

CHAPTER 247
(H.B. No. 602, As Amended)

AN ACT

RELATING TO IMMUNITY FROM LIABILITY; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-342, IDAHO CODE, TO PROVIDE FOR IMMUNITIES FOR VOLUNTEER MEMBERS OF SEARCH AND RESCUE OPERATIONS UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. That Chapter 3, Title 5, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 5-342, Idaho Code, and to read as follows:

5-342. IMMUNITY FOR SEARCH AND RESCUE OPERATIONS. No person serving as a volunteer member of a search and rescue operation constituted pursuant to section 31-2229, Idaho Code, may have their actions or omissions occurring during the search and rescue operation found to be the proximate cause of injuries to a person subject of a search or rescue, unless the volunteer's actions or omissions are not done in good faith or are grossly negligent. This limitation of liability applies notwithstanding the fact that an organization may recover costs incurred incident to the search and rescue operation or rendering of emergency care.

Approved April 8, 2010.

CHAPTER 248
(H.B. No. 603)

AN ACT

RELATING TO THE IDAHO DEPARTMENT OF LABOR'S ADMINISTRATIVE SUPPORT FOR THE IDAHO COMMISSION ON HUMAN RIGHTS; AMENDING SECTION 67-5904, IDAHO CODE, TO REVISE AUTHORITY OF THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5905, IDAHO CODE, TO PROVIDE DUTIES OF THE DEPARTMENT OF LABOR REGARDING THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5907, IDAHO CODE, TO PROVIDE DUTIES OF THE ADMINISTRATOR OF THE HUMAN RIGHTS COMMISSION; AND AMENDING SECTION 72-1333, IDAHO CODE, TO REVISE AUTHORITY AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF LABOR.

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

SECTION 1. That Section 67-5904, Idaho Code, be, and the same is hereby amended to read as follows:

67-5904. ORGANIZATION OF COMMISSION -- COMPENSATION OF MEMBERS. The commission shall annually select a president and vice president. Members shall each be compensated as provided by section 59-509(h), Idaho Code. ~~The commission may appoint a staff director to serve at its pleasure. Other subordinate staff necessary to accomplish the commission's mission shall be subject to the provisions of chapter 53, title 67, Idaho Code.~~

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SECTION 2. That Section 67-5905, Idaho Code, be, and the same is hereby amended to read as follows:

67-5905. ADMINISTRATIVE SUPPORT -- APPOINTMENT OF COMMISSION STAFF -- DUTIES OF ~~STAFF DIRECTOR~~ ADMINISTRATOR. The director of the department of labor shall provide administrative support to the commission. The director shall appoint an administrator to the commission to serve at the director's pleasure. Any decision by the director regarding the appointment and tenure of the administrator shall be made with the advice and consent of the commission. The ~~staff director~~ administrator shall attend all meetings of the commission, serve as its executive and administrative officer, have charge of its office and records, and, under the general supervision of the commission, be responsible for the administration of this act and the general policies and regulations adopted by the commission. Other subordinate staff necessary to accomplish the commission's mission shall be employees of the department of labor subject to the provisions of chapter 53, title 67, Idaho Code.

SECTION 3. That Section 67-5907, Idaho Code, be, and the same is hereby amended to read as follows:

67-5907. COMPLAINTS -- PROCEDURE ON COMPLAINT. (1) Any person who believes he or she has been subject to unlawful discrimination, or a member of the commission, may file a complaint under oath with the commission stating the facts concerning the alleged discrimination within one (1) year of the alleged unlawful discrimination.

(2) Upon receipt of such a complaint, the commission or its delegated investigator shall endeavor to resolve the matter by informal means prior to a determination of whether there are reasonable grounds to believe that unlawful discrimination has occurred. The commission or its delegated investigator shall conduct such investigation as may be necessary to resolve the issues raised by the facts set forth in the complaint.

(3) If the commission does not find reasonable grounds to believe that unlawful discrimination has occurred, it shall enter an order so finding, and dismiss the proceeding, and shall notify the complainant and the respondent of its action.

(4) If the commission finds reasonable grounds to believe that unlawful discrimination has occurred, it shall endeavor to eliminate such discrimination by informal means such as conference, conciliation and persuasion. No offer or counter offer of conciliation nor the terms of any conciliation agreement may be made public without the written consent of all the parties to the proceeding, nor used as evidence in any subsequent proceeding, civil or criminal. If the case is disposed of by such informal means in a manner satisfactory to the commission, the commission shall dismiss the proceeding, and shall notify the complainant and the respondent.

(5) If the commission finds reasonable grounds to believe that unlawful discrimination has occurred, and further believes that irreparable injury or great inconvenience will be caused the victim of such discrimination if relief is not immediately granted, or if conciliation efforts under subsection (4) have not succeeded, the commission may file a civil action seeking appropriate legal and equitable relief.

(6) A complainant may request dismissal of an administrative complaint at any time. Dismissals requested before three hundred sixty-five (365) calendar days from the date of filing of the administrative complaint may be granted at the discretion of the ~~staff director~~ administrator who will attempt to contact all parties who have appeared in the proceeding and consider their interests. After three hundred sixty-five (365) calendar days, if the complaint has not been dismissed pursuant to subsection (3) of this section or the parties have not entered into a settlement or conciliation agreement

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pursuant to subsection (2) or (4) of this section or other administrative dismissal has not occurred, the commission shall, upon request of the complainant, dismiss the complaint and notify the parties.

SECTION 4. That Section 72-1333, Idaho Code, be, and the same is hereby amended to read as follows:

72-1333. DEPARTMENT OF LABOR -- AUTHORITY AND DUTIES OF THE DIRECTOR. (1) The director shall administer the employment security law, chapter 13, title 72, Idaho Code, the minimum wage law, chapter 15, title 44, Idaho Code, the provisions of chapter 6, title 45, Idaho Code, relating to claims for wages, the provisions of section 44-1812, Idaho Code, relating to minimum medical and health standards for paid firefighters, the disability determinations service established pursuant to 42 U.S.C. 421, and shall perform such other duties relating to labor and workforce development as may be imposed upon him by law. The director shall be the successor in law to the office enumerated in section 1, article XIII, of the constitution of the state of Idaho. The director shall have the authority to employ individuals, make expenditures, require reports, make investigations, perform travel and take other actions deemed necessary. The director shall organize the department of labor which is hereby created, and which shall, for the purposes of section 20, article IV, of the constitution of the state of Idaho, be an executive department of the state government. The director shall have an official seal which shall be judicially noticed.

(2) The director shall have the authority pursuant to chapter 52, title 67, Idaho Code, to adopt, amend, or rescind rules as he deems necessary for the proper performance of all duties imposed upon him by law.

(3) Subject to the provisions of chapter 53, title 67, Idaho Code, the director is authorized and directed to provide for a merit system for the department covering all persons, except the director, the division administrators, employees of the Idaho career information system, and two (2) exempt positions to serve at the pleasure of the director.

(4) The director shall make recommendations for amendments to the employment security law and other laws he is charged to implement as he deems proper.

(5) The director shall have all the powers and duties as may have been or could have been exercised by his predecessors in law, except those powers and duties granted and reserved to the director of the department of commerce in titles 39, 49 and 67, Idaho Code, and he shall be the successor in law to all contractual obligations entered into by his predecessors in law, except for those contracts of the department of commerce, or contracts pertaining to any power or duty granted and reserved to the director of the department of commerce, in titles 39, 49 and 67, Idaho Code.

(6) The director shall provide administrative support for the commission on human rights pursuant to section 67-5905, Idaho Code.

Approved April 8, 2010.

CHAPTER 249
(H.B. No. 550)

AN ACT
RELATING TO TRUST DEEDS; AMENDING SECTION 45-1510, IDAHO CODE, TO SPECIFY THE EFFECTIVE DATE OF A TRUSTEE'S DEED AND TO PROVIDE A PROCEDURE TO RESTORE THE CONDITION OF RECORD TITLE TO THE REAL PROPERTY DESCRIBED IN A

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IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 603

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO DEPARTMENT OF LABOR'S ADMINISTRATIVE SUPPORT FOR THE IDAHO COMMISSION ON HUMAN RIGHTS; AMENDING SECTION 67-5904, IDAHO CODE, TO REVISE AUTHORITY OF THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5905, IDAHO CODE, TO PROVIDE DUTIES OF THE DEPARTMENT OF LABOR REGARDING THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5907, IDAHO CODE, TO PROVIDE DUTIES OF THE ADMINISTRATOR OF THE HUMAN RIGHTS COMMISSION; AND AMENDING SECTION 72-1333, IDAHO CODE, TO REVISE AUTHORITY AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF LABOR.

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

SECTION 1. That Section 67-5904, Idaho Code, be, and the same is hereby amended to read as follows:

67-5904. ORGANIZATION OF COMMISSION -- COMPENSATION OF MEMBERS. The commission shall annually select a president and vice president. Members shall each be compensated as provided by section 59-509(h), Idaho Code. ~~The commission may appoint a staff director to serve at its pleasure. Other subordinate staff necessary to accomplish the commission's mission shall be subject to the provisions of chapter 53, title 67, Idaho Code.~~

SECTION 2. That Section 67-5905, Idaho Code, be, and the same is hereby amended to read as follows:

67-5905. ADMINISTRATIVE SUPPORT -- APPOINTMENT OF COMMISSION STAFF -- DUTIES OF STAFF DIRECTOR ADMINISTRATOR. The director of the department of labor shall provide administrative support to the commission. The director shall appoint an administrator to the commission to serve at the director's pleasure. Any decision by the director regarding the appointment and tenure of the administrator shall be made with the advice and consent of the commission. The staff director administrator shall attend all meetings of the commission, serve as its executive and administrative officer, have charge of its office and records, and, under the general supervision of the commission, be responsible for the administration of this act and the general policies and regulations adopted by the commission. Other subordinate staff necessary to accomplish the commission's mission shall be employees of the department of labor subject to the provisions of chapter 53, title 67, Idaho Code.

SECTION 3. That Section 67-5907, Idaho Code, be, and the same is hereby amended to read as follows:

67-5907. COMPLAINTS -- PROCEDURE ON COMPLAINT. (1) Any person who believes he or she has been subject to unlawful discrimination, or a member of the commission, may file a complaint under oath with the commission

1 stating the facts concerning the alleged discrimination within one (1) year
2 of the alleged unlawful discrimination.

3 (2) Upon receipt of such a complaint, the commission or its delegated
4 investigator shall endeavor to resolve the matter by informal means prior
5 to a determination of whether there are reasonable grounds to believe that
6 unlawful discrimination has occurred. The commission or its delegated
7 investigator shall conduct such investigation as may be necessary to resolve
8 the issues raised by the facts set forth in the complaint.

9 (3) If the commission does not find reasonable grounds to believe
10 that unlawful discrimination has occurred, it shall enter an order so
11 finding, and dismiss the proceeding, and shall notify the complainant and
12 the respondent of its action.

13 (4) If the commission finds reasonable grounds to believe that
14 unlawful discrimination has occurred, it shall endeavor to eliminate such
15 discrimination by informal means such as conference, conciliation and
16 persuasion. No offer or counter offer of conciliation nor the terms of any
17 conciliation agreement may be made public without the written consent of
18 all the parties to the proceeding, nor used as evidence in any subsequent
19 proceeding, civil or criminal. If the case is disposed of by such informal
20 means in a manner satisfactory to the commission, the commission shall
21 dismiss the proceeding, and shall notify the complainant and the respondent.

22 (5) If the commission finds reasonable grounds to believe that unlawful
23 discrimination has occurred, and further believes that irreparable injury
24 or great inconvenience will be caused the victim of such discrimination
25 if relief is not immediately granted, or if conciliation efforts under
26 subsection (4) have not succeeded, the commission may file a civil action
27 seeking appropriate legal and equitable relief.

28 (6) A complainant may request dismissal of an administrative complaint
29 at any time. Dismissals requested before three hundred sixty-five (365)
30 calendar days from the date of filing of the administrative complaint may
31 be granted at the discretion of the ~~staff director~~ administrator who will
32 attempt to contact all parties who have appeared in the proceeding and
33 consider their interests. After three hundred sixty-five (365) calendar
34 days, if the complaint has not been dismissed pursuant to subsection
35 (3) of this section or the parties have not entered into a settlement or
36 conciliation agreement pursuant to subsection (2) or (4) of this section or
37 other administrative dismissal has not occurred, the commission shall, upon
38 request of the complainant, dismiss the complaint and notify the parties.

39 SECTION 4. That Section 72-1333, Idaho Code, be, and the same is hereby
40 amended to read as follows:

41 72-1333. DEPARTMENT OF LABOR -- AUTHORITY AND DUTIES OF THE
42 DIRECTOR. (1) The director shall administer the employment security
43 law, chapter 13, title 72, Idaho Code, the minimum wage law, chapter 15,
44 title 44, Idaho Code, the provisions of chapter 6, title 45, Idaho Code,
45 relating to claims for wages, the provisions of section 44-1812, Idaho Code,
46 relating to minimum medical and health standards for paid firefighters,
47 the disability determinations service established pursuant to 42 U.S.C.
48 421, and shall perform such other duties relating to labor and workforce
49 development as may be imposed upon him by law. The director shall be the

1 successor in law to the office enumerated in section 1, article XIII,
2 of the constitution of the state of Idaho. The director shall have the
3 authority to employ individuals, make expenditures, require reports, make
4 investigations, perform travel and take other actions deemed necessary. The
5 director shall organize the department of labor which is hereby created, and
6 which shall, for the purposes of section 20, article IV, of the constitution
7 of the state of Idaho, be an executive department of the state government.
8 The director shall have an official seal which shall be judicially noticed.

9 (2) The director shall have the authority pursuant to chapter 52, title
10 67, Idaho Code, to adopt, amend, or rescind rules as he deems necessary for
11 the proper performance of all duties imposed upon him by law.

12 (3) Subject to the provisions of chapter 53, title 67, Idaho Code,
13 the director is authorized and directed to provide for a merit system for
14 the department covering all persons, except the director, the division
15 administrators, employees of the Idaho career information system, and two
16 (2) exempt positions to serve at the pleasure of the director.

17 (4) The director shall make recommendations for amendments to the
18 employment security law and other laws he is charged to implement as he deems
19 proper.

20 (5) The director shall have all the powers and duties as may have been
21 or could have been exercised by his predecessors in law, except those powers
22 and duties granted and reserved to the director of the department of commerce
23 in titles 39, 49 and 67, Idaho Code, and he shall be the successor in law to
24 all contractual obligations entered into by his predecessors in law, except
25 for those contracts of the department of commerce, or contracts pertaining
26 to any power or duty granted and reserved to the director of the department of
27 commerce, in titles 39, 49 and 67, Idaho Code.

28 (6) The director shall provide administrative support for the
29 commission on human rights pursuant to section 67-5905, Idaho Code.

03/31 Governor signed

Session Law Chapter 174
Effective: 07/01/10

H0602aaby STATE AFFAIRS
IMMUNITY FROM LIABILITY - Amends existing law to provide
immunities for volunteer members of search and rescue
operations under certain circumstances.

02/26 House intro - 1st rdg - to printing

03/01 Rpt prt - to St Aff

03/03 Rpt out - to Gen Ord

03/08 Rpt out amen - to engros

03/09 Rpt engros - 1st rdg - to 2nd rdg as amen

03/10 2nd rdg - to 3rd rdg as amen

03/11 3rd rdg as amen - **PASSED - 63-0-7**

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

NAYS -- None

Absent and excused -- Hart, Kren, Ringo, Roberts,
Ruchti, Shirley, Simpson

Floor Sponsor - Killen

Title apvd - to Senate

03/12 Senate intro - 1st rdg - to Com/HuRes

03/17 Rpt out - rec d/p - to 2nd rdg

03/18 2nd rdg - to 3rd rdg

03/24 3rd rdg - **PASSED - 34-0-1**

AYES -- Bair, Bilyeu, Bock, Brackett, Broadsword,
Cameron, Coiner, Corder, Darrington, Davis, Fulcher,
Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson,
Kelly, Kerby(Keough), LeFavour, Lodge, Malepeai,
McGee, McKague, McKenzie, Mortimer, Pearce,
Schroeder, Siddoway, Smyser, Stegner,
Stennett(Stennett), Werk, Winder

NAYS -- None

Absent and excused -- Andreason

Floor Sponsor - LeFavour

Title apvd - to House

03/25 To enrol

03/26 Rpt enrol - Sp signed

03/29 Pres signed

To Governor

04/08 Governor signed

Session Law Chapter 247

Effective: 07/01/10

H0603by STATE AFFAIRS
HUMAN RIGHTS COMMISSION - Amends existing law to provide
for transfer of the Human Rights Commission to the
Department of Labor.

02/26 House intro - 1st rdg - to printing

03/01 Rpt prt - to St Aff

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

03/04 2nd rdg - to 3rd rdg

03/08 3rd rdg - **PASSED - 65-0-5**

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

NAYS -- None

Absent and excused -- Bedke, Ruchti, Shepherd(08),
Simpson, Thompson

Floor Sponsors - Luker & Pasley-Stuart

Title apvd - to Senate

03/09 Senate intro - 1st rdg - to St Aff

03/18 Rpt out - rec d/p - to 2nd rdg

03/19 2nd rdg - to 3rd rdg

03/24 3rd rdg - **PASSED - 34-0-1**

AYES -- Bair, Bilyeu, Bock, Brackett, Broadsword,

Cameron, Coiner, Corder, Darrington, Davis, Fulcher,
Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson,
Kelly, Kerby(Keough), LeFavour, Lodge, Malepeai,
McGee, McKague, McKenzie, Mortimer, Pearce,
Schroeder, Siddoway, Smyser, Stegner,
Stennett(Stennett), Werk, Winder

NAYS -- None

Absent and excused -- Andreason

Floor Sponsor - McKenzie

Title apvd - to House

03/25 To enrol

03/26 Rpt enrol - Sp signed

03/29 Pres signed

To Governor

04/08 Governor signed

Session Law Chapter 248

Effective: 07/01/10

H0604aaby STATE AFFAIRS
PERSONNEL SYSTEM - Adds to existing law relating to the
state personnel system to provide for application of law,
to provide that the term "severance pay" shall include
certain payments and to provide that nothing in this
section shall change rights provided pursuant to certain
laws relating to active duty service.

02/26 House intro - 1st rdg - to printing

03/01 Rpt prt - to Com/HuRes

03/04 Rpt out - to Gen Ord

03/08 Rpt out amen - to engros

03/09 Rpt engros - 1st rdg - to 2nd rdg as amen

03/10 2nd rdg - to 3rd rdg as amen

03/11 3rd rdg as amen - **PASSED - 64-0-6**

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

NAYS -- None

Absent and excused -- Cronin, Kren, Ringo, Ruchti,
Shirley, Simpson

Floor Sponsors - Pasley-Stuart & Higgins

Title apvd - to Senate

03/12 Senate intro - 1st rdg - to Com/HuRes

03/17 Rpt out - rec d/p - to 2nd rdg

03/18 2nd rdg - to 3rd rdg

03/23 3rd rdg - **PASSED - 35-0-0**

AYES -- Andreason, Bair, Bilyeu, Bock, Brackett,
Broadsword, Cameron, Coiner, Corder, Darrington,
Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich,
Hill, Jorgenson, Kelly, Kerby(Keough), LeFavour,
Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer,
Pearce, Schroeder, Siddoway, Smyser, Stegner,
Stennett(Stennett), Werk, Winder

NAYS -- None

Absent and excused -- None

Floor Sponsor - Cameron

Title apvd - to House

03/24 To enrol

03/25 Rpt enrol - Sp signed

Pres signed

03/26 To Governor

03/31 Governor signed

Session Law Chapter 173

Effective: 07/01/10

H0605by STATE AFFAIRS
LOCAL LAND USE PLANNING - Amends existing law relating to
local land use planning.

02/26 House intro - 1st rdg - to printing

03/01 Rpt prt - to Jud

03/10 Rpt out - rec d/p - to 2nd rdg

03/11 2nd rdg - to 3rd rdg

03/12 3rd rdg - **PASSED - 66-2-2**

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke,
Bell, Bilbao, Black, Block, Boe, Bolz, Boyle,
Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane,
Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood,
Henderson, Higgins, Jaquet, Jarvis, Killen, King,
Kren, Labrador, Lake, Luker, Marriott, Mathews,

STATEMENT OF PURPOSE

RS19603

This legislation merges the Human Rights Commission with the Department of Labor, effective July 1, 2010. Commission members are appointed by the governor. The commission administrator is appointed by the director of the Department of Labor with the advice and consent of the commission. Employees of the commission will be employees of the Department of Labor, which will provide administrative support for the commission and the staff.

FISCAL NOTE

In the first year, the general fund appropriation to the Human Rights Commission will be reduced by \$147,000. That reduction increases to \$294,000 in the second year, \$441,000 in the third year and \$588,000 in the fourth year and thus be eliminated. The Department of Labor will absorb these reductions through a combination of efficiencies and spending reduction and money from the Special Administration Fund and the Penalty and Interest Fund.

Contact:

Name: Bob Fick

Office: Idaho Department of Labor

Phone: (208) 332-3570

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STATEMENT OF PURPOSE

RS19603

This legislation merges the Human Rights Commission with the Department of Labor, effective July 1, 2010. Commission members are appointed by the governor. The commission administrator is appointed by the director of the Department of Labor with the advice and consent of the commission. Employees of the commission will be employees of the Department of Labor, which will provide administrative support for the commission and the staff.

FISCAL NOTE

In the first year, the general fund appropriation to the Human Rights Commission will be reduced by \$144,000. That reduction increases to \$288,000 in the second year, \$432,000 in the third year and \$576,000 in the fourth year and thus be eliminated. The Department of Labor will absorb these reductions through a combination of efficiencies and spending reduction and money from the Special Administration Fund and the Penalty and Interest Fund.

Contact:

Name: Bob Fick

Office: Idaho Department of Labor

Phone: (208) 332-3570 ext 3628

Statement of Purpose / Fiscal Note

H0603

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STATEMENT OF PURPOSE

RS19603

This legislation merges the Human Rights Commission with the Department of Labor, effective July 1, 2010. Commission members are appointed by the governor. The commission administrator is appointed by the director of the Department of Labor with the advice and consent of the commission. Employees of the commission will be employees of the Department of Labor, which will provide administrative support for the commission and the staff.

FISCAL NOTE

The initial transfer of the Human Rights Commission includes a transfer of \$144,000 in general funds to dedicated funds for FY 2011

Contact:

Name: Bob Fick

Office: Idaho Department of Labor

Phone: (208) 332-3570

Statement of Purpose / Fiscal Note

H0603

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H 588	RS19332	House State Affairs 2-18, 2-26; Senate State Affairs 3-15
H 589	RS19518	House State Affairs 2-18, 3-2, 3-4; Senate State Affairs 3-24
H 590	RS19267	House State Affairs 2-18, 2-19; House Env/En/Tech 3-22
H 591	RS19672	House State Affairs 2-19; House Env/En/Tech 2-24
H 592	RS19611	House State Affairs 2-19
H 593	RS19849	House State Affairs 2-19; House Judiciary & Rules 2-25; Senate Judiciary & Rules 3-17
H 594	RS19676	House State Affairs 2-19
H 595	RS19225	House Revenue & Taxation 2-22
H 596	RS19646	House Revenue & Taxation 2-22, 2-26; Senate Local Gov & Taxation 3-16
H 597	RS19667	House Revenue & Taxation 2-22, 2-26; Senate Local Gov & Taxation 3-25
H 598	RS19692	House State Affairs 2-24; House Resources & Conservation 3-3; Senate Resources & Environment 3-15
H 599	RS19599	House State Affairs 2-24; House Env/En/Tech 3-2; Senate Resources & Environment 3-10
H 600	RS19721	(Replaces H 577) House Transportation 2-24, 3-4; Senate Transportation 3-29
H 601	RS19635	House Education 2-25, 3-4; Senate Education 3-17
H 602	RS19679	House State Affairs 2-25, 3-3; Senate Commerce & HR 3-16
H 603	RS19603	House State Affairs 2-25, 3-3; Senate State Affairs 3-17
H 604	RS19661	House State Affairs 2-25; House Commerce & HR 3-3; Senate Commerce & HR 3-16
H 605	RS19632C1	House State Affairs 2-25; House Judiciary & Rules 3-9; Senate Local Gov & Taxation 3-18
H 606	RS19671C1	House Ways & Means 2-25
H 607	RS19656	House Ways & Means 2-25; House Local Government 3-4; Senate Local Gov & Taxation 3-17
H 608	RS19716	House Ways & Means 2-25; House Local Government 3-4; Senate Local Gov & Taxation 3-16
H 609	RS19727	House Ways & Means 2-25; House Transportation 3-12; Senate Transportation 3-23
H 610	RS19707C2	House Ways & Means 2-25; House Health & Welfare 3-2; Senate Health & Welfare 3-15
H 611	RS19227C1	House State Affairs 2-26; House Agricultural Affairs 3-4, 3-8, 3-22; Senate Agricultural Affairs 3-18
H 612	RS19612	House State Affairs 2-26, 3-4
H 613	RS19605	House State Affairs 2-26; House Judiciary & Rules 3-9; Senate Judiciary & Rules 3-17
H 614	RS19633	House State Affairs 2-26, 3-4; Senate State Affairs 3-24
H 615	RS19290C3	House Revenue & Taxation 2-26, 3-18; Senate Local Gov & Taxation 3-25
H 616	RS19705	House Revenue & Taxation 2-26, 3-3; Senate Local Gov & Taxation 3-18, 3-23 3-24
H 617	RS19698C1	House State Affairs 2-26; House Transportation 3-8; Senate State Affairs 3-22

clarifies that all final decisions on land use applications must be accompanied by a notice of the applicant's right to request a regulatory takings analysis, and makes other miscellaneous technical corrections.

Mr. Pisca said this allows the private land owner the option to appeal local zoning decisions. Currently they can only appeal when a permit is involved.

MOTION:

Rep. Luker moved to **introduce RS 19632C1** with a recommendation that it be sent to the Judiciary, Rules & Administration Committee.
Motion carried on voice vote.

RS 19603:

Bob Fick, Idaho Department of Labor, presented **RS 19603**; which is proposed legislation to merge the Human Rights Commission with the Department of Labor, effective July 1, 2010. Commission members are appointed by the governor. The commission administrator is appointed by the director of the Department of Labor with the advice and consent of the commission. Employees of the commission will be employees of the Department of Labor, which will provide administrative support for the commission and the staff. This will eventually eliminate the general fund budget of the Human Rights Commission. The Department of Labor will absorb these reductions through a combination of efficiencies and spending reduction and money from the Special Administration Fund and the Penalty and Interest Fund.

In answer to questions from the committee, Mr. Fick said they anticipate that access to the Human Rights Commission will increase. They do not anticipate any reduction in staff or services.

MOTION:

Rep. Simpson moved to **introduce RS 19603**. **Motion carried on voice vote.**

RS 19661:

Rep. Pasley-Stuart presented **RS 19661**, which is proposed legislation that would prohibit the use of severance pay to include payment by an employer toward the purchase of membership services into PERSI. State employees leaving employment should not be allowed to use severance pay for purchasing additional retirement services.

Rep. Higgins said over \$125,000 was paid out of the general fund for severance pay purchases last year. There are other services that are much more important.

MOTION:

Rep. Smith moved to **introduce RS 19661** with a recommendation that it be sent to Commerce and Human Resources Committee. **Motion carried on voice vote.**

RS 19679:

Rep. Killen presented **RS 19679**, which is proposed legislation that will place volunteer members of Idaho's Mountain Search and Rescue groups on the same footing with respect to immunity as other volunteer organizations throughout the state. The scope of the immunity grant parallels the existing statute for similar emergency volunteer groups such as volunteer ambulance drivers, EMTs and the like.

H 603:

Bob Fick, Department of Labor, presented **H 603**; which is legislation that merges the Human Rights Commission with the Department of Labor, effective July 1, 2010. Commission members are appointed by the governor. The commission administrator is appointed by the director of the Department of Labor with the advice and consent of the commission. Employees of the commission will be employees of the Department of Labor, which will provide administrative support for the commission and the staff. In the first year, the general fund appropriation will be reduced and again each year until the elimination of funding in the fourth year. The Department of Labor will absorb these reductions through a combination of efficiencies and spending reduction and money from the Special Administration Fund and the Penalty and Interest Fund.

MOTION:

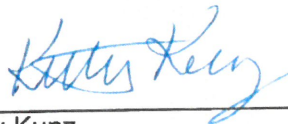
Rep. Luker moved to send **H 603** to the floor with a **DO PASS** recommendation. **Motion carried on voice vote. Representatives Luker and Pasley-Stuart will sponsor the bill on the floor.**

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 9:50 a.m.



Representative Loertscher
Chairman



Kitty Kunz
Secretary

MINUTES

SENATE STATE AFFAIRS COMMITTEE

DATE: March 17, 2010

TIME: 8:00 a.m.

PLACE: Room WW55

MEMBERS PRESENT: Chairman McKenzie, Vice Chairman Pearce, Senators Darrington, Geddes, Davis, Stegner, Fulcher, Stennett, and Kelly

MEMBERS ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENE: **Chairman McKenzie** called the meeting to order at 8:02 a.m.

RS19687C1
RS 19826 **Chairman McKenzie** said he has a letter from the Chairman of the Education Committee by unanimous requests to print **RS19687C1** and **RS19826** and return them to their committee for hearing.

MOTION: **Senator Darrington** made the motion to print **RS19687C1** and **RS19826**. **Senator Kelly** seconded the motion. The motion carried by **voice vote**.

HCR 46 **Senator Fulcher** presented **HCR46** to the Committee and stated this Resolution recognizes the strong ties between Taiwan and Idaho, and encourages Taiwan's meaningful participation in international trade, international aviation and global issues. In 2008, Taiwan was a recipient of about \$347 million dollars of exports of products from Taiwan. The figure from 2009 it was \$652 million, which is a very significant increase. Currently, Taiwan is the second largest export destination for Idaho products. Some of those products include paper, cosmetics, processed potatoes, peas, leather goods and a whole host of other products. This makes Taiwan very important when it comes to trade with Idaho.

MOTION: **Senator Davis** made the motion to send **HCR 46** to the floor with a **do pass** recommendation. **Senator Geddes** seconded the motion. **Senator Davis** stated the Pro Tem has requested that **HCR 46** to go to the 10th order of business today and if it could be expedited to reflect the request. The motion carried by **voice vote**.

S1408 **Tim Hurst**, Chief Deputy for the Secretary of State (SOS), explained this legislation makes necessary changes to the State election laws required by the Federal Military and Overseas Voting Efficiency Act (MOVE) which was signed into law and goes into effect for the 2010 general election. The law will make it easier for military and overseas voters to request and

vote by absentee ballot.

Senator Davis questioned if there was a difference between early voting and in-person absentee voting? **Mr. Hurst** replied in a lot of states there is a difference. People in Idaho vote absentee ballot, but it is in-person, and it goes through the same process as though they mailed it in.

Senator Kelly stated there was no emergency clause in the legislation and questioned if it would go into effect on July 1, 2010? **Mr. Hurst** responded that is correct, due to Federal law it would take effect for the general election and not the primary election. **Senator Kelly** questioned if there were a lot of individuals voting absentee? **Mr. Hurst** replied it depends, and usually there are quite a few on the last day an individual can vote absentee. **Senator Kelly** stated by changing the last day to vote absentee seems like a voter suppression action. **Mr. Hurst** stated in his experience and in visiting with the county clerks, many of the people that go in on Monday have already been in town all weekend and probably would be able to go to the polls on Tuesday. He stated because of that reasoning, he did not feel that this legislation created voter suppression, and that was not their intent.

MOTION:

Senator Davis moved to send **S 1408** to the floor with a **do pass** recommendation. **Vice Chairman Pearce** seconded the motion. **Senator Davis** stated he applauded the Secretary of the State for encouraging voter turnout and minimizing voter fraud. The motion carried by **voice vote**. **Senator Kelly** voted "nay."

H 603

Bob Fick, Department of Labor (DOL), explained this legislation merges the Idaho Human Rights Commission with the DOL effective July 1, 2010. Commission members are appointed by the **Governor**. The Commission administrator is appointed by the Director of the DOL with the advice and consent of the Commission. Employees of the Commission will be employees of the DOL, which will provide administrative support for the Commission and the staff.

In the first year, the general fund appropriation to the Commission will be reduced by \$144,000. That reduction increases to \$228,000 in the second year, \$432,000 in the third year and \$576,000 in the fourth year and thus be eliminated. The DOL will absorb these reductions through a combination of efficiencies and spending reduction, money from the Special Administration Fund and the Penalty and Interest Fund.

Senator Kelly asked if the transition from the Commission over to the DOL would change the employees' status? **Mr. Fick** replied their status as employees will be unchanged.

MOTION:

Senator Davis made the motion to send **H603** to the floor with a **do pass** recommendation. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.

H496

Representative Moyle presented H496 to the Committee and stated this legislation provides that each elector shall show photo identification before receiving a ballot at the polls or sign an affidavit in lieu of personal identification. This does not include absentee balloting or when

registering to vote. This is only applicable on the day of the election or if an individual votes early.

Senator Darrington stated there are quite a few rural areas in this State where every election judge knows everyone that shows up. Why are we requiring them to show identification? **Representative Moyle** replied that is why they brought the clerks in to make sure they were okay with this legislation. In a rural district with less than one hundred people, they probably vote by mail anyway, however, there are many large districts where they do not know everyone that comes in to vote. **Senator Darrington** stated they are categorizing everyone into one group and believes there will be a lot of pushback from constituents.

Representative Moyle responded he has not had any sort of pushback when this was going through the House. All this does is make sure that people are who they say they are when voting.

Senator Stennett asked how much notice were they going to give to individuals so that they can be prepared when they go in to vote. This could create a big problem for people if they are unaware and unprepared when they go to the polls, they may not come back to vote if they have to leave to retrieve photo identification. **Representative Moyle** stated that is one of the reasons why the legislation does not have an emergency clause in it because it will not take effect until July, so it will not effect the primary. This will give them time to get this information out to the public. Most people will be driving so they will have the proper identification, and if not, those individuals will have the opportunity to sign an affidavit, and those will be available so it will not be an issue.

Vice Chairman Pearce asked how do you go out and find an individual that has misrepresented themselves in order to give them the felony as described in section 3 of the legislation? **Representative Moyle** replied this is more of a safeguard and they are told up-front that this is a serious crime. However, it would be difficult to find someone that did misrepresent themselves. **Vice Chairman Pearce** questioned if section 3 would really make a difference beyond being a "feel good" section? **Representative Moyle** stated he believed it would make a difference and currently an individual does not have to show photo I.D., only a utility bill in order to vote. So this is a step in the right direction.

Senator Stennett asked why did they decide to implement this during an election date rather than during the registration process?

Representative Moyle responded this is part of a multi-step process of the direction they would like to go. Eventually he hopes that it will be during the registration process. **Senator Stennett** stated she believed that it would be an easier first step if it was during the registration process, rather than right before they are going in to vote.

Representative Moyle answered that he agreed with **Senator Stennett**, however, it is a multi-step process and there will be more legislation next year on this topic.

Vice Chairman Pearce stated he felt as though the burden is always placed on the honest people, while the individuals that are dishonest continue on with the same behavior. **Representative Moyle** replied

currently in the voting book, an individual will have to provide a utility bill or something to register along with a photo i.d. in order to register to vote.

Senator Kelly asked how many cases of voter fraud have been tried in Idaho? **Representative Moyle** stated he believed there was one case in **Senator Stennett's** district, but would defer that question to **Mr. Hurst**. Individuals in Idaho are concerned about voter fraud so this legislation is a step in the right direction.

Mr. Hurst stated they have money in the budget to get this information out to the voters so that they will be prepared. In discussing this with the clerks, they understand that it is a big issue to make sure the poll workers are aware of this change and how to deal with the change. Currently when individuals register to vote, their identification is identified either by their driver's license or social security number. As soon as they sign the registration card it is entered into the registration system and it is immediately checked with the Idaho transportation file to see if there is a match with the driver's license number. If they do not have a driver's license, then it goes to the Social Security Administration and immediately notifies them if it is a legitimate number. The biggest issue is allegations of voter fraud, however, every single person accused of voter fraud are entitled to vote. Allegations of fraud are taken very seriously and are thoroughly investigated. There have been a few cases of fraud and those cases are currently being prosecuted.

Senator Stennett stated in listening how the current process operates, it sounds like it works very well for the State and a thorough process that helps in eliminating voter fraud. So is it necessary for a possible future change for future fraudulence, that they do not see happening in the State right now? **Mr. Hurst** replied they do believe this is necessary and there have been more problems around the country with voter fraud, this will help deter that behavior.

Senator Davis asked if the affidavit referenced to in section 3 would be the SOS who will promulgate this form and make sure that it has reached the polls and has the proper notary? **Mr. Hurst** responded currently they have an affidavit that does not include the notary. If someone comes in to vote and they have been challenged by another voter, they have an openly challenged person that lays out the information and they have to sign it, and they anticipate this will be the same thing.

Senator Kelly asked if the Attorney General had reviewed this legislation? **Mr. Hurst** stated he was unaware if it had been reviewed by the Attorney General, and the most important thing is that the name and photo identification match with the individual. **Senator Kelly** stated from a constitutional standpoint if they are requiring individuals that are voting in-person to provide photo i.d., but not absentee voters, does that raise an issue? **Mr. Hurst** replied it raised an issue in Indiana, but he was unaware of the outcome.

TESTIMONY:

Russ Hendricks, who represents the Farm Bureau, spoke in support of **H 496**. He stated the members viewed voting as a sacred rite and responsibility. Since it is difficult to function in this society without a photo i.d. they believe it will not be a burden, but uphold the integrity of the

process.

MOTION:

Vice Chairman Pearce made the motion to send **H 496** to the floor with a **do pass** recommendation. **Senator Geddes** seconded the motion.

Senator Darrington stated individuals need photo i.d. at airports, to cash checks, even areas in this building. This will be a hassle for some individuals for the first couple of years, but this is the age we live in.

Senator Stegner stated he has been puzzled by the voting process for some time as there has been no real way to identify who individuals say they are, especially in larger districts.

Senator Kelly stated that she opposes the motion because it will create undue burden on individuals and possibly deter them from voting. Also from what she heard today, the existing system does work. The motion carried by **voice vote**. **Senator Kelly** voted "nay."

HCR49

Representative Luker presented **HCR49** and stated that this Resolution would reject a subsection of a pending rule of the office of the **Governor**, Military Division, Bureau of Homeland Security relating to the Hazardous Substance Response Rules as not being consistent with legislative intent. The effect of this resolution, if adopted by both the House and Senate would be to prevent the amended language in the subsection from going into effect.

Senator Darrington asked which Committee in the Senate acted on these rules? **Chairman McKenzie** responded it was this Committee.

Representative Luker said this particular section deals with the spillers liability for hazardous waste. The problem was that the department inserted liable parties that are not in statute, specifically owners and occupants of the property whether or not they were responsible for the spill. The Bureau agreed that they had exceeded the intent. Another part of the section allowed counties to collect from the responsible party for the spill. This will not hamper their ability to do what they need to do as the statutory provision is very explicit.

Senator Davis asked if he was representing that the Bureau is requesting this rule rejection? **Representative Luker** responded yes, they said to take it out. **Senator Davis** asked if he has a letter from them asking us to reject that rule. **Representative Luker** said no, it happened in their committee meeting and the minutes will reflect that. **Senator Davis** asked if someone is here from the Bureau to speak to that.

Representative Luker replied he does not believe someone from the Bureau is here.

Dennis Stevenson, Administrative Rules Coordinator, said he was at that meeting and he is not sure if that was the request of the agency. However, he does agree that there was an issue with the language as written in the rule.

Senator Davis said as he understands, we are rejecting a part of the rule, subsection 5, a through e, is that correct. **Representative Luker** replied that is correct. He asked if it is his understanding that they do not have a problem rejecting them and it will not hamper their ability to do what they need to do. **Senator Davis** asked how did they defend imposing these costs to the owners or occupants of the property? **Representative Luker** said they did not defend it, but requested additional time to look at it.

MOTION:

Senator Davis requested unanimous consent to hold **HCR49** until the Bureau can represent to the Committee that they are in agreement with rejecting those rules.

H 555

Norman Semanko, Executive Director of the Idaho Water Users Association, explained this legislation clarifies that the time periods in the Idaho Administrative Procedures Act (APA), for seeking reconsideration or judicial review of an agency action begin to run when the order is served upon the parties to an agency proceeding. The need for this legislation became clear in 2009 after the Idaho Supreme Court decision in *Erickson v. Idaho Board of Registration Professional Engineers and Professional Land Surveyors*. In that case, the court held that the period for seeking judicial review begins when an order was "issued", as provided in the APA, rather than when the order was "served" on the parties, as provided in the Idaho Rules of Administrative Procedure. The court held that issuance under the APA does not mean or require service upon the parties. This could result in the time for seeking review beginning to run without the parties' knowledge. This legislation ensures that parties receive notice when the time for seeking review of the agency order begins. The amount of time given is 28 days.

Senator Davis asked if they wanted to amend the legislation in order to place an emergency clause in it and would **Mr. Semanko** speak to any possible retro-active effects. **Mr. Semanko** stated the legislation does not include any emergency clause or a retro-active provision, nor did they discuss this since it did not directly impact any of their members. They just wanted to see it corrected in going forward so that their members are not effected. **Senator Davis** asked if he would prefer the bill go to the floor with a do pass recommendation? **Mr. Semanko** said yes, unless there is an amendment being proposed by someone.

Carl Withroe, an attorney, stated that he is here in support of **H555** and the two amendments suggested that are the emergency clause, and a clause capturing pending cases amendment. This is important because it captures and corrects the errors.

Senator Davis asked in the event there is an emergency clause and a retro-active provision put in the bill that they would be allowed, is it his opinion to advance the merits of the litigation they were involved in? **Mr. Withroe** stated that was correct. **Senator Davis** asked if currently there has been administrative ruling to the disadvantage of his clients? **Mr. Withroe** stated that was correct. **Senator Davis** stated if even the committee chose not to send this bill to amendment, that does not necessarily preclude the client from arguing before the Idaho Supreme Court that *Erickson* should be narrowed to the facts of that case and not

necessarily apply to their clients case. **Mr. Withroe** stated that was correct. **Senator Davis** commented that he would feel comfortable amending the legislation to put in an emergency clause, but if one party or the other has acquired a series of legal rights based on the status of the law to go in and have retro-active application of a statute once there has been a judicial determination, right or wrong, it puts the legislature in the middle of picking sides. This makes it difficult to possible advantage one party over another in a judicial proceeding or others that may already have a court order at their disadvantage who might now have a basis on appeal. **Mr. Withroe** replied that he understood that it can change the rules of the game, their suggested amendment would not alter the merits. **Senator Davis** inquired if the raised question of amending this legislation on House side is similar to this proposal? **Mr. Withroe** stated he did not know if that occurred since it was **Bruce Smith** that has been championing these amendments.

Senator Davis asked what the common practice was at the appellate court level prior to the *Erickson* decision, what kind of reasonable reliance they had with a different interpretation of the code? **Mr. Withroe** stated the judicial court recognized in the case he is currently representing, the practice has been overwhelming out of the agencies to issue explanatory sheets which are required by the APA and orders of decision that state the time periods for appeal and those orders particularly, the order in this case, say appeal is due within 28 days of service of this order. The procedural rules throughout the administrative agency that committed some error.

Senator Davis stated so on the order there is a notice of service with a date and signature, and the law office took that day added 28 days to it and within that 28 day time period they would file a notice of appeal, is that correct? **Mr. Withroe** replied that was correct. If the service was not properly accomplished, then if the department reissues a certificate of service and indicate that the service date for purposes of an appeal was a new date, they then filed in 28 days of the second issuance. **Senator Davis** stated because it went back to the day of the order instead of the day of the service, the law firm's client was precluded from being able to appeal, is that correct? **Mr. Withroe** responded "yes," the *Erickson* case has been interpreted too narrowly to say that the date it is signed irrespective of service.

MOTION:

Vice Chairman Pearce made the motion to send **H555** to the floor with a **do pass** recommendation. **Senator Stegner** seconded the motion. The motion carried by **voice vote**.

S1401

Senator Darrington presented S1401 and stated that *Idaho Code 67-5711C* currently allows state public works to award contracts to the lowest responsive and responsible bidder. To ensure a responsible bidder on certain projects, a "pre-qualification" process is sometimes used. Modeled after the Utah and Florida laws, this legislation is designed to augment those responsibility standards for bidders on state projects when the relevant agency so requests.

All responsibility standards used for pre-qualification must be set forth so

that all contractors know what the criteria will be. The additional standards set forth were taken from the standards currently in use in Utah and Florida. It is expected that the relevant agency responsible for the project will set up a review panel of experts to evaluate the compliance with the standards.

This **S1401** also gives the respective state entity the responsibility for the ultimate use of the project and the ability to require pre-qualification of bidders when deemed in the best interests of the state. The overall purpose is to enhance the quality of work performed throughout the State and ensure that the state is receiving the overall best value for its expenditures.

MOTION: **Senator Davis** moved to send **S1401** to the fourteenth order for possible amendment. **Vice Chairman Pearce** seconded the motion. The motion carried by **voice vote**.

MINUTES: **Vice Chairman Pearce** moved to approve the minutes of February 24 as written. **Senator Geddes** seconded the motion and the motion carried by **voice vote**.

Senator Geddes moved to approve the minutes of February 19 as written. **Senator Darrington** seconded the motion. The motion carried by **voice vote**.

Senator Stennett moved to approve the minutes of February 26 as written. **Vice Chairman Pearce** seconded the motion. The motion carried by **voice vote**.

ADJOURNMENT There being no further business **Chairman McKenzie** adjourned the meeting at 9:58 a.m.

Senator Curt McKenzie
Chairman

Deborah Riddle
Secretary

House Bill No.	Introduced By:	Intro- duction Page	Bill Description	Final Vote Page	Final Action Page	Final Disposition
601	Education	120	PUBLIC SCHOOLS - PLAN REVIEW	172	298	LAW
602 AA	State Affairs	129	IMMUNITY FROM LIABILITY	184	298	LAW
			(House Amendments - p. 164)			
603	State Affairs	129	HUMAN RIGHTS COMMISSION	165	298	LAW
604 AA	State Affairs	129	PERSONNEL SYSTEM	184	298	LAW
			(House Amendments - p. 164)			
605	State Affairs	129	LOCAL LAND USE PLANNING	189	298	LAW
606	Ways & Means	129	SAFETY RESTRAINTS	-	133	H Transp
607	Ways & Means	130	FIRE PROTECTION DISTRICTS	172	298	LAW
608 AA	Ways & Means	130	LOCAL LAND USE PLANNING	184	298	LAW
			(House Amendments - p. 164)			
609	Ways & Means	130	IDAHO STATE POLICE - PROJECT CHOICE	212	298	LAW
610	Ways & Means	130	CHILD PROTECTIVE ACT	160	288	LAW
611	State Affairs	130	AUDITS	172	298	LAW
612	State Affairs	130	CIVIL OFFICES	172	172	S St Aff
613	State Affairs	130	CORRECTIONAL INDUSTRIES - AUDITS	189	298	LAW
614 AAS	State Affairs	130	ADMINISTRATIVE RULES	294	298	LAW
			(Senate Amendments - See Senate Journal)			
615	Rev & Tax	130	OPPORTUNITY SCHOLARSHIP	229	298	LAW
616	Rev & Tax	130	LOCAL IMPROVEMENT DISTRICTS	160	160	S Loc Gov
617	State Affairs	134	HOMELAND SECURITY	182	298	LAW
618	State Affairs	138	MOTOR VEHICLE REGISTRATION	173	173	S Transp
619	State Affairs	138	IDAHO ELECTRICAL BOARD - INFORMATION TRANSPORT CONTRACTORS	-	145	H Bus
620	State Affairs	139	HISTORICAL SOCIETY	177	177	S St Aff
621	State Affairs	147	MEDICALLY INDIGENT	-	150	H Health/Wel
622	Ways & Means	147	GOLD AND SILVER COIN - ELECTRONIC OUNCES	-	150	H W/M
623	Ways & Means	147	ENVIRONMENTAL QUALITY	-	150	H Agric Aff
624	Education	147	EDUCATION	182	298	LAW
625	Appropriations	148	APPROPRIATIONS - DEPARTMENT OF FINANCE	164	288	LAW
626	Appropriations	148	BUILDING SAFETY DIVISION	165	288	LAW
627	Education	148	MINORS	-	150	H Jud
628	State Affairs	148	SHEEP	-	150	H Agric Aff
629	Rev & Tax	148	AMBULANCE DISTRICTS - TAX LEVY	-	150	H Rev/Tax

clinical trials, clinical research and imaging with emphasis in the areas of translational research and bench-to-bedside; and

WHEREAS, Idaho State University provides clinical education for its students and outstanding health care for the Idaho community through the clinics it has developed; and

WHEREAS, Idaho State University offers resources for practicing health care professionals through its Division of Continuing Education, Pharmacy Continuing Education, the Idaho Drug Utilization Review, the Idaho Drug Information Service, Rocky Mountain Learning, the Idaho Conference on Health Care, the Idaho Health Sciences Library, Human Patient Simulation Laboratories, Mental Health and Counseling Professional Development Workshops and the Nursing Office of Professional Development.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we commend and congratulate Idaho State University for its outstanding programs in the health professions and how they have enhanced the quality of life for Idaho citizens.

HCR 48, HCR 49, HCR 50, HCR 51, HCR 52, HCR 53, HCR 54, HCR 55, HCR 56, and HCR 57 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 122, by Resources and Environment Committee, was introduced, read the first time by title, and filed for second reading.

SCR 123, SCR 124, and SCR 121, by Judiciary and Rules Committee, were introduced, read the first time by title, and filed for second reading.

SJM 105, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

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

Mr. Anderson asked unanimous consent, pursuant to Rule 46, that **H 603** be corrected as follows:

Page 1, Line 5, change "provides" to "provide".

There being no objection, it was so ordered.

HOUSE BILL NO. 602 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO IMMUNITY FROM LIABILITY; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-342, IDAHO CODE, TO PROVIDE FOR IMMUNITIES FOR VOLUNTEER MEMBERS OF SEARCH AND RESCUE OPERATIONS UNDER CERTAIN CIRCUMSTANCES.

HOUSE BILL NO. 603 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE IDAHO DEPARTMENT OF LABOR'S ADMINISTRATIVE SUPPORT FOR THE IDAHO COMMISSION ON HUMAN RIGHTS; AMENDING SECTION 67-5904, IDAHO CODE, TO REVISE AUTHORITY OF THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5905, IDAHO CODE, TO PROVIDE DUTIES OF THE DEPARTMENT OF LABOR REGARDING THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5907, IDAHO CODE, TO PROVIDE DUTIES OF

THE ADMINISTRATOR OF THE HUMAN RIGHTS COMMISSION; AND AMENDING SECTION 72-1333, IDAHO CODE, TO REVISE AUTHORITY AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF LABOR.

HOUSE BILL NO. 604 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5342A, IDAHO CODE, TO PROVIDE FOR APPLICATION OF LAW, TO PROVIDE EXCLUSIONS, TO PROVIDE THAT THE TERM "SEVERANCE PAY" SHALL INCLUDE CERTAIN PAYMENTS AND TO PROVIDE THAT NOTHING IN THIS SECTION SHALL CHANGE RIGHTS PROVIDED PURSUANT TO CERTAIN LAWS RELATING TO ACTIVE DUTY SERVICE.

HOUSE BILL NO. 605 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6519, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE FOR THE TYPES OF APPLICATIONS FOR WHICH PROCEDURES ARE TO BE PROVIDED, TO REQUIRE CERTAIN NOTICE AND TO CLARIFY THE RIGHT OF JUDICIAL REVIEW REGARDING CERTAIN FINAL DECISIONS; AMENDING SECTION 67-6520, IDAHO CODE, TO INCLUDE ATTORNEYS AMONG THOSE PERSONS WHO MAY SERVE AS HEARING EXAMINERS, TO REVISE THE TYPES OF APPLICATIONS FOR WHICH A HEARING EXAMINER MAY BE APPOINTED, TO REVISE THE MATTERS TO BE INCLUDED IN A HEARING EXAMINER'S DECISION OR RECOMMENDATION, TO REQUIRE CERTAIN NOTICE, TO CLARIFY THE RIGHT OF JUDICIAL REVIEW REGARDING CERTAIN FINAL DECISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6521, IDAHO CODE, TO REVISE THE DEFINITION OF "AFFECTED PERSON," TO REVISE TERMINOLOGY, TO REVISE ACTION THAT MAY BE TAKEN BY A COMMISSION OR GOVERNING BOARD AFTER A HEARING, TO REQUIRE CERTAIN NOTICE, TO CLARIFY THE RIGHT OF JUDICIAL REVIEW REGARDING CERTAIN FINAL DECISIONS, AND TO REVISE THE BASIS OF THE CLAIM FOR WHICH AN AFFECTED PERSON IS MAKING CERTAIN CLAIMS; AMENDING SECTION 67-6535, IDAHO CODE, TO CLARIFY TERMINOLOGY, TO PROVIDE APPLICANTS JUDICIAL REVIEW FOR CERTAIN DENIED APPLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 606 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO MOTOR VEHICLE SAFETY RESTRAINTS; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-719, IDAHO CODE, TO ESTABLISH THE HIGHWAY SAFETY FUND, TO PROVIDE FOR USE OF THE FUND, TO PROVIDE FOR MONEYS TO THE FUND, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR INTEREST EARNED; AMENDING SECTION 49-673, IDAHO CODE, TO PROVIDE THAT PERSONS ISSUED A CERTAIN CITATION SHALL BE SUBJECT TO

Absent and excused – Ruchti, Shepherd(08), Simpson, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 625** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 626 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall **H 626** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Ruchti, Shepherd(08), Simpson, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker declared that **H 626** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 603 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker and Ms. Pasley-Stuart to open debate.

Pursuant to Rule 38(3), Mr. Burgoyne disclosed a conflict of interest regarding **H 603**.

The question being, "Shall **H 603** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Bedke, Ruchti, Shepherd(08), Simpson, Thompson. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 603** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 598 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall **H 598** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Palmer, Ruchti, Shepherd(08), Simpson, Thompson. Total – 5.

Total – 70.

Whereupon the Speaker declared that **H 598** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 426**, **H 428**, and **H 429** hold their places on the Third Reading Calendar one legislative day.

H 459 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall **H 459** pass?"

Roll call resulted as follows:

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

NAYS – None.

Absent and excused – Kren, Palmer, Ruchti, Sayler, Shepherd(08), Simpson, Thompson. Total – 7.

Total – 70.

Whereupon the Speaker declared that **H 459** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 460 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

At this time, Mr. Sayler took the Chair.

The question being, "Shall **H 460** pass?"

March 30, 2010

Mr. Speaker:

I transmit herewith enrolled **S 1301, S 1310, S 1311**, as amended, **S 1320**, as amended, **S 1340**, as amended, **S 1361**, as amended, **S 1382**, as amended, **S 1383**, as amended, **S 1384**, **S 1385**, **S 1398**, **S 1399**, **S 1400**, and **S 1417** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1301, S 1310, S 1311**, as amended, **S 1320**, as amended, **S 1340**, as amended, **S 1361**, as amended, **S 1382**, as amended, **S 1383**, as amended, **S 1384**, **S 1385**, **S 1398**, **S 1399**, **S 1400**, and **S 1417** and, when so signed, ordered them returned to the Senate.

March 30, 2010

Mr. Speaker:

I transmit herewith enrolled **S 1428, S 1429, S 1430, S 1431**, **S 1432, S 1433, S 1434, S 1435, S 1436, S 1437, S 1438, S 1439**, **S 1440, S 1441, S 1442, S 1443, SCR 125**, and **SCR 126** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1428, S 1429, S 1430, S 1431, S 1432, S 1433, S 1434**, **S 1435, S 1436, S 1437, S 1438, S 1439, S 1440, S 1441**, **S 1442, S 1443, SCR 125**, and **SCR 126** and, when so signed, ordered them returned to the Senate.

March 31, 2010

Mr. Speaker:

I transmit herewith enrolled **S 1344**, as amended, **S 1346**, as amended, **S 1390, S 1401**, as amended, **S 1408, S 1422, S 1425**, **S 1444, S 1445, SCR 118, SCR 127, SJM 104, SJM 105**, and **SJM 106** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1344**, as amended, **S 1346**, as amended, **S 1390, S 1401**, as amended, **S 1408, S 1422, S 1425, S 1444, S 1445, SCR 118, SCR 127, SJM 104, SJM 105**, and **SJM 106** and, when so signed, ordered them returned to the Senate.

March 31, 2010

Mr. Speaker:

I transmit herewith enrolled **S 1335**, as amended in the House, **S 1403**, as amended in the House, **S 1407**, as amended in the House, **S 1419, S 1420, S 1423, S 1424, S 1426**, and **S 1427** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1335**, as amended in the House, **S 1403**, as amended in the House, **S 1407**, as amended in the House, **S 1419, S 1420, S 1423, S 1424, S 1426**, and **S 1427** and, when so signed, ordered them returned to the Senate.

OFFICE OF THE GOVERNOR
Boise

March 30, 2010

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

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

H 526

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

OFFICE OF THE GOVERNOR
Boise

March 31, 2010

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

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

H 407, as amended, **H 426, H 428, H 429, H 461, H 502, H 537**, as amended, **H 433**, as amended, **H 460, H 462, H 503, H 504, H 575, H 581, H 548**, as amended, **H 566, H 586**, as amended, **H 588, H 604**, as amended, **H 601, H 605, H 607, H 609, H 611, H 617, H 624, H 636, H 644, H 646**, as amended, **H 647, H 652, H 656, H 657, H 659, H 660, H 661, H 662, H 664, H 668, H 669, H 670, H 671, H 673, H 674, H 677, H 678, H 679, H 680, H 683, H 685, H 687, H 689, H 690, H 691, H 694, H 695**, and **H 696**

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

OFFICE OF THE GOVERNOR
Boise

April 8, 2010

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

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

H 589, as amended in the Senate, **H 531**, as amended, **H 496, H 602**, as amended, **H 603, H 550, H 554, H 593**, as amended, **H 613, H 608**, as amended, **H 596**, as amended, **H 555, H 425, H 459, H 542, H 398, H 438, H 543, H 574, H 699**, as amended in the Senate, **H 692**, as amended, **H 697, H 698, H 631**, as amended, **H 701, H 702, H 703, H 704, H 705, H 681**, as amended in the Senate, **H 665**, as amended, **H 493**, as amended in the Senate, **H 509**, as amended in the Senate, **H 534**, as amended in the Senate, **H 545**, as amended in the Senate, **H 576**, as amended in the Senate, **H 614**, as amended in the Senate, **H 615, H 640**, as amended, **H 645**, as amended, **H 653**, and **H 598**, as amended in the Senate

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

OFFICE OF THE GOVERNOR
Boise

SENATE INDEX

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
589	State Affairs	LAW	FIREARMS MANUFACTURED IN IDAHO - Adds to existing law to provide prohibitions on regulation of certain firearms, firearm accessories or ammunition by the federal government, to provide exceptions, to provide requirements for marketing of firearms in Idaho and to provide applicability to provide duties of the Constitutional Defense Council..... Amended in the Senate	129 222	- 224	229
590	State Affairs	S Health/Wel	HEALTH AND SAFETY - Adds to existing law relating to health and safety to provide authority for the regulation of residential septic tanks and septic systems.	187	-	187
593	State Affairs	LAW	ATTORNEY'S FEES - Amends existing law to revise provisions regarding the award of attorney's fees in actions involving insurers. Amended in the House (See House Journal)	138	- 190	214
596	Revenue and Taxation	LAW	COLLEGE AND UNIVERSITY IMPROVEMENTS - Amends existing law to provide that certain improvements on state college and state university lands may be included on the new construction roll and such improvements shall be exempt from property taxation. Amended in the House (See House Journal)	138	- 189	214
597	Revenue and Taxation	S Loc Gov	INCOME TAXATION - Amends existing law to revise the special income tax credit available for new employees.	111	-	111
598	State Affairs	LAW	IRRIGATION DISTRICTS - Amends existing law relating to irrigation districts to provide an exception to specified bond requirements..... Amended in the Senate	124 179	164 191	229
599	State Affairs	LAW	SOLID WASTE LANDFILLS - Adds to existing law to provide for a research development and demonstration permit programs for solid waste landfills.....	121	159	177
600	Transportation and Defense	LAW	HIGHWAYS - BRIDGES - CONTRACTS - Amends and adds to existing law to provide for design-build and construction manager/general contractor contracts on state highway projects.	129	226	229
601	Education	LAW	PUBLIC SCHOOLS - PLAN REVIEW - Amends existing law to revise criteria for plan reviews and for inspections for public schools.	129	194	214
602	State Affairs	LAW	IMMUNITY FROM LIABILITY - Amends existing law to provide immunities for volunteer members of search and rescue operations under certain circumstances. Amended in the House (See House Journal)	138	- 188	214
603	State Affairs	LAW	HUMAN RIGHTS COMMISSION - Amends existing law to provide for transfer of the Human Rights Commission to the Department of Labor.	124 ✓	190 ✓	214 ✓
604	State Affairs	LAW	PERSONNEL SYSTEM - Adds to existing law relating to the state personnel system to provide for application of law, to provide exclusions, to provide that the term "severance pay" shall include certain payments and to provide that nothing in this section shall change rights provided pursuant to certain laws relating to active duty service. Amended in the House (See House Journal)	138	- 179	205

President Little returned to the Chair.

H 603 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Davis, granted by unanimous consent, the Fiscal Impact for **H 603** was revised.

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared **H 603** passed, title was approved, and the bill ordered returned to the House.

H 543 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared **H 543** passed, title was approved, and the bill ordered returned to the House.

H 550 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared **H 550** passed, title was approved, and the bill ordered returned to the House.

H 554 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kelly arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared **H 554** passed, title was approved, and the bill ordered returned to the House.

H 593, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared **H 593**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 613 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared **H 613** passed, title was approved, and the bill ordered returned to the House.

H 531, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes and Senator Schroeder arose as

H 682 and **H 727** were filed for second reading.

March 26, 2010

The EDUCATION Committee reports out **H 699** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, **H 699** was referred to the Fourteenth Order of Business, General Calendar.

March 26, 2010

The FINANCE Committee reports out **S 1445** with the recommendation that it do pass.

CAMERON, Chairman

S 1445 was filed for second reading.

March 29, 2010

The HEALTH AND WELFARE Committee reports out **H 708** with the recommendation that it do pass.

LODGE, Chairman

H 708 was filed for second reading.

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

Messages from the House

March 26, 2010

Dear Mr. President:

I transmit herewith **H 729** and **H 728**, which have passed the House.

ALEXANDER, Chief Clerk

H 729 and **H 728** were filed for first reading.

March 26, 2010

Dear Mr. President:

I return herewith **S 1403**, as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Smyser, granted by unanimous consent, **S 1403**, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

March 26, 2010

Dear Mr. President:

I return herewith **S 1407**, as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Bair, granted by unanimous consent, **S 1407**, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

Dear Mr. President:

I transmit herewith Enrolled **HCR 59**, **H 459**, **H 602**, as amended, **H 398**, **H 438**, **H 542**, **H 574**, **H 425**, **H 608**, as amended, **H 596**, as amended, **H 496**, **H 555**, **H 543**, **H 603**, **H 550**, **H 554**, **H 593**, as amended, **H 613**, and **H 531**, as amended, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 59**, **H 459**, **H 602**, as amended, **H 398**, **H 438**, **H 542**, **H 574**, **H 425**, **H 608**, as amended, **H 596**, as amended, **H 496**, **H 555**, **H 543**, **H 603**, **H 550**, **H 554**, **H 593**, as amended, **H 613**, and **H 531**, as amended, and ordered them returned to the House.

March 26, 2010

Dear Mr. President:

I return herewith **S 1417**, **S 1320**, as amended, **S 1340**, as amended, **S 1382**, as amended, **S 1383**, as amended, **S 1384**, **S 1301**, **S 1310**, **S 1399**, **S 1400**, **S 1311**, as amended, **S 1361**, as amended, **S 1398**, and **S 1385**, which have passed the House.

ALEXANDER, Chief Clerk

S 1417, **S 1320**, as amended, **S 1340**, as amended, **S 1382**, as amended, **S 1383**, as amended, **S 1384**, **S 1301**, **S 1310**, **S 1399**, **S 1400**, **S 1311**, as amended, **S 1361**, as amended, **S 1398**, and **S 1385** were referred to the Judiciary and Rules Committee for enrolling.

March 26, 2010

Dear Mr. President:

I return herewith Enrolled **S 1327**, **S 1345**, as amended, **S 1357**, **S 1365**, as amended, **S 1375**, as amended, **S 1409**, and **S 1410**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1327**, **S 1345**, as amended, **S 1357**, **S 1365**, as amended, **S 1375**, as amended, **S 1409**, and **S 1410** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 26, 2010

Dear

Mr.

President:

I return herewith Enrolled **SCR 113**, **SCR 115**, **SCR 119**, and **SCR 120**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **SCR 113**, **SCR 115**, **SCR 119**, and **SCR 120** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 29, 2010

Dear Mr. President:

I transmit herewith Enrolled **HCR 44**, **H 607**, **H 630**, **H 601**, **H 611**, **H 462**, **H 504**, **H 548**, as amended, **H 581**, **H 644**, **H 605**, **H 647**, **H 460**, **H 624**, **H 664**, **H 659**, **H 660**, **H 661**, **H 668**, **H 670**, **H 671**, **H 492**, **H 575**, **H 617**, **H 636**, **H 662**, **H 677**, **H 678**, **H 679**, **H 669**, **H 407**, as amended, **H 656**, **H 683**, **H 687**,

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593 AA	State Affairs	04/08/2010	07/01/2010	251
596 AA	Revenue and Taxation	04/08/2010	01/01/10	254
598 AAS	State Affairs	04/08/2010	07/01/2010	285
599	State Affairs	03/29/2010	07/01/2010	146
600	Transportation and Defense	04/11/2010	04/11/10	293
601	Education	03/31/2010	07/01/2010	174
602 AA	State Affairs	04/08/2010	07/01/2010	247
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609	Ways and Means	03/31/2010	07/01/2010	177
610	Ways and Means	03/29/2010	07/01/2010	147
611	State Affairs	03/31/2010	07/01/2010	178
613	State Affairs	04/08/2010	07/01/2010	252
614 AAS	State Affairs	04/08/2010	07/01/2010	280

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Idaho Human Rights Act 2010 Legislative History Check Lists

Item	Included	Notes
Session Law	✓ R	
Bill	✓ R	
Bill Status	✓ R	
Statement of Purpose	✓ R	3 - 2 Revisions
Committee Minutes		
- House	✓	
- Senate	N/A	
Journal		
- House	✓ R	
- Senate	✓ R	
Interim Committee Minutes	N/A	