
examinations, to

2 protect the safety of the public upon the highways. The department  
or its

3 authorized agents may exercise such authority based upon evidence  
which may

4 include, but is not limited to, observations made.

5 (12) The department shall revoke the registration of any vehicle:

6 (a) Which the department shall determine is unsafe or unfit to be  
oper-

7 ated or is not equipped as required by law;

8 (b) Whenever the person to whom the registration card or  
registration

9 plate has been issued shall make or permit to be made any unlawful  
use of

10 the same or permit their use by a person not entitled thereto;

11 (c) For any violation of vehicle registration requirements by the  
owner

12 or operator in the current or past registration periods;

13 (d) Whenever a motor carrier requests revocation, or whenever an  
inter-

14 state carrier's federal operating authority has been revoked;  
15 (e) For failure of the owner or operator to file the reports  
required or  
16 nonpayment of fees assessed against the owner by the department  
pursuant  
17 to audit under the provisions of section 49-439, Idaho Code;  
18 (f) Identified by any city or county administering a program  
established  
19 by ordinance for the inspection and readjustment of motor vehicles  
(which  
20 program is part of an approved state implementation plan adopted  
by both  
21 the state and federal governments under 42 USC section 7410) as  
having  
22 failed to comply with an ordinance requiring motor vehicle  
emission  
23 inspection and readjustment; provided that no vehicle shall be  
identified  
24 to the department under this subsection (f) unless:  
25 (i) The city or county certifies to the department that the  
owner  
26 of the motor vehicle has been given notice and had the  
opportunity  
27 for a hearing concerning compliance with the ordinance  
and has  
28 exhausted all remedies and appeals from any determination  
made at  
29 such hearing; and  
30 (ii) The city or county reimburses the department for all  
direct  
31 costs associated with the registration revocation procedure.  
32 (13) The department shall not reregister or permit a vehicle to  
operate on  
33 a special trip permit until all fees, penalties and interest have been  
paid.  
34 (14) The department shall institute educational programs,  
demonstrations,  
35 exhibits and displays.  
36 (15) The department shall cancel a driver's license or  
identification card  
37 when fees required by law have not been paid or where fees are due,  
owing and  
38 unpaid including insufficient fund checks, until those fees have been  
paid.  
39 (16) The department shall examine persons and vehicles by written,  
oral,  
40 vision and skills tests without compulsion except as provided by law.

41           (17) The department shall employ expert and special help as needed  
in the  
42    department.

43           (18) The department shall compile accident statistics and  
disseminate  
44    information relating to those statistics.

45           (19) The department shall cooperate with the United States in the  
elimina-  
46    tion of road hazards, whether of a physical, visual or mental character.

47           (20) The department shall place and maintain traffic-control  
devices, con-  
48    forming to the board's manual and specifications, upon all state  
highways as  
49    it shall deem necessary to indicate and to carry out the provisions of  
this  
50    title or to regulate, warn, or guide traffic. No local authority shall  
place  
51    or maintain any traffic-control device upon any highway under the  
jurisdiction  
52    of the department except by the latter's permission, except where the  
duly  
53    elected officials of an incorporated city have established speed limits  
lower  
54    than those set by the department on the portion of state highways,  
excluding  
55    controlled-access and interstate highways, that pass through  
residential,

19

1    urban or business districts within the jurisdiction of the incorporated  
city.

2    The placement and maintenance of such a traffic-control device by a  
local

3    authority shall be made according to the board's manual and  
specifications for

4    a uniform system of traffic-control devices.

5           (21) The department may conduct an investigation of any bridge or  
other

6    elevated structure constituting a part of a highway, and if it shall  
find that

7    the structure cannot with safety to itself withstand vehicles  
traveling at a

8    speed otherwise permissible under this title, shall determine and  
declare the

9    maximum speed of vehicles which the structure can safely withstand, and  
shall

10 cause or permit suitable signs stating the maximum speed to be  
erected and

11 maintained before each end of the structure.

12 (22) Whenever the department shall determine on the basis of an  
engineer-

13 ing and traffic investigation that slow speeds on any highway or part  
of a

14 highway impede the normal and reasonable movement of traffic, the  
department

15 may determine and declare a minimum speed limit below which no person  
shall

16 drive a vehicle except when necessary for safe operation or in  
compliance with

17 law, and that limit shall be effective when posted upon appropriate  
fixed or

18 variable signs, except in cases where the duly elected officials of an  
incor-

19 porated city have established speed limits lower than those set by the  
depart-

20 ment on portions of state highways, excluding controlled-access and  
interstate

21 highways, that pass through residential, urban or business districts  
within

22 the jurisdiction of the incorporated city.

23 (23) The department shall regulate or prohibit the use of any  
controlled-

24 access highway by any class or kind of traffic which is found to be  
incompati-

25 ble with the normal and safe movement of traffic.

26 (24) The department shall erect and maintain traffic-control  
devices on

27 controlled-access highways on which any prohibitions are applicable.

28 (25) Wherever a highway crosses one (1) or more railroads at  
grade, the

29 department or local authorities within their respective jurisdictions  
shall

30 place and maintain stop signs, directing vehicular traffic  
approaching the

31 crossing to come to a full stop prior to entering the crossing at all  
railroad

32 crossings where electric or mechanical warning signals do not exist.  
Placement

33 of these stop signs shall be mandatory except when in the  
determination of

34 public highway agencies the existence of stop signs at a given crossing  
would

35 constitute a greater hazard than their absence based on a recognized



engineer-

36 ing study.

37 Nothing in this subsection shall be construed as granting immunity  
to any

38 railroad company as to liability, if any, for an accident which might  
occur at

39 a crossing where stop signs are erected and in place, but liability, if  
any,

40 shall be determined as provided by law. Liability on the part of  
governmental

41 authorities on account of absence of any stop sign at a crossing  
shall be

42 determined as provided by law.

43 (26) The department and local authorities are authorized to  
determine

44 those portions of any highway under their respective jurisdictions where  
over-

45 taking and passing or driving on the left side of the roadway would be  
espe-

46 cially hazardous and may by appropriate signs or markings on the roadway  
indi-

47 cate the beginning and end of those zones and when signs or markings  
are in

48 place and clearly visible to an ordinarily observant person, every  
driver of a

49 vehicle shall obey those directions.

50 (27) The department and local authorities in their respective  
jurisdic-

51 tions may in their discretion issue special permits authorizing the  
operation

52 upon a highway of traction engines or tractors having movable tracks  
with

53 transverse corrugations upon the periphery of the movable tracks or farm  
trac-

54 tors or other farm machinery, the operation of which upon a highway  
would

55 otherwise be prohibited under this title or title 40, Idaho Code.

20

1 (28) The department and local highway authorities within their  
respective

2 jurisdictions may place official traffic-control devices prohibiting,  
limiting

3 or restricting the stopping, standing or parking of vehicles on any  
highway

4 where such stopping, standing or parking is dangerous to those using the

high-

5 way or where the stopping, standing or parking of vehicles unduly  
interferes

6 with the free movement of traffic thereon.

7 (29) On any informational material printed after July 1, 1995, by  
or at

8 the order of the department and distributed to counties, school  
districts or

9 individuals for the purpose of assisting a person to successfully  
pass a

10 driver's license test, the department shall include material about the  
state's

11 open range law and responsibilities, liabilities and obligations of  
drivers

12 driving in the open range.

13 SECTION 21. That Section 54-205, Idaho Code, be, and the same is  
hereby

14 amended to read as follows:

15 54-205. MEETINGS -- COMPENSATION -- EXECUTIVE DIRECTOR. The board  
shall

16 have its principal office ~~at Boise, Idaho~~ in Ada county. Four (4)  
members of

17 the board shall constitute a quorum, a majority of whom may act. The  
board

18 shall meet no less than three (3) times each year; provided, however,  
special

19 meetings may be called at any time during the year after notice to all  
members

20 of the board of such special meetings. The board shall elect annually a  
chair,

21 a vice chair, a secretary and a treasurer from its members. The  
offices of

22 secretary and treasurer may be in the same person. The members of the  
board

23 shall be compensated as provided by section 59-509(i), Idaho Code.

24 The board shall have the power to name an executive director who  
need not

25 be a member of the board or a licensee and who may be a full-time or  
part-time

26 employee of the state of Idaho. The board shall prescribe the duties  
of the

27 executive director. Such duties shall include but are not limited to:

28 (1) Maintenance of a licensee registry;

29 (2) The preparation of all papers and records for the board; and

30 (3) Enforcement or investigative activities as directed by the

board.

31 SECTION 22. That Section 54-1906, Idaho Code, be, and the same is  
hereby

32 amended to read as follows:

33 54-1906. PRINCIPAL PLACE OF BUSINESS. The principal place of  
business of

34 the board shall be in ~~Boise, Idaho~~ **Ada county**. The board shall meet at  
~~Boise,~~

35 ~~Idaho~~ **its principal place of business.**

36 SECTION 23. That Section 54-1913, Idaho Code, be, and the same is  
hereby

37 amended to read as follows:

38 54-1913. RECORDS, LISTS AND INFORMATION. The board shall maintain  
at its

39 office, ~~in Boise, Idaho,~~ open to public inspection during office hours,  
a com-

40 plete record of all retained applications, licenses issued, licenses  
renewed

41 and all revocations, ~~cancellations~~ **cancellations** and suspensions of  
licenses,

42 and shall furnish a certified copy of any license issued, upon receipt  
of the

43 sum of fifty cents (50), which certified copy shall be received in all  
courts

44 and elsewhere as evidence of the facts stated therein.

45 Whenever funds are available for the purpose, the board shall  
publish a

46 list of the names and addresses of contractors licensed under this  
act and

47 such further information with respect to this act and its  
administration as

48 the board deems proper. The board may furnish the lists to such public  
works

49 and building departments, public officials or public bodies, and other  
persons

21

1 interested in or allied with the building and construction industry in  
this or

2 any other state as deemed advisable, and at such intervals as deemed  
neces-

3 sary, whenever funds therefor are available. Copies of the lists may

also be

4 furnished by the board upon request to any firm or individual upon  
payment of

5 a reasonable fee fixed by the board.

6 Whenever funds are available for the purpose, the board may  
publish and

7 disseminate to licensees of the board and to public officials or other  
persons

8 interested in or allied with the building and construction industry,  
such

9 information with relation to the administration and enforcement of this  
act as

10 deemed necessary to carry out its purposes.

11 SECTION 24. That Section 58-106, Idaho Code, be, and the same is  
hereby

12 amended to read as follows:

13 58-106. OFFICES. The department shall maintain a central office  
~~at the~~

14 ~~capital~~ in Ada county. The director may in his discretion and  
with the

15 approval of the state board of land commissioners, establish and  
maintain, at

16 places other than the seat of government, branch offices for the  
conduct of

17 any one (1) or more functions of his department.

18 SECTION 25. That Section 58-314, Idaho Code, be, and the same is  
hereby

19 amended to read as follows:

20 58-314. PLACE AND TERMS OF SALE -- CASH SALES -- NOXIOUS WEED  
DISTRICTS.

21 All sales of state lands shall be held ~~at the state capitol~~ in Ada  
county

22 unless otherwise directed by the state board of land commissioners.  
Any such

23 sale held away from ~~the state capitol~~ Ada county shall take place  
at the

24 county seat of the county or one (1) of the counties in which such  
lands are

25 situated unless otherwise directed by the board.

26 Terms of payment shall be cash on the day of sale, except that the  
state

27 board of land commissioners may sell state lands on installments with  
the down

28 payment, number of installments and interest on deferred payments to be  
set by  
29 the board, but in no case shall the down payment be less than ten  
~~per cent~~  
30 percent (10%) of the purchase price or the number of annual payments  
greater  
31 than twenty (20). The purchaser shall always have the right to make  
full pay-  
32 ment with accrued interest at any time. Interest on deferred payments  
shall be  
33 payable annually in advance on January first, and interest for the first  
year  
34 to January first next succeeding shall be paid at the time of purchase.  
35 When, in an installment sale, the conditions hereinbefore  
prescribed have  
36 been complied with, the state board shall make and deliver to the  
purchaser a  
37 certificate of purchase containing the name of the purchaser, a  
description of  
38 the land, the sum paid, the amount remaining due, and the date at  
which each  
39 of the deferred payments falls due and the amount thereof, and the  
amount and  
40 date of the several payments of interest to be made thereon. Such  
certificate  
41 shall be signed by the governor and countersigned by the director  
of the  
42 department of lands and a record of the same kept by him in a suitable  
book.  
43 When, in the judgment of the board, a bond by a purchaser of state  
lands is  
44 necessary, the state board shall require such purchaser to give a  
bond upon  
45 such conditions as the said board may determine.  
46 Whenever a purchaser of state lands shall have complied with all  
of the  
47 conditions of the sale, paid all purchase money with the lawful  
interest  
48 thereon, and shall furnish the director with satisfactory proof of  
payment of  
49 taxes levied and assessed against his equity in said lands for the  
current  
50 year, or with satisfactory proof that such taxes are otherwise  
secured, he  
51 shall receive a deed for the land purchased. Such deed shall be signed  
by the



1 governor, and countersigned by the secretary of state and by the  
director and

2 attested with the great seal of the state and the seal of the state  
board of

3 land commissioners, and said deed shall operate to convey to the  
purchaser a

4 good and sufficient title in fee simple: provided that the conveyance  
by said

5 deed shall be subject to reasonable easements for all roads used by the  
public

6 which exist at the time of sale, unless the county commissioners of the  
county

7 in which such roads are situated approve the release of such easements  
and the

8 deed expressly conveys said easements.

9 Interest on all deferred payments to be at the rate per annum set  
by the

10 state board of land commissioners. All payments shall be made to the  
director.

11 On state lands hereafter sold under contract of sale in noxious  
weed con-

12 trol districts, or which may become a part of a noxious weed control  
district,

13 it shall be the duty of the contract purchaser if the lands are,  
or may

14 become, infested with noxious weeds to join such a district and pay  
for the

15 eradication and/or control of noxious weeds on these lands. If within  
ninety

16 (90) days after receiving a notice by registered mail from the  
state land

17 department that the lands are infested with noxious weeds, he does not  
join

18 such a weed control program the director may request the treatment  
of such

19 lands by those in charge of the weed control district. When the cost of  
such

20 treatment has been determined, the supervisor of the weed control  
district

21 shall send a bill to the purchaser for such eradication of noxious  
weeds, and

22 if the amount of said bill be not paid within ninety (90) days the state  
board

23 of land commissioners may declare the contract of sale forfeited and  
cancel

24 the same, and if the contract is canceled said bill for noxious weed  
eradica-

25 tion and/or control shall be paid from the state noxious weed  
control fund

26 appropriated for the treatment of noxious weeds upon state lands.

27 SECTION 26. That Section 61-208, Idaho Code, be, and the same is  
hereby

28 amended to read as follows:

29 61-208. OFFICE AND MEETINGS. The office of the commission shall be  
in ~~the~~

30 ~~city of Boise and county of Ada~~ county. The office shall always be open,  
legal

31 holidays and nonjudicial days excepted. The commission shall hold its  
session

32 at least once in each calendar month, ~~in said city of Boise,~~ and may  
also meet

33 at such other times and in such other places as may be expedient and  
necessary

34 for the proper performance of its duties. For the purpose of holding  
sessions

35 in places other than the ~~city of Boise~~ office of the commission, the  
commis-

36 sion shall have the power to rent quarters or offices, and the expense  
thereof

37 and in connection therewith, shall be paid in the same manner as the  
other

38 expenses authorized by this act. The sessions of the commission shall  
be pub-

39 lic.

40 SECTION 27. That Section 61-1205, Idaho Code, be, and the same is  
hereby

41 amended to read as follows:

42 61-1205. OFFICE -- TECHNICAL ASSISTANCE. (1) The office of the  
council

43 members shall be in ~~the city of Boise, county of Ada~~ county. The  
department of

44 administration shall furnish suitable office space for council  
members and

45 staff ~~in the Idaho state capitol mall complex,~~ and the department  
shall be

46 reimbursed for such office space at the rates applicable to state  
agencies. ~~in~~

47 ~~the mall complex.~~

48           (2) Subject to available resources, state agencies may provide  
technical  
49 assistance to council members upon request. State agencies providing  
technical  
50 assistance shall be reimbursed in full for all costs incurred in  
providing  
51 such assistance.

23

1           SECTION 28. That Section 63-101, Idaho Code, be, and the same is  
hereby

2 amended to read as follows:

3           63-101. DEPARTMENT OF REVENUE AND TAXATION -- STATE TAX  
COMMISSION --

4           BOARD OF TAX APPEALS. (1) There is hereby created the department of  
revenue

5 and taxation, which shall consist of a state tax commission and a board  
of tax

6 appeals. The department of revenue and taxation shall, for the  
purposes of

7 section 20, article IV, of the constitution of the state of Idaho, be an  
exec-

8 utive department of state government.

9           (2) The state tax commission shall be the constitutional tax  
commission

10 prescribed in section 12, article VII, of the constitution of the  
state of

11 Idaho.

12           (3) The board of tax appeals shall be as provided in chapter 38,  
title

13 63, Idaho Code.

14           (4) The state tax commission may organize itself, or may  
organize such

15 administrative units under the direction and control of the state tax  
commis-

16 sion, as deemed necessary for proper and efficient operation in order to  
exer-

17 cise the constitutional and statutory authority and functions assigned  
to the

18 state tax commission by the provisions of this title, or by other laws.

19           (5) The state tax commission shall consist of four (4) members, not  
more

20 than two (2) of whom shall belong to the same political party. The  
members of

21 the state tax commission shall be appointed by the governor, by and

with the

22 consent of the senate; and shall be subject to removal by impeachment  
as pro-

23 vided in chapter 40, title 19, Idaho Code.

24 (6) Appointments, except appointments to fill vacancies, shall be  
for a

25 term of six (6) years. Appointments to fill a vacancy shall be made  
by the

26 governor, and the name of the appointee shall be submitted to the  
senate for

27 confirmation at the next regular or extraordinary session, and upon  
confirma-

28 tion of the appointment, the appointee shall hold office for the  
unexpired

29 term.

30 (7) Each member of the state tax commission shall take,  
subscribe and

31 file with the secretary of state an oath of office in the form, time and  
man-

32 ner prescribed in chapter 4, title 59, Idaho Code. Each state tax  
commissioner

33 shall be bonded to the state of Idaho in the form, time and manner  
prescribed

34 in chapter 8, title 59, Idaho Code.

35 (8) The state tax commission shall have an office in ~~the city of~~  
~~Boise~~

36 Ada county and may establish temporary offices at any place within the  
state

37 whenever necessary for the discharge of the state tax commission's  
duties.

38 (9) The state tax commission shall have an official seal, of  
which an

39 impression and description shall be filed with the secretary of state.  
Judi-

40 cial notice shall be taken of the seal of the state tax commission.  
Copies of

41 papers, records, proceedings and documents in the possession of the  
state tax

42 commission may be authenticated by affixation of the seal of the  
commission

43 and the attestation of the chairman of the commission, and when so  
sealed and

44 attested shall be received in evidence in all courts with the same  
effect as

45 the originals.

46 SECTION 29. That Section 63-2518, Idaho Code, be, and the same is

hereby

47 amended to read as follows:

48 63-2518. REVOCATION OF PERMITS. In addition to the aforesaid  
authority of

49 enforcement and collection, the state tax commission whenever it shall  
dis-

50 cover a violation of this act or of any rules, regulations or  
directions,

51 shall have the authority to cite any person to appear before it in its  
~~Boise~~

52 ~~Idaho~~ Ada county office to show cause why any permit or license should  
not be

24

1 revoked or why other corrective measurement should not be taken or  
imposed.

2 Notice of the hearing shall not be less than fifteen (15) days by  
registered

3 or certified mail addressed to the person's last known address or in  
lieu

4 thereof, by personal service.

5 SECTION 30. That Section 63-3807, Idaho Code, be, and the same is  
hereby

6 amended to read as follows:

7 63-3807. MEETINGS -- CALL FOR HEARINGS -- OFFICE -- QUORUM. The  
first

8 board shall meet within thirty (30) days after its appointment to  
organize.

9 The board shall meet annually at the state capitol at a date to be  
determined

10 by the board and shall hold hearings and meetings at the call of the  
chairman

11 or a majority of the board. The principal office of the board shall be  
~~at the~~

12 ~~state capitol~~ in Ada county, but the board or any of its members may  
sit and

13 hold hearings at any other place within the state. A majority of the  
board

14 shall constitute a quorum for the transaction of any official business  
other

15 than the conduct of hearings and the board may act even though one (1)  
posi-

16 tion on the board is vacant.

17           SECTION 31. That Section 63-3810, Idaho Code, be, and the same is  
hereby  
18       amended to read as follows:

19           63-3810. MOTION FOR REHEARING -- REHEARING BY ENTIRE BOARD. A  
party  
20       adversely affected by a decision may move for rehearing if such  
motion is  
21       filed within ten (10) days of the time the decision of the board is  
mailed to  
22       him. If requested in the motion, the matter may be determined by the  
entire  
23       board of tax appeals. If a rehearing by the entire board is requested,  
it will  
24       be conducted at a regular meeting in Boise or a meeting convened for  
that pur-  
25       pose ~~at Boise~~ in Ada county or such other place as may be designated  
by the  
26       chairman.

27           SECTION 32. That Section 67-1502, Idaho Code, be, and the same is  
hereby  
28       amended to read as follows:

29           67-1502. OFFICE -- DUTIES -- SEAL. He shall have an office ~~at the~~  
~~capitol~~  
30       in Ada county, where a seal shall be kept which shall be the official  
seal of  
31       the state board of education by which all official acts may be  
authenticated,  
32       and all records, books and papers pertaining to the business of this  
office.  
33       He shall file all papers, reports and public documents transmitted to  
him by  
34       the county superintendents of the several counties, and hold the  
same in  
35       readiness to be exhibited to the governor, or to any committee of any  
house of  
36       the legislature, or to any citizen of the state.

37           SECTION 33. That Section 67-1703, Idaho Code, be, and the same is  
hereby  
38       amended to read as follows:

39           67-1703. MEETING AND ORGANIZATION. The commissioners shall meet  
~~at the~~



40 ~~state capitol~~ in Ada county at least once in two (2) years and shall  
organize  
41 by the election of one (1) of their number as chairman and another as  
secre-  
42 tary, who shall hold their respective offices for a term of two (2)  
years and  
43 until their successors are elected and qualified.

44 SECTION 34. That Section 67-2502, Idaho Code, be, and the same is  
hereby  
45 amended to read as follows:

25

1 67-2502. OFFICES -- BRANCH OFFICES. Each department shall maintain  
a cen-  
2 tral office ~~at the capitol~~ in Ada county. The director of each  
department may  
3 in his discretion and with the approval of the governor, establish and  
main-  
4 tain, at other places, ~~other than the seat of government~~, branch  
offices for  
5 the conduct of any one (1) or more functions of his department.  
6 No department or unit of a department may share office space,  
facilities,  
7 equipment or personnel with any private group or association except upon writ-  
8 ten approval of the governor.

9 SECTION 35. That Section 67-5718, Idaho Code, be, and the same is  
hereby  
10 amended to read as follows:

11 67-5718. REQUISITIONS FOR PROPERTY -- NOTICE -- FORM -- GUARANTEE  
-- PRO-  
12 CEDURE FOR BIDDING. The administrator of the division of purchasing  
shall not  
13 make or cause to be made any acquisition until a requisition for the  
property  
14 to be acquired has been filed in his office, and such requisition must  
bear  
15 the certificate of the head of the agency making the requisition that  
there  
16 are proper funds or sufficient balance in appropriations out of  
which the  
17 amount of the requisition may lawfully be paid, except as provided to  
the con-

18 trary under provisions of this chapter allowing emergency purchases.

19 If the property to be acquired may reasonably be expected to  
cost in

20 excess of twenty-five thousand dollars (\$25,000) if purchased, or one  
thousand

21 dollars (\$1,000) per month if procured, there must be accompanying the  
requi-

22 sition a copy of the specifications proposed for use in the  
acquisition. Upon

23 receipt of the requisition, notice must be commenced within a  
reasonable

24 period of time and must allow not less than ten (10) days from notice  
to bid

25 opening date.

26 Provided, however, that in cases where the total value of the  
property to

27 be acquired is not in excess of twenty-five thousand dollars (\$25,000)  
if pur-

28 chased, or one thousand dollars (\$1,000) per month if procured, the  
adminis-

29 trator shall notify registered vendors in such manner as he deems  
appropriate.

30 To enhance small business bidding opportunities, the administrator shall  
seek

31 a minimum of three (3) bids from registered vendors having a significant  
Idaho

32 economic presence as defined in the Idaho Code. If he finds that it is  
imprac-

33 tical or impossible to obtain three (3) bids for the proposed  
transaction, he

34 may acquire the property in any manner he deems best. For any  
acquisition not

35 otherwise requiring specifications, the same may be required by rule  
drawn by

36 the administrator.

37 Provided further, however, that in connection with the award of any  
con-

38 tract for the placement of any order for state printing, binding,  
engraving or

39 stationery work, the provisions of sections 60-101 and 60-103, Idaho  
Code,

40 shall apply to the extent that the same may be inconsistent with any  
require-

41 ments contained in this section.

42 Notice shall be sent to each registered vendor of the property  
to be

43 acquired, except that if there are more than ten (10) registered

vendors for

44 the property to be acquired, the administrator of the division of purchasing

45 may, in his discretion, limit the notices sent to ten (10). Nothing shall pre-

46 vent all registered vendors from bidding on the property to be acquired. The

47 administrator shall cause all invitations to bid to be posted in a conspicuous

48 place in his office.

49 The notice shall describe the property to be acquired in sufficient detail

50 to apprise a bidder of the exact nature or functionality of the property

51 required; and shall give the time when, and the place where, bids will be

52 opened. The bid opening date shall be set forth in the specifications. Each

53 bid shall be in writing, sealed and marked, "sealed bid for ....., to be opened

26

1 ....., ~~19~~20.." and shall be mailed or delivered to the office of the adminis-

2 trator of the division of purchasing. ~~at Boise, Idaho.~~

3 All sealed bids received shall be opened at the time and place specified

4 in the invitation for bids, and in the public view, and a record of each bid

5 shall then and there be made. Contracts shall be awarded to and orders placed

6 with the lowest responsible bidder. If the competitive sealed proposal method

7 is used, award shall be made to the lowest responsible bidder on the basis of

8 initial proposals received or following receipt and evaluation of best and

9 final offers. The administrator shall have the right to reject any and all

10 bids pursuant to rules established for the division.

11 Where both the bids and quality of property offered are the same, prefer-

12 ence shall be given to property of local and domestic production and manufac-

13 ture or from bidders having a significant Idaho economic presence as defined

14 in the Idaho Code.

15 SECTION 36. That Section 67-5906, Idaho Code, be, and the same is  
hereby  
16 amended to read as follows:

17 67-5906. POWERS AND DUTIES OF COMMISSION. The Idaho commission on  
human  
18 rights shall have the following powers and duties:  
19 (1) To investigate complaints of alleged violation of this act  
and act  
20 upon its findings pursuant to the provisions contained in this chapter;  
21 (2) To make bylaws for its own government and procedure not  
inconsistent  
22 with the laws of this state;  
23 (3) To maintain an office in ~~the city of Boise~~ Ada county and  
other  
24 offices within the state as it may deem necessary;  
25 (4) To meet and exercise its powers at any place within the state;  
26 (5) To appear in court and before other administrative bodies;  
27 (6) To cooperate or contract with individuals and state, local and  
other  
28 agencies, both public and private, including agencies of the federal  
govern-  
29 ment and of other states;  
30 (7) To accept public grants or private gifts, bequests, or other  
pay-  
31 ments;  
32 (8) To receive and act on complaints;  
33 (9) To furnish technical assistance requested by persons subject  
to this  
34 act to further compliance with the act or an order issued thereunder;  
35 (10) To make studies appropriate to effectuate the purposes and  
policies  
36 of this act and to make the results thereof available to the public;  
37 (11) To render at least annually a comprehensive written report  
to the  
38 governor and to the legislature. The report may contain recommendations  
of the  
39 commission for legislative or other action to effectuate the purposes  
and pol-  
40 icies of this act.  
41 (12) In accordance with chapter 52, title 67, Idaho Code, to adopt,  
pro-  
42 mulgate, amend and rescind rules ~~and regulations~~ to effectuate the  
purposes  
43 and policies of this act, including ~~regulations~~ rules requiring the

posting or

44 inclusion in advertising material of notices prepared or approved by the  
com-  
45 mission.

46 SECTION 37. That Section 72-509, Idaho Code, be, and the same is  
hereby  
47 amended to read as follows:

48 72-509. OFFICES AND SUPPLIES. (1) The principal office of the  
commission

49 shall be located in ~~the capital city of the state~~ Ada county.

50 (2) The commission may establish such branch offices, divisions,  
sections

51 and advisory committees in such localities in this state as it deems  
necessary

27

1 to administer this act, in addition to the offices and committees  
herein

2 otherwise provided for, and shall have power to rent temporary quarters  
deemed

3 requisite for the purpose of administering this law.

4 (3) The commission may acquire office furniture, furnishings,  
equipment,

5 stationery and supplies deemed requisite for the purpose of  
administering this

6 law.

## Statement of Purpose / Fiscal Impact

### STATEMENT OF PURPOSE

RS 10727C1

The proposed legislation will amend statutes that require, specifically or by reference, that certain executive agencies, commissions, boards and councils locate their offices in Boise. There are 37 different sections of Idaho Code affected, involving 32 agencies, commissions, boards and councils. The amendment will allow such agencies, commissions, boards and councils to locate their offices in Ada County.

Today=s transportation capabilities make access to Ada County locations easier than in the years when the Boise location was

imposed. In addition, today=s technology lessens the need for one centralized location for government offices. The proposed change will give executive agencies, commissions, boards and councils flexibility to lease or acquire office space where competition and location may offer a price advantage.

#### FISCAL IMPACT

None.

#### CONTACTS

Name: Joanna L. Guilfoy, Deputy Attorney General  
Agency: Department of Administration  
Phone: 332-1832

Name: Brian Whitlock, Administrator  
Agency: Division of Financial Management  
Phone: 334-3904

STATEMENT OF PURPOSE/FISCAL IMPACT  
BILL N

H 128

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House Bill Number	RS Number	Committee Name and Date Discussed
H 120	10475	House Revenue & Taxation 1-30; 2-6 Senate Local Government & Taxation 2-16
H 121	10476	House Revenue & Taxation 1-30; 2-6 Senate Local Government & Taxation 2-16; 2-21
H 122	10484	House Revenue & Taxation 1-30 Senate Local Government & Taxation 2-16
H 123	10888	
H 124	10558	House Transportation 1-16 (Agenda); 1-30; 2-8 Senate Transportation 3-8
H 125	10773	
H 126	10774	
H 127	10839	House State Affairs 1-31; 2-14
H 128	10727	House State Affairs 1-31; 2-16 Senate State Affairs 2-28
H 129	10514	House Business 1-31; 2-27 Senate State Affairs 3-12
H 130	10515	House Business 1-31; 2-27 Senate State Affairs 3-12
H 131	10516	House Business 1-31; 2-27 Senate Commerce & Human Resources 3-13
H 132	10646	House Business 1-31; 2-15 Senate Commerce & Human Resources 3-13
H 133	10783	House Business 1-31; 2-7 Senate Commerce & Human Resources 2-20 (Agenda); 2-27
H 134	10567	House Judiciary, Rules & Administration 1-31; 2-13 Senate Judiciary & Rules 2-26
H 135	10624	House Judiciary, Rules & Administration 1-31; 3-5; 3-13
H 136	10803	House Judiciary, Rules & Administration 1-31; 3-1
H 137	10860	House Revenue & Taxation 2-1 (10:00)
H 138	10877	House Revenue & Taxation 2-1 (10:00); 2-6; 2-27 (8:30); 2-27 (9:30) Senate Local Government & Taxation 3-9
H 139	10786	House State Affairs 2-1

AGENDA  
**HOUSE STATE AFFAIRS COMMITTEE**

9:30 a.m.  
Room 412

Wednesday, January 31, 2001

<i>BILL NO.</i>	<i>DESCRIPTION</i>	<i>SPONSOR</i>
RS10727C1	Certain agencies, commissions, boards, and councils locate in Boise	Dept. of Admin.
RS10619	Committee to study excessive unemployment among disabled persons	Kenneth Jones
RS10839	Minimum service quality standards for telecommunications	Commissioner Kjellander
RS10840	Allows city/county governments to regulate smoking in public places	Rep. Jaquet

COMMITTEE MEMBERS:

Chairman Bill Deal  
Vice Chairman Julie Ellsworth  
Rep Ruby Stone  
Rep Thomas Loertscher  
Rep Twila Hornbeck  
Rep Bert Stevenson  
Rep Lawrence Denney  
Rep Kent Kunz

Rep Shirley McKague  
Rep John Campbell  
Rep Steve Smylie  
Rep Monty Pearce  
Rep Tom Moss  
Rep George Eskridge  
Rep Dick Harwood  
Rep Eulalie Langford

Rep Margaret Henbest  
Rep Wendy Jaquet  
Rep Mary Lou Shepherd

## MINUTES

### HOUSE STATE AFFAIRS COMMITTEE

**DATE:** January 31, 2001

**TIME:** 9:30 a.m.

**PLACE:** Room 412

**MEMBERS:** Chairman Deal, Vice Chairman Ellsworth, Representatives Stone, Loertscher, Hornbeck, Stevenson,, Kunz, McKague, Campbell, Smylie, Pearce, Moss, Eskridge, Harwood, Langford, Henbest, Jaquet, Shepherd

**ABSENT/  
EXCUSED:** Denney

**GUESTS:** Pam Ahrens, Director of Administration  
Kenneth Jones  
Paul Kjellander, PUC Commissioner

The Chairman called the meeting to order at 9:30 a.m.

The minutes of the meeting of 1/30/01 were read.

**MOTION:** Rep. Eskridge moved that the minutes of 1/30/01 be approved as written.  
Motion carried by voice vote.

**RS10727C1** Certain agencies, commissions, boards, and councils locate in Boise

Ms. Pam Ahrens, Director of Administration, spoke in support of this RS. She explained that it was drafted at the request of the Governor's office to attempt to keep overhead costs low. Current Code specifies that agencies locate their central offices in Boise City near the Capitol. The provisions of this legislation will allow these agencies to locate outside Boise city, but inside Ada County. This allows the search for available office space to expand into other areas which might be less expensive or allow greater parking access. She noted that there is a necessity in some cases to locate near the Capitol Mall area for purposes of filing documents, etc. She said that allowing a greater search area would accommodate a greater number of available leases which would in turn possibly make the bid process more competitive.

**MOTION:** Rep. Ellsworth moved that **RS10727C1** be SENT TO PRINT. Motion carried by voice vote.

**RS10619** Committee to study excessive unemployment among disabled persons

Mr. Kenneth Jones spoke in support of this bill. He explained that there is an extremely high rate of unemployment among disabled persons and a study might determine the causes for this rate.

**AGENDA**  
**HOUSE STATE AFFAIRS COMMITTEE**

8:30 a.m.  
Room 412  
Friday, February 16, 2001

BILL NO.	DESCRIPTION	SPONSOR
H128	Certain agencies, commissions, boards, and councils locate in Boise	Dept. of Admin
S1024	State Bldg authority/lease property	Wayne Meuleman
S1025	Purchasing, state, electronic bids	Dept of Admin
RS10896	Exempts vets enrolled in Medicaid from having liens on property	Rep. Eskridge
RS11141	Government property acquisitions	Rep. Campbell
RS11126	Defines crop revenue protection insurance, etc.	Rep. Raybould

**COMMITTEE MEMBERS:**

Chairman Bill Deal  
Vice Chairman Julie Ellsworth  
Rep Ruby Stone  
Rep Thomas Loertscher  
Rep Twila Hornbeck  
Rep Bert Stevenson  
Rep Lawrence Denney  
Rep Kent Kunz

Rep Shirley McKague  
Rep John Campbell  
Rep Steve Smylie  
Rep Monty Pearce  
Rep Tom Moss  
Rep George Eskridge  
Rep Dick Harwood  
Rep Eulalie Langford

Rep Margaret Henbest  
Rep Wendy Jaquet  
Rep Mary Lou Shepherd

## MINUTES

### HOUSE STATE AFFAIRS COMMITTEE

**DATE:** February 16, 2001

**TIME:** 8:30 a.m.

**PLACE:** Room 412

**MEMBERS:** Chairman Deal, Vice Chairman Ellsworth, Representatives Stone, , Hornbeck,, Denney, Kunz, McKague, Campbell, Smylie, Pearce, Moss, Eskridge, Harwood, Langford,, Jaquet, Shepherd

**GUESTS** See attached sign in sheet

**ABSENT/  
EXCUSED:** Reps. Loertscher, Stevenson, Henbest

The Chairman called the meeting to order at 8:35 a.m.

The minutes of the meeting of 2/14/01 and 2/15/01 were read.

**MOTION:** Rep. Smylie moved that the minutes of 2/14/01 and 2/15/01 be approved as written. Motion carried by voice vote.

The Chairman reminded the Committee that the following RS's were brought to this Committee because of its privileged Committee status. If printed they will be referred to other Committees.

**RS11126 Defines crop revenue protection insurance, etc.**

Rep. Raybould spoke in support of this RS. It was written to address a specific problem in agriculture--crop revenue protection insurance.

**MOTION:** Rep. Ellsworth moved that **RS11126** be SENT TO PRINT. Motion carried by voice vote. The bill will be referred to the House Business Committee.

**RS11141 Government property acquisitions**

Rep. Campbell spoke in support of this RS. He recommended printing and asked that it be referred to House Resources and Conservation Committee.

**MOTION:** Rep. Hornbeck moved that **RS11141** be SENT TO PRINT. Motion carried by voice vote. The bill will be referred to House Resources and Conservation Committee.

**H128 Certain agencies, commissions, boards, and councils locate in Boise**

Ms. Pam Ahrens, Director of the Department of Administration, spoke in support of this bill. She reminded the Committee that it allowed certain agencies to locate outside the city of Boise, but

within Ada County. It allows more flexibility and cost efficiency. She had received no comments in opposition to it.

**MOTION:** Rep. Langford moved that **H128** be sent to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. McKague wished to be recorded as voting NAY. Rep. Kunz will sponsor the bill on the floor.

**S1024 State Bldg authority/lease property**

Mr. Wayne Meuleman spoke in support of the bill. He outlined the provisions of the bill in a handout (a copy is attached). It has two provisions--it changes the honorarium paid to Board Commissioners to \$75/day, and it clarifies methods for dealing with State property. The use of long term ground leases rather than conveyances is the most efficient method of transferring state land to the Authority to be used for new facilities financed by bonds.

Mr. Meuleman noted that this legislation will lengthen the time for a ground lease to a maximum of 50 years--prior to this the maximum had been 25 years. Other options could be explored, depending on the agency involved.

**MOTION:** Rep. Hornbeck moved that **S1024** be sent to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Ellsworth wished to be recorded as voting NAY. Rep. Hornbeck will sponsor the bill on the floor.

**S1025 Purchasing, state, electronic bids**

Mr. Jan Cox, Administrator for the Division of Purchasing for Department of Administration, spoke in support of this bill. He explained the provisions of the bill in a handout (a copy is attached). He said that the bill opens up the procurement process to electronic means. This will allow many more vendors to view bid opportunities, and allows them to bid electronically. By adopting this method, delays due to weather or inability to travel to Boise are not an issue any longer. More vendors will be involved in the process, and Idaho will gain better service and lower prices. He noted that any vendor registered by the federal government is qualified to bid in Idaho. Disqualification of a vendor would entail a failure to perform or disqualification by the federal government. Language in the bill involving "negotiation" simply means that the State can talk to all the vendors (electronically) about the provisions of the bid. The provisions of the bill can be viewed as a blueprint for other State agencies to follow in the bid process. Any vendors who are uncomfortable with the electronic process will not be left out, but Mr. Cox hopes that all vendors will find the new process much easier and more efficient and will choose to do business in this manner.

Mr. Dale Peterson, Executive Director of Buy Idaho, spoke in support of the bill. He agreed with all its provisions, and felt that it would be of great benefit to smaller communities in the state.

Ms. Pam Eaton, President of Idaho Retailers Association, also spoke in support of the bill. She felt it was a win/win situation: the state wins by opening up the bid process; and vendors win because it will be easier and more efficient.



Ms. Lisa Greer, Director of Government Contracts for Micron, spoke in support of the bill.

Mr. John Sandoval, Chief of Staff at the Department of Environmental Quality, also spoke in support of the bill. He felt that it was proactive and progressive, and would allow the State to place greater emphasis on quality products.

**MOTION:** Rep. Smylie moved that **S1025** be sent to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Smylie will sponsor the bill on the floor.

**RS10896 Exempts vets enrolled in Medicaid from having liens on property**

Rep. Eskridge spoke in support of this RS. He explained that it will advise our federal legislators to change policy so that veterans who are enrolled in Medicaid and elect to reside in state veterans homes will not have a lien placed on their property. This applies to state homes, even though veterans in private nursing homes suffer the same burden.

**MOTION:** Rep. McKague moved that **RS10896** be SENT TO PRINT. Motion carried by voice vote.

The meeting adjourned at 9:15 a.m.

  
Representative Bill Deal  
Chairman

  
Teresa Jones  
Secretary



MINUTES

**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** February 28, 2001

**TIME:** 3:10 pm

**PLACE:** Room 437

**MEMBERS:** Chairman Sorensen, Vice Chairman Richardson, Senators Risch, Darrington, Sandy, Geddes, Danielson, King-Barrutia, Stennett

**ABSENT/  
EXCUSED:** None

**MINUTES:** **Senator Richardson** made a motion that the minutes of February 26, 2001 be approved as written. **Senator Danielson** seconded the motion.

The motion carried by a **Voice Vote**.

**RS 11209C1** **Relating to Idaho Aeronautics Advisory Board; to expand board members from three to five**

**Senator Frasure** is requesting this bill be sent to print and returned to the Transportation Committee.

**MOTION:** **Senator King-Barrutia** made a motion that **RS 11209C1** be introduced to print. **Senator Sandy** seconded the motion.

The motion carried by a **Voice Vote**.

**RS 11213** **Relating to the Idaho Lottery; providing definitions, background investigations for Bingo and Raffles; and establishing felony penalties for persons who present illegally obtained lottery tickets.**

**Senator Danielson** made a motion that **RS 11213** be introduced to print. **Senator Richardson** seconded the motion.

The motion carried by a **Voice Vote**.

**HB 128** **Relating to office locations for state government; amend statutes that require specifically or by reference that certain executive agencies, commissions, boards and councils locate their offices in Boise.**

**Pam Ahrens** explained this legislation is to amend 37 sections of Idaho Code and allow agency offices to be located anywhere in Ada County. This will allow for greater flexibility when they are doing bids for office space.

**Chairman Sorensen** asked if expanding it to Canyon County was considered. **Ms. Ahrens** said as telecommunications mature they may expand to additional areas.

**Senator Richardson** asked if there were currently any agencies outside of Boise. **Ms. Ahrens** said the central offices are all currently in Boise but there are satellite offices in other areas. **Senator Sandy** questioned whether distance should be the primary consideration. **Ms. Ahrens** said as agencies review locations, cost is an important consideration. **Senator Sandy** asked if consolidation might be a better alternative. **Ms. Ahrens** explained that current law requires executive agencies to be within the city limits. In the future there may be changes.

**MOTION:**

**Senator Richardson** made a motion that **HB 128** be sent to the floor with a Do Pass recommendation. **Senator King-Barrutia** seconded the motion.

The motion carried by a **Voice Vote**.

**S 1178**

**Relating to Gaming Compacts between the state of Idaho and Federally recognized Indian Tribes; amending Section 67-429A, Idaho Code, to require the governor to serve a copy of the gaming compact on each legislator at least 21 days before signed.**


**Senator Noh** said this bill represents the straight forward standard separation of powers issue and defines the role of the legislature in the approval of the compacts which are negotiated by the executive branch of the government. Compacts have a major impact on social and economic issues and with this legislation, they can not take effect without the adoption by the Legislature through a concurrent resolution.

**Chairman Sorensen** asked if some of the wording was duplicative (page 1, lines 23-25). **Senator Noh** explained that this section provides for the case where the governor fails to provide 21 days advance notice and allows the legislature to approve on shorter notice.

**David Kerrick** speaking for the **Nez Perce Tribe** said they do not clearly understand the intention of this legislation. There is concern that involvement of the Legislature could slow down the negotiation process. Although they have not had much time to analyze the bill, it appears that haste in drafting it resulted in awkward language and possible

House Bill No. 128

2001 committee minutes have been sent out to printer and are not yet available in Legislative Library. May be available in another week.

HAVE & Included. 

4/20/2017

House Bill No.	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
114	Resources & Conservation	Law	WATER RESOURCES DEPARTMENT - Provides legislative intent; and provides that court review of an action by the Department of Water Resources which is subject to judicial review under the APA shall not be heard in any water rights adjudication proceeding commenced under the state adjudication statute. . . . .	79	131	146
119	Revenue & Taxation	Law	SALES TAX - Clarifies the time and method of certain distributions of sales tax receipts. . . . .	117	196	213
120	Revenue & Taxation	Law	INCOME TAX - Governs the time within which income tax refund claims must be filed. . . . .	117	196	213
121	Revenue & Taxation	Law	INCOME TAX - Relates to the administration of the Idaho Income Tax Act to make technical corrections; corrects cross references and citations; and coordinates credits within the Income Tax Act. . . . . <b>Amended in the Senate</b> . . . . .	117 286	299	329
122	Revenue & Taxation	Law	USE TAX - Relating to the use tax, provides an exemption from imposition of the use tax on certain personally-owned vehicles. . . . .	117	196	213
124	Transportation & Defense	Law	AIRCRAFT - REGISTRATION - Provides that aircraft shall only be registered prior to or during the current annual registration year; and provides that there shall be no registration of aircraft for any registration period which is prior to the current registration year. . . . .	121	256	276
125	Appropriations	Law	APPROPRIATIONS - Appropriates an additional \$20,132,000 to the Superintendent of Public Instruction/Department of Education and authorizes two additional FTE positions for FY 2001. . . . .	79	121	129
126	Appropriations	Law	APPROPRIATIONS - Amends the appropriation for the State Tax Commission to appropriate an additional \$146,400 to the State Tax Commission for FY 2001. . . .	79	97	117
128	State Affairs	Law	STATE GOVERNMENT - OFFICES - Provides that state government offices shall be in Ada County, rather than the statutory requirement that they be either at the State Capitol or the city of Boise. . . . .	147 ✓	238 ✓	265 ✓
129	Business	Law	PUBLIC WORKS CONTRACTOR LICENSING BUREAU Provides that the Division of Building Safety shall include the Public Works Contractor Licensing Bureau. . . . .	169	258	276
130	Business	Law	BUILDING SERVICES - BOARDS - Changes the payment for members of the Idaho Building Code Advisory Board, the Manufactured Home Advisory Board, the Idaho Electrical Board, and the Idaho Plumbing Board from compensation to an honorarium and to increase the amount from \$35 per day to \$50 per day. . . . .	169	259	276



**H 128** and **H 188**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

**HCR 7**, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

**HCR 18**, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

**H 53**, by Mr. Speaker, was introduced, read the first time at length, and referred to the State Affairs Committee.

**HCR 1**, by Mortensen, was introduced, read at length, and referred to the Education Committee.

**H 244**, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

At this time Senator Risch arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President Pro Tempore appointed Senators Lodge and Deide to escort the Honorable C. L. "Butch" Otter, United States Congressman, into the Senate Chamber where he addressed the members of the Senate.

The President Pro Tempore thanked Congressman Otter for his remarks, and Senators Lodge and Deide escorted him from the Chamber, and the committee was discharged.

At this time Senator Risch arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President Pro Tempore appointed Senators Danielson and Andreason to escort the Honorable Larry Craig, United States Senator, into the Senate Chamber where he addressed the members of the Senate.

The President Pro Tempore thanked Senator Craig for his remarks, and Senators Danielson and Andreason escorted him from the Chamber, and the committee was discharged.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

**H 2** and **H 10**, by Mr. Speaker, were read the second time at length and filed for third reading.

**H 142**, by State Affairs Committee, was read the second time at length and filed for third reading.

**S 1068**, by State Affairs Committee, was read the second time at length and filed for third reading.

**S 1069**, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

**H 150**, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

**S 1146** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Darrington, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Ingram, Sandy. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1146** passed, title was approved, and the bill ordered transmitted to the House.

**S 1055** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brandt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS--None.

Absent and excused--Hawkins. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1055** passed, title was approved, and the bill ordered transmitted to the House.

**S 1121** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Whereupon the President declared **H 13**, as amended, passed, title was approved, and the bill ordered returned to the House.

**H 302** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 302** passed, title was approved, and the bill ordered returned to the House.

**H 303** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 303** passed, title was approved, and the bill ordered returned to the House.

**H 304** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hawkins arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 304** passed, title was approved, and the bill ordered returned to the House.

**H 313** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Boatright arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bartlett (Branch), Boatright, Brandt, Bunderson, Burtenshaw, Cameron, Danielson, Davis, Deide, Dunklin, Frasure, Geddes, Goedde, Hawkins, Ingram, Ipsen, Keough, King-Barrutia, Lee, Lodge, Noh, Richardson, Risch, Sandy, Schroeder, Sims, Sorensen, Stegner, Stennett, Thorne, Wheeler, Whitworth. Total - 33.

NAYS--None.

Absent and excused--Darrington, Williams. Total - 2.

Total - 35.

Whereupon the President declared **H 313** passed, title was approved, and the bill ordered returned to the House.

**H 128** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 128** passed, title was approved, and the bill ordered returned to the House.

March 20, 2001

The TRANSPORTATION Committee reports out **S 1254** and **H 269** with the recommendation that they do pass.

FRASURE, Chairman

**S 1254** and **H 269** were filed for second reading.

March 20, 2001

The STATE AFFAIRS Committee reports out **SCR 114** with the recommendation that it do pass.

SORENSEN, Chairman

**SCR 114** was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the desk for one legislative day.

March 20, 2001

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 327** with the recommendation that it do pass.

ANDREASON, Chairman

**H 327** was filed for second reading.

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

#### Messages from the House

Senator Sandy was recorded present at this order of business

March 20, 2001

Mr. President:

I transmit herewith **H 330, H 341, H 342, H 343, H 344, H 301, H 334, HCR 35,** and **H 364** which have passed the House.

JUKER, Chief Clerk

**H 330, H 341, H 342, H 343, H 344, H 301, H 334, HCR 35,** and **H 364** were filed for first reading.

March 20, 2001

Mr. President:

I transmit herewith Enrolled **HCR 17, H 205, HCR 24, HJM 10, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5,** as amended, **H 9,** as amended, **H 11,** as amended, **H 13,** as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65,** as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14,** as amended, **H 170,**

**H 154, H 131, H 26, H 22,** and **H 278** for the signature of the President, and I return herewith Enrolled **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142,** as amended, **S 1153,** and **SCR 108** which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed Enrolled **HCR 17, H 205, HCR 24, HJM 10, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5,** as amended, **H 9,** as amended, **H 11,** as amended, **H 13,** as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65,** as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14,** as amended, **H 170, H 154, H 131, H 26, H 22,** and **H 278** and ordered them returned to the House.

Enrolled **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142,** as amended, and **S 1153** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 108** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that **HCR 32** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stegner, seconded by Senator Stennett, **HCR 32** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced the Local Government and Taxation Committee report relative to the Gubernatorial appointment of David E. Kinghorn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Williams, seconded by Senator Stennett, the Gubernatorial appointment of David E. Kinghorn as a member of the Idaho State Board of Tax Appeals was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

**H 330, H 341, H 342, H 343, H 344, H 301,** and **H 334,** by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

# HOUSE INDEX

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<u>House Bill No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
124	Transportation And Defense	63	AIRCRAFT - REGISTRATION - Amends existing law to provide that aircraft shall only be registered prior to or during the current annual registration year; and to provide that there shall be no registration of aircraft for any registration period which is prior to the current registration year .....	126	330	LAW
125	Appropriations	63	APPROPRIATIONS - Appropriating an additional \$20,132,000 to the Superintendent of Public Instruction/ Department of Education and authorizing two additional full-time equivalent positions for fiscal year 2001 .....	75	176	LAW
126	Appropriations	63	APPROPRIATIONS - Amending the appropriation for the State Tax Commission to appropriate an additional \$146,400 to the State Tax Commission for fiscal year 2001 .....	76	148	LAW
127	State Affairs	64	TELECOMMUNICATIONS - Adds to existing law to authorize the Public Utilities Commission to establish, by rule, minimum telecommunication service quality standards .....	-	149	House State Affairs
128	State Affairs	64 ✓	STATE GOVERNMENT - OFFICES - Amends existing law to provide that state government offices shall be in Ada County, rather than the statutory requirement of either at the state capitol or the City of Boise .....	172 ✓	330 ✓	LAW
129	Business	68	PUBLIC WORKS CONTRACTOR LICENSING BUREAU - Amends existing law to provide that the Division of Building Safety shall include the Public Works Contractor Licensing Bureau .....	210	317	LAW
130	Business	68	BUILDING SERVICES - BOARDS - Amends existing law to change the payment for members of the Idaho Building Code Advisory Board, the Manufactured Home Advisory Board, the Idaho Electrical Board and the Idaho Plumbing Board from compensation to an honorarium and to increase the amount from \$35.00 per day to \$50.00 per day .....	210	317	LAW
131	Business	69	MANUFACTURED HOMES - Repeals and amends existing law to provide reference to the manufactured home installation standard; to delete the requirement that a copy of the manufacturer's specifications and a copy of the state set up requirements be in the home; to delete the requirement that a homeowner or park owner ensure that certain ground provides a proper base and drainage for a mobile or manufactured home; to delete requirements for instructions and installation of stabilizing systems; and to delete requirements for permanent foundations .....	211	317	LAW



**HOUSE BILL NO. 127**  
**BY STATE AFFAIRS COMMITTEE**  
**AN ACT**

RELATING TO TELECOMMUNICATIONS; AMENDING CHAPTER 6, TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 62-625, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE A TERM, TO PROVIDE AUTHORITY TO THE PUBLIC UTILITIES COMMISSION TO ESTABLISH BY RULE MINIMUM TELECOMMUNICATIONS SERVICE QUALITY STANDARDS, TO AUTHORIZE THE COMMISSION TO ESTABLISH BY RULE REPORTING PROCEDURES AND DETERMINE CIRCUMSTANCES WHEN THE SERVICE QUALITY STANDARDS SHOULD NOT APPLY AND TO AUTHORIZE THE COMMISSION TO ASSESS ADMINISTRATIVE PENALTIES BY RULE FOR FAILURE TO MEET MINIMUM TELECOMMUNICATIONS SERVICE QUALITY STANDARDS.

**HOUSE BILL NO. 128**  
**BY STATE AFFAIRS COMMITTEE**  
**AN ACT**

RELATING TO OFFICE LOCATIONS FOR STATE GOVERNMENT; AMENDING SECTION 22-1203, IDAHO CODE, TO PROVIDE THAT THE EXECUTIVE OFFICE OF THE POTATO COMMISSION IS ESTABLISHED IN ADA COUNTY; AMENDING SECTION 22-2540, IDAHO CODE, TO DELETE REFERENCE TO BOISE AS THE PLACE WHERE THE DISTRICT COURT GIVES NOTICE TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-2913, IDAHO CODE, TO PROVIDE THAT THE EXECUTIVE OFFICE OF THE BEAN COMMISSION IS ESTABLISHED IN ADA COUNTY; AMENDING SECTION 22-3424, IDAHO CODE, TO DELETE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE RECEIVING NOTICE AT BOISE; AMENDING SECTION 22-4103, IDAHO CODE, TO PROVIDE THAT THE AGRICULTURAL LABOR BOARD SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-202, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL PLACE OF BUSINESS OF THE STATE LIQUOR DISPENSARY SHALL BE IN ADA COUNTY; AMENDING SECTION 25-2510, IDAHO CODE, TO PROVIDE FOR RETURN OF BALLOTS TO THE MAIN OFFICE OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 33-102, IDAHO CODE, TO PROVIDE THAT THE OFFICE OF THE STATE BOARD OF EDUCATION SHALL BE LOCATED IN ADA COUNTY; AMENDING SECTION 33-118A, IDAHO CODE, TO DELETE REFERENCE TO CURRICULAR MATERIALS BEING MAINTAINED BY THE DEPARTMENT OF EDUCATION IN BOISE; AMENDING SECTION 36-101, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF FISH AND GAME'S PRINCIPAL OFFICE SHALL BE IN ADA COUNTY; AMENDING SECTION 36-102, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE FISH AND GAME COMMISSION SHALL BE IN ADA COUNTY; AMENDING SECTION 36-104, IDAHO CODE, TO DELETE REFERENCE TO OFFICES BEING IN THE CITY OF BOISE; AMENDING SECTION 40-307, IDAHO CODE, TO PROVIDE THAT PERMANENT OFFICES OF THE TRANSPORTATION BOARD SHALL BE IN ADA COUNTY; AMENDING SECTION 40-2402, IDAHO CODE, TO PROVIDE THAT THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL SHALL MAINTAIN OFFICES IN ADA COUNTY;

AMENDING SECTION 41-1041, IDAHO CODE, TO DELETE REFERENCE TO EXAMINATIONS BEING AVAILABLE AT BOISE; AMENDING SECTION 41-1046, IDAHO CODE, TO DELETE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE HAVING AN OFFICE IN BOISE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 42-1733, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE WATER RESOURCE BOARD SHALL BE IN ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-2011, IDAHO CODE, TO DELETE REFERENCE TO THE DEPARTMENT OF WATER RESOURCES HAVING AN OFFICE IN THE CAPITOL AT BOISE CITY; AMENDING SECTION 43-401, IDAHO CODE, TO DELETE REFERENCE TO A REPORT OF THE DEPARTMENT OF WATER RESOURCES BEING AVAILABLE AT THEIR OFFICE AT THE STATE CAPITOL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-202, IDAHO CODE, TO PROVIDE THAT CERTAIN FORMS BE AVAILABLE AT THE IDAHO TRANSPORTATION DEPARTMENT IN ADA COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-205, IDAHO CODE, TO PROVIDE THAT THE BOARD OF ACCOUNTANCY SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY; AMENDING SECTION 54-1906, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL PLACE OF BUSINESS OF THE PUBLIC WORKS CONTRACTORS BOARD SHALL BE IN ADA COUNTY; AMENDING SECTION 54-1913, IDAHO CODE, TO DELETE REFERENCE TO THE PUBLIC WORKS CONTRACTORS BOARD MAINTAINING AN OFFICE IN BOISE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-106, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL MAINTAIN A CENTRAL OFFICE IN ADA COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-314, IDAHO CODE, TO PROVIDE THAT STATE LAND SALES BE HELD IN ADA COUNTY UNLESS OTHERWISE DIRECTED BY THE STATE BOARD OF LAND COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 61-208, IDAHO CODE, TO PROVIDE THAT THE PUBLIC UTILITIES COMMISSION SHALL MAINTAIN ITS OFFICE IN ADA COUNTY; AMENDING SECTION 61-1205, IDAHO CODE, TO PROVIDE THAT THE NORTHWEST POWER PLANNING COUNCIL SHALL HAVE ITS OFFICES IN ADA COUNTY; AMENDING SECTION 63-101, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL HAVE AN OFFICE IN ADA COUNTY; AMENDING SECTION 63-2518, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION HAS THE AUTHORITY TO CITE ANY PERSON TO APPEAR BEFORE IT IN ITS ADA COUNTY OFFICE; AMENDING SECTION 63-3807, IDAHO CODE, TO PROVIDE THAT THE BOARD OF TAX APPEALS SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY; AMENDING SECTION 63-3810, IDAHO CODE, TO PROVIDE THAT A REHEARING BY THE TAX APPEALS BOARD WILL BE CONDUCTED IN ADA COUNTY; AMENDING SECTION 67-1502, IDAHO CODE, TO PROVIDE THAT THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL BE IN ADA COUNTY; AMENDING SECTION 67-1703, IDAHO CODE, TO PROVIDE THAT THE COMMISSIONERS ON UNIFORM STATE LAWS SHALL MEET IN ADA COUNTY; AMENDING SECTION 67-2502, IDAHO CODE, TO PROVIDE THAT EACH DEPARTMENT SHALL MAINTAIN A CENTRAL



### Second Reading of Bills and Joint Resolutions

**H 193** and **H 195**, by Local Government Committee, were read the second time by title and filed for third reading.

**HCR 24** and **H 257**, by Environmental Affairs Committee, were read the second time by title and filed for third reading.

**H 268**, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**SCR 101**, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 148** and **H 174**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**S 1085**, by Finance Committee, was read the second time by title and filed for third reading.

**H 5**, as amended, **H 9**, as amended, **H 11**, as amended, and **H 14**, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**HJM 2** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Stone to open debate.

The question being, "Shall **HJM 2** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 2** adopted by voice vote and ordered the memorial transmitted to the Senate.

**H 216** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 216** pass?"

Roll call resulted as follows:

AYES-- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 60.

NAYS -- None.

Absent and excused -- Boe, Gould, Hammond, Lake, Montgomery, Ridinger, Smith, Stevenson, Swan, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 216** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 205** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 205** pass?"

Roll call resulted as follows:

AYES-- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 61.

NAYS -- None.

Absent and excused -- Boe, Gould, Hammond, Lake, Montgomery, Ridinger, Stevenson, Swan, Mr. Speaker. Total -- 9. Total -- 70.

Whereupon the Speaker Pro Tem declared **H 205** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 237** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 237** pass?"

Roll call resulted as follows:

AYES-- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 62.

NAYS -- None.

Absent and excused -- Boe, Gould, Hammond, Lake, Montgomery, Ridinger, Swan, Mr. Speaker. Total -- 8. Total -- 70.

Whereupon the Speaker Pro Tem declared **H 237** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 128** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Kunz to open debate.

Section 59-917, Idaho Code, do hereby appoint Lynne Young, Acting State Representative, District 5, House Seat B, State of Idaho, for a term commencing on Tuesday, March 27, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 21st day of March in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE  
Governor  
/s/ PETE T. CENARRUSA  
Secretary of State

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

The Speaker announced the oath of office had previously been administered to Mrs. Young.

OFFICE OF THE GOVERNOR  
Boise

March 26, 2001

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

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

**H 18, as amended, H 65, as amended, H 124, H 128, H 209, H 214, H 308, and H 338**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 26, 2001

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

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

**H 140, H 141, H 181, and H 182**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 28, 2001

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

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

**H 165, H 225, H 251, and H 322**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

March 26, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1037, S 1147, S 1164**, as amended, **S 1171, S 1172, S 1182, S 1227, S 1228, S 1241, and S 1242** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1037, S 1147, S 1164**, as amended, **S 1171, S 1172, S 1182, S 1227, S 1228, S 1241, and S 1242** and, when so signed, ordered them returned to the Senate.

March 26, 2001

Mr. Speaker:

I transmit herewith **S 1259, S 1261, S 1260, S 1262, and S 1107**, as amended, which have passed the Senate.

WOOD, Secretary

**S 1259, S 1261, S 1260, S 1262, and S 1107**, as amended, were filed for first reading.

March 26, 2001

Mr. Speaker:

I return herewith **H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242**, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374** which have passed the Senate.

WOOD, Secretary

**H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242**, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 26, 2001

Mr. Speaker:

I return herewith **H 326**, as amended, as amended in the Senate, and **H 356**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

**H 326**, as amended, as amended in the Senate, and **H 356**, as amended in the Senate, were ordered held at the Desk.



## HOUSE INDEX

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114	Resources And Conser vation	3/2/01	3/2/01	31
119	Revenue And Taxation	3/19/01	1/1/01	55
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121 AAS	Revenue And Taxation	3/31/01	1/1/01 Sections 1-7 3/31/01 Section 8	270
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130	Business	3/23/01	7/1/01	151
131	Business	3/22/01	3/22/01	96
132	Business	3/23/01	7/1/01	152
133	Business	3/19/01	3/19/01	62
134	Judiciary, Rules And Administration	3/22/01	7/1/01	97
140	State Affairs	3/26/01	7/1/01	198
141	State Affairs	3/26/01	7/1/01	199
142	State Affairs	2/28/01	2/28/01	29
143	Revenue And Taxation	3/22/01	7/1/01	98
144 AAS	State Affairs	4/4/01	7/1/01	315
146	State Affairs	3/22/01	7/1/01	99
147	Transportation And Defense	3/23/01	7/1/01	153
148	Revenue And Taxation	3/22/01	1/1/01	100
149	Revenue And Taxation	3/23/01	1/1/01	157
150	Revenue And Taxation	3/20/01	1/1/02	69

**Idaho Human Rights Act  
2001 Legislative History Check Lists**

H.B. 1298

Item	Included	Notes
Session Law	✓ JR	
Bill	✓ JR	
Bill Status	✓ JR	
Statement of Purpose	✓ JR	
Committee Minutes		
- House	✓ JR	
- Senate	✓ JR	
Journal		
- House	✓ JR	
- Senate	✓ JR	
Interim Committee Minutes	✓ JR	