

LOBBYIST MONTHLY REPORT FORM

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State of Idaho
Ben Yursa
Secretary of State

To Be Filed By:
L-3 LOBBYISTS
(Sec. 67-6619)

APR 9 PM 1:27
SECRETARY OF STATE
STATE OF IDAHO

(Type or print clearly)
See instructions at bottom of page

Lobbyist's name and permanent business address Teresa Molitor Idaho Assn. of Commerce & Industry PO Box 389 Boise ID 83701	Date prepared 4/8/04	Period covered <input checked="" type="checkbox"/> month ending (Mo.) (Day) (Yr.) 3 31 04
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Category of Expenditure Reimbursed Personal Living and Travel Expenses Pertaining to Lobbying Activity Do Not Have to be Reported	Total Expenditure	Proportionate amounts contributed by each employer (Identify employers, under Item 3, at bottom of page.)			
		Employer No. 1	Employer No. 2	Employer No. 3	Employer No. 4
Entertainment	\$ 411.03	\$ 411.03	\$	\$	\$
Food and Refreshment	0.00				
Living Accommodations	0.00				
Advertising	0.00				
Travel	0.00				
Telephone	60.00	60.00			
Office Expenses	100.00	100.00			
Other Expenses or Services	0.00				
Total	\$ 571.03	\$ 571.03	\$ 0.00	\$ 0.00	\$ 0.00

Item 2	The totals of each expenditure of more than fifty dollars (\$50) for a legislator or other holder of public office.			
Date	Place	Amount	Names of Legislators & Public Officials in Group	
			POSTED	

Continued on attached page(s)

INSTRUCTIONS	Item 3	Employer(s) Name(s) and Address(es)
	No. 1	Idaho Assn. of Commerce & Industry PO Box 389 Boise ID 83701
	No. 2	
	No. 3	
	No. 4	

Who should file this form: Any lobbyist registered under Section 67-6617 Idaho Code

Filing deadline: Monthly reports due within ten (10) days of the month for activities of the past month.

TO BE FILED WITH:
Ben Yursa
Secretary of State
PO Box 83720
Boise, ID 83720-0080
Phone: (208) 334-2852 Fax: (208) 334-2282



Item 4	Expenditures made by the lobbyist or by the lobbyist's employer in the nature of contributions of money or other tangible or intangible personal property to any Legislator, or for or on behalf of any legislator.		
	Date	Amount	Name of Legislator Receiving or Benefited

Item 5	Subject matter of proposed legislation, the number of the Senate or House Bill, Resolution or other legislative activity in which the Lobbyist was supporting or opposing.		
Subject Code (from table)	Bill, Resolution or Other Legislative Ident. Number	Appropriation Bill Number and Section Number	
8, 17, 22, 28	See attached report		

LEGISLATIVE SUBJECT IDENTIFICATION			
Code	Subject	Code	Subject
01	Agriculture, horticulture, farming, and livestock	17	Health service, medicine, drugs and controlled substances, health insurance, hospitals
02	Amusements, games, athletics and sports	18	Higher education
03	Banking, finance, credit and investments	19	Housing, construction, codes
04	Children, minors, youth, senior citizens	20	Insurance (excluding health insurance)
05	Church and religion	21	Labor, salaries and wages, collective bargaining
06	Consumer affairs	22	Law enforcement, courts, judges, crimes, prisons
07	Ecology, environment, pollution, conservation, zoning, land and water use	23	License, permits
08	Education	24	Liquor
09	Elections, campaigns, voting, political parties	25	Manufacturing, distribution and services
10	Equal rights, civil rights, minority affairs	26	Natural resources, forest and forest products, fisheries, mining and mining products
11	Government, financing, taxation, revenue, budget, appropriations, bids, fees, funds	27	Public lands, parks, recreation
12	Government, county	28	Social insurance, unemployment insurance, public assistance, workmen's compensation
13	Government, federal	29	Transportation, highways, streets and roads
14	Government, municipal	30	Utilities, communications, televisions, radio, newspaper, power, CATV, gas
15	Government, special districts	31	Other (please specify) _____
16	Government, state		

CERTIFICATION: I hereby certify that the above is a true, complete and correct statement in accordance with Section 67-6624 Idaho Code.

Teresa Molitor 4/9/04
 Lobbyist signature Date





Idaho Association of Commerce & Industry

PO Box 389 Boise ID 83701 The Voice of Business In Idaho®
(208)343-1849 fax (208) 338-5623 www.iaci.org

BILLS TO FOLLOW

57th Idaho Legislature, Second Session
April 5, 2004

(IACI Position: + Support, - Oppose, M= Monitoring, N=neutral)

Shaded Area=Change from Last Week

Bold=Final Action on Bill

Bill and Description	House	Senate	Final
H476 (By Reps. Robison & Cuddy) Restores the 1995 property tax law to its original form. Property taxes that school districts are no longer permitted to collect under the 1995 law would be replaced by the state, costing the general fund \$1.6 million.	Revenue & Taxation	—	—
H501 (By Rep. Deal) Establishes that individuals serving as members or officers of governing boards of governmental units, boards and agencies or of governmental corporations shall not be personally liable in their private capacity for, or on account of, any act performed or contract entered into in an official capacity.	Returned to State Affairs	—	—
H502 (By Qwest) Changes regulation of land-line telephone companies.	Passed 36-34	Passed 18-17; Held for Reconsideration on 18-17 vote; Failed 17-18	—
H517 (By Rep. Deal) Requires collection of valid signatures equal to at least 6% of the registered voters in 20 Idaho legislative districts in order to qualify an initiative for the ballot.	Withdrawn by Sponsors	—	—
H533 (By Department of Administration) Extends sunset clause on I.C. §72-334 (which requires provision of materials to Industrial Special Indemnity Fund before filing a complaint) to June 30, 2008.	Passed 68-0	Passed 34-0	LAW
H536 (By Gov. Kempthorne) Remove 2005 sunset provision on 5% tax credit for research and development investment, and the 3% tax credit for investment in broadband equipment.	Passed 65-0	Passed 34-0	LAW
H543 (By Rep. Langhorst) Clarifies definition of transactions qualifying for an exemption from last year's one-cent sales tax increase; costs general fund about \$1.2 million.	Passed 64-4	Failed 14-15	—
H544a (By Sen. Pearce & Reps. Denney and Edmunson) Requires the Director of DEQ to appoint watershed advisory groups (WAGs). The purpose of these groups is to work with DEQ on development of Total Maximum Daily Loads (TMDLs). An affirmative vote of at least 50% of the members of the WAG is required before a TMDL can be submitted for approval.	Passed 55-8	Passed 25-5	V E T O E D
H545 (By Rep. Langford & Sen. Ingram) Allows a worker or his/her heirs to recover damages from an employer who, due to gross negligence, has caused the death or injury of said worker. Legislation further provides that said employer shall reimburse the Industrial Special Indemnity Account as provided in Section 72-223, Idaho Code.	Held in Commerce & Human Resources	—	—

H550 (-)	(By Reps. Ringo, Trail, Saylor, Mitchell, Naccarato, Shepherd, Andersen, Martinez, Douglas, Boe, Pasley-Stewart, Robison, Smith, Henbest, Langhorst, Jaquet, and Sens. Keough and Schroeder) Repeals authority to impose an "educational necessity" levy to abate unsafe or unhealthy conditions in schools, as passed in last year's H403aa; has emergency clause.	Revenue & Taxation	—	—
H555 (-)	(By Rep. Trail) Relates to personal information and privacy; Provides legislative intent relating to the protection of personal information; provides for disclosure upon breach in the security of personal information by certain agencies; provides for delayed notification in the event of certain criminal investigation; provides certain rights and remedies for breach in the security of personal information.	State Affairs	—	—
H556 (-)	(By Rep. Trail) Requires certain recordkeeping agencies and political subdivisions of the State of Idaho to adhere to designated principles of information practice.	State Affairs	—	—
H557 (-)	(By Rep. Trail) Relates to misuse of identifying information; Prohibits certain activities relating to use of another person's identifying information; provides for restitution; provides for victim assistance by the Attorney General; provides exception for members of law enforcement agencies; provides for expungement of certain false identity information from court and law enforcement agency records.	Withdrawn by Sponsor	—	—
H567 (+)	(By Governor Kempthorne) Current law allows taxpayers to deduct half of the premiums they pay for long-term care insurance for the taxpayer, taxpayer's spouse, or employee, if the premium is not otherwise deductible. This bill removes the limitation and allows the deduction for the full amount of the premiums; reduces general fund revenues by \$500,000 annually.	Passed 70-0	Passed 27-4	LAW
H582 (-)	(By Rep. Ringo) Provides an Idaho tax credit to individuals qualifying for the Federal Earned Income Credit; extends the grocery tax credit to citizens currently not qualified for it; adds one more income tax bracket with an increased rate of taxation.	Revenue & Taxation	—	—
H590a (+)	(By Idaho Lodging and Restaurant Association) Idaho Common Sense Consumption Act: Would limit civil liability of a manufacturer, distributor, seller or retailer of food or beverages in cases in which liability is based on an individual's weight gain, obesity or obesity-related health condition which results from the individual's long-term consumption of a food or beverage.	Passed 53-16	Passed 34-0	LAW
H594 (-)	(By Rep. Langford) The purpose of this legislation is to allow small, rapidly-growing counties to encourage preservation of agricultural land and to help such counties to recover a portion of the cost of providing for a rapidly-growing population; authorizes county commissioners to levy an "Agricultural Land Preservation" tax on certain property; has emergency clause.	Withdrawn by Sponsor	—	—
H597 (-)	(By Rep. Langhorst and Sen. Burkett) The purpose of this act is to refine contracting procedures of the state of Idaho to account for the full economic impact of public contract awards by including consideration of the tax and revenue effects of those decisions. This bill is intended to increase economic activity in Idaho by keeping jobs in the State that are created by the expenditure of public funds.	Held in State Affairs	—	—
H598 (-)	(By Rep. Langhorst, Sen. Burkett) This legislation adds a reporting requirement to Section 44-1001 of Idaho Code so that contracting authorities may readily verify compliance with the 95% residency requirements in hiring for all state, county, municipal and school district construction.	Held in State Affairs	—	—

H599 (-)	(By Rep. Ken Roberts) PROPERTY TAX ON RURAL HOMESITE DEVELOPMENT: Provides that agricultural land platted for residential development shall be taxed at the agricultural use rate until the lots are sold.	Revenue & Taxation	—	—
H607 (+)	(By Gov. Kempthorne) This bill merges the Department of Commerce and the Department of Labor into a single department that will be named the "Idaho Department of Commerce and Labor." The intent is to more effectively promote economic and community development and a stable, well-trained workforce. Additionally, the merger is intended to strengthen support for Idaho businesses and communities, to enhance the Department's ability to create higher-wage jobs with benefits, and to increase tourism and international trade opportunities.	Passed 62-5	Passed 32-1	LAW
H611 (+)	(By Rep. Dick Harwood and US Ecology Idaho) Revises fees for hazardous waste disposal.	Passed 63-2	Passed 35-0	LAW
H613 (-)	(By Bob Corbell) Create Idaho Aquaculture Commission to promote aquaculture industry; represent producers, processors, and related industries; and seek USDA research funds and grants. Commission shall function in same manner as other state agricultural commissions.	Held in Agricultural Affairs	—	—
H617 (-)	(By Rep. Sali) Adds a new section to Chapter 43, Title 39 to afford people a legal right to receive copies of their health records	Health and Welfare	—	—
H619 (+)	(By Rep. Deal) Removes sunset provision and amends language regarding the retention of index rate bands as they relate to the rating system for health insurance plans.	Passed 66-0	Passed 33-0	LAW
H640 (-)	(By Rep. Sali and Rep. Harwood) Requires qualified, unbiased providers to perform independent medical examinations.	Held in Committee	—	—
H647 (+)	(By Rep. Deal) <u>REPLACES H501</u> Provides immunity for actions performed or contracts entered into in an official capacity by elected or appointed officials, officers of governing boards of commissions authorized by state law, and for persons acting on behalf of the governmental entity in an official capacity	Passed 60-6	State Affairs	—
H650 (-)	(By Idaho Association of Counties) Requires mandatory disclosure of real estate sales prices for all real estate transactions; amends Idaho public records law to exempt disclosure except to licensed appraisers, real estate brokers, State Tax Commission, and persons with 5% ownership interest in the property.	Withdrawn by Sponsor	—	—
H651a (+)	(By Gov. Kempthorne) A new-jobs credit of \$1,000 will be available to a business for creation of a new job paying at least \$12.50 an hour, accompanied by coverage under an accident or health plan; does not change the \$500 new-jobs tax credit for natural resource-based businesses; estimated to have about \$300,000 impact on general fund.	Passed 61-3	Passed 31-0	LAW
H657 (-)	(By Jim Jones) Amends Patient Freedom of Information Act to include licensed professional nurses (LPNs) in the category of providers that are required to furnish certain job-related information to professional licensing boards. Such information would include criminal convictions, disciplinary action, malpractice information. Reporting requirements would be expanded for all providers to include instances where providers who are authorized to handle controlled substances have been disciplined or convicted for abuse of such substances. Imposes additional reporting requirements on employers of such providers.	Held in Health & Welfare	—	—
H663 (+)	(By Rep. Cuddy) Clarifies process of collection and distribution of taxes on forest lands. Under the bare land and yield basis, the property owner pays tax only on the land – until the timber on the land is harvested, or at the end of a 10-year period. However, if during that period, the property title is transferred.	Passed 65-0	Passed 26-0	LAW

H664 (-)	(By Reps. Sali & Harwood) Creates a private right of action for persons injured by false testimony, presentation of false scientific principles and filing of documents which include false or misleading information. Liability can be established only when the person knew or should have known the information was false or when the person intended the information to be misleading.	Held in House Judiciary & Rules	—	—
H669 (+)	(By Dept. of Lands) Provides that certain actions by the State Board of Land Commissioners relating to direction, control or disposition of public lands, shall not be considered to be "contested cases".	Passed 55-12	Passed 26-9	LAW
H671 (+)	(By Committee to Revise the Idaho Corporate Code) This legislation has been prepared by the Committee to Revise the Idaho Corporate Code, under the auspices of the State Bar's Business and Corporate Law Section. The charge to the committee was to review the Idaho Business Corporation Act for the purpose of developing proposals to the Idaho Legislature for amendments to bring the Act into conformity with the most current draft of the Revised Model Business Corporation Act, as amended to date and published by the Committee on Corporate Law of the Section of Corporation, Banking and Business Law of the American Bar Association. The Committee has limited this project to the subject of business corporations and has not involved itself directly with nonprofit corporations, professional corporations, limited liability companies, and the several forms of partnerships or any other "specialty areas" of business organization law.	Passed 66-0	Passed 35-0	LAW
H673 (+)	(By IACI) Provides a statute of limitations on medical benefits in denied workers' compensation cases.	Withdrawn by Sponsor	—	—
H674 (+)	(By IACI) Clarifies that evaluations of permanent impairment shall only be made by a qualified physician; reinforces Legislature's intent that impairment evaluations are to be medical evaluations.	Withdrawn by Sponsor	—	—
H675 (+)	(By Woody Richards/Blue Cross) Clarifies difference between Preferred Provider Organizations (PPOs) and managed care organizations.	Business	—	—
H683 (+)	(By Idaho Potato Commission) Provides more specific authority for the Idaho Potato Commission; clarifies that the Commission has authority to cooperate with similar organizations, to take legal action to protect the marks owned/administered by the Commission, to collect assessments, and to lease or own real or personal property; substitutes the concept of "promotion" in place of marketing and advertising.	Passed 63-0	Passed 35-0	LAW
H685 (-)	(By Reps. Sali, Bayer) Requires 2/3 citizen vote before annexation; increases legal notice publication requirements; any annexation cannot take effect until Oct. 1 following the election at which annexation was approved	Held in Local Government	—	—
H688 (-)	(By Rep. Eberle) Restricts creation of Local Business Improvement Districts; provides for one-man, one-vote election on creation of districts, instead of votes by dollar amount of property owned; requires a 2/3 majority vote to change the district's rate of taxation.	Held in Local Government	—	—
H689 (-)	(By David Kerrick) Prohibits use of auditorium district funds to advertise or promote ballot measures related to the district (including proposals to create or dissolve an auditorium district, as well as proposals to incur bonded indebtedness).	Revenue & Taxation	—	—

H690 (-) (By David Kerrick) Establishes graduated rates for hotel-motel taxes depending on distance from auditorium/convention center (5% maximum tax at facilities located within a half-mile of the convention center; 4% maximum at facilities within 1 ½ mile radius; 3% maximum at facilities within a 3-mile radius; and 2% maximum at facilities beyond a 3-mile radius).	Revenue & Taxation	—	—
H708 (-) (By Rep. Henbest) Mandates insurance coverage for obesity counseling.	Ways & Means	—	—
H710 (+) (By Rep. Black) Covers reimbursement for emergency services by non-contracting health care providers: Would require that if a health care provider or other health care professional who does not contract with a health insurance carrier renders emergency or post-stabilization service to a patient in a hospital that contracts with that health insurance carrier, the health care provider or other health care professional shall collect from the health insurance carrier only the amount paid to contracted providers for the same services, and from the patient, any applicable coinsurance, co-pay or deductible or any charges for non-covered services.	Held in Business	—	—
H716 (-) (By Rep. McKague) Exempts an additional \$150,000 of market value on residences for home-owners at least 70 years old.	Held in Revenue & Taxation	—	—
H720 (+) (By State Tax Commission) Conforms the Idaho income tax to changes made to the Internal Revenue Code after Jan. 1, 2003, including the federal "Jobs and Growth Tax Relief Act of 2003" (JGTRA). However, no Idaho deduction will be allowed relating to the increased (from 30% to 50%) special allowance for first year "bonus depreciation" permitted by subsection (k) of section 168 of the IRC.	Passed 67-2	Passed 23-11	LAW
H724 (+) (By Reps. Deal and Collins, Sen. Stegner) Simplifies the method used to compute payment of premium taxes by insurance carriers doing business in Idaho; modifies the present structure by adjusting the premium tax, over a six-year time frame, to a single premium tax rate of 1.5%, intended to make Idaho more competitive in efforts to attract insurance carriers to locate in Idaho as their "home" or "domiciliary" state; also will eliminate legal and financial exposure to the State created by the dual rate system.	Passed 63-4	Passed 32-1	LAW
H754a (+) (By Reps. Roberts, McGeachin, Moyle, & Bayer) General Fund expenditures for any fiscal year shall be limited to a base of the FY05 appropriation plus annual adjustments for population growth and inflation; creates a "taxpayers reserve fund" and provides for refunds to taxpayers from this fund.	Failed 30-37	—	—
H759 (+) (By Mike Brassey) REPLACED BY H832 Provides for creation of Public Improvement Districts upon filing of a petition by 100% of landowners in the proposed district; would allow building new public infrastructure improvements to serve new growth and development and provide for paying those costs; outlines formation and operation of the Public Improvement Districts.	Held at Sponsor's Request	—	—
H760a (+) (By Sen. Hill, Rep. Eskridge) Authorizes an investment tax credit against state income taxes for investments in wind turbines, solar energy, low impact hydro, industrial waste, animal waste, municipal waste, geothermal resources, other renewable resources, patterned after the broadband tax credit that was enacted in 2001. The credit escalates if a qualifying facility is located in certain economically depressed counties; sunsets in 2009.	Passed 62-0	Passed 32-0 as amended in the Senate	V E T O E D
H761a (+) (By Sen. Hill, Rep. Eskridge) Authorizes an income tax credit of one-half cent per kilowatt for electric energy generated by wind turbines, solar energy, low impact hydro industrial waste, animal waste, municipal waste, geothermal resources and other renewable resources; only facilities constructed after January 1, 2004, to qualify.	Passed 61-0	Passed 32-0 as Amended in the Senate	V E T O E D

H781 (-)	(By Reps. Deal, Eskridge, Campbell and Sen. Keough) Gives property tax exemption for property owned by qualified persons; applies the exemption to residential improvements and the residential lot; provides that the exemption shall continue for spouses under certain circumstances; provides conditions for the exemption; provides that an owner is required to make application for the exemption only once if certain conditions are met; provides that the exemption shall be available for certain owners who are absent by reason of active military service in a designated combat zone.	Held in Revenue & Taxation	—	—
H797 (+)	(By Dar Oiberding) Provides that certain records relating to academic research or studies by employees, volunteers, or students of public institutions shall be exempt from disclosure. The bill will protect research in the development stage, and protect the identity of participants. Once research is completed, results will be made available to the public.	Passed 46-18	Held in Resources & Environment	—
H799a (-)	(By Speaker Newcomb) Amends provisions passed last year allowing a taxpayer to elect a two-year exemption from property tax in lieu of the investment tax credit against income taxes. The bill: (1) Clarifies that the election is available for qualified property placed in service in calendar year 2003; (2) Clarifies the determination of a loss year; (3) limits disclosure of tax information exchanged between the State Tax Commission and county assessors; (4) Excludes taxpayers whose rates or returns are regulated according to federal or state law; and (5) Provides for recapture of the property tax benefit of property ceasing to qualify for the investment tax credit or for the election. H799's effective date is January 1, 2003, the effective date of the original legislation.	Passed 51-10	Passed 32-1	LAW
H814 (+)	(By Rep. Gagner; Jeremy Pisca/Idaho Building Contractors, John Eaton/Building Contractors Association of SW Idaho, and Alex LaBeau/Idaho Realtors Association) This bill will create a registration system for contractors and would require that all contractors be registered with the state Division of Building Safety. It would provide a mechanism for the state to remove contractors who prove to be incompetent, dishonest, or unprincipled from the registry. It would require proof that the applicant has complied with Idaho's workers compensation law, and that the applicant has a general liability insurance policy in an amount not less than \$300,000; no general fund fiscal impact.	Held At Desk	—	—
H825 (-)	(By Sen. Kennedy) Would freeze property taxes on owner-occupied residences of Idahoans who are at least 65, or disabled, who have household income under \$35,000 and are qualified for the 50-50 homeowner's exemption	Held in Revenue & Taxation	—	—
H826 (-)	(By Sen. Kennedy) Provides annual cost-of-living adjustment on the \$50,000 upper limit of the 50-50 homeowner's exemption; the percentage of adjustment would match the Consumer Price Index.	Held in Revenue & Taxation	—	—
H828 (+)	(By Woody Richards) Trailer bill for H724, which failed to uniformly change the rate for surplus line insurance premium taxes, as addressed in both Idaho Code Sections 41-1229 and 41-1233. The premium tax change for surplus lines is being done in one step to avoid confusion for premium taxpayers and to save reprogramming costs each year.	Passed 64-0	Passed 35-0	LAW
H832 (+)	(By Mike Brassey/Suncor) Provides for formation of a public infrastructure improvements district upon filing of petitions by 100% of the owners of all the land in which the proposed district would be located.	Passed 37-32	Local Government & Taxation	—
H836 (+)	(By Reps. Jones & Stevenson) Creates the Idaho Aquaculture Commission to promote the aquaculture industry, compete for available USDA research funds and grants, and to represent producers, processors and related industries.	Passed 64-4	Passed 35-0	LAW

HJM16 (By all 16 House and 7 Senate Democrats) Asks U.S. Congress (-) and the President to allow Idahoans the opportunity to legally buy prescription drugs from Canada.	Health & Weifare	—	—
HJM23a (By Speaker Bruce Newcomb) Opposes releasing large amounts (+) of irrigation storage water for flow augmentation, contrary to the law of the state of Idaho, and opposes breaching of the four lower Snake River dams	Passed 62-8	Adopted on Voice Vote	—
HJM24 (By Speaker Newcomb) Encourages development of additional (+) water supply enhancement projects, such as reservoirs and aquifer recharge.	Passed on Voice Vote	Adopted on Voice Vote	—
HJR7 (By Rep. Barrett, Sen. Sweet & Idahoans for Tax Reform) (+) Constitutional amendment that would limit state spending to an amount equal to the previous year's level plus the annual inflation rate, plus the annual percentage increase in population. State revenues collected in excess of the limit are distributed among three created funds - the Emergency Fund (25%), the Budget Stabilization Fund (50%), and the Excess Revenue Fund (25%). The Emergency Fund can be tapped upon a declaration of emergency by the governor and a majority vote; the Budget Stabilization Fund can be tapped when state revenues come in below the spending cap, but only up to the amount of the deficiency, and upon a 2/3 vote; Legislature may deposit additional revenues into the Emergency Fund or Budget Stabilization Fund	Revenue & Taxation	—	—
S1225 (By Sen. Schroeder) Emphasizes that the Idaho Constitution gives (-) authority to the Idaho Legislature to establish education policy for the State of Idaho, and that the Executive branch of state government has a Constitutional responsibility to faithfully execute the laws of the State of Idaho	—	Education	—
S1226 (By Dept. of Labor) Prevents so-called "SUTA (State (+) Unemployment Tax Acts) dumping" – wherein an employer with a poor experience rating in the unemployment insurance system buys a small business that has a low unemployment insurance tax rate, closes activity of the small business, and transfers payroll to it from the buyer business to obtain the better unemployment insurance rating; four Idaho cases discovered so far reportedly already have cost Idaho more than \$436,000; has emergency clause	Passed 64-0	Passed 31-0	LAW
S1232a (By Sen. Noh) Creates a new crime of damaging commercial (+) aquaculture operations, with a penalty of 20 years in prison and a \$10,000 fine	Passed 66-1	Passed 32-0	LAW
S1279aSaH (By DEQ) Transfers licensure for Drinking Water and (+) Wastewater (+) Professionals from DEQ to the Bureau of Occupational Licenses.	Passed 66-0	Passed 35-0 as Amended in House	LAW
S1287a (By Idaho Association of Highway Districts) Provides ordinance- (-) making authority to highway district commissioners.	Held in Transportation	Passed 32-1	—
S1308 (By Ryan Kerby) Requires full-time kindergarten attendance for (-) specific students and includes this change in the kindergarten attendance factor in the school funding formula. The fiscal impact would be \$7,395,000.	—	Education	—
S1310a (By Sen. Gannon) This bill is intended to eliminate confusion about (+) charter schools accounting for and reporting use of State funds; Would require the same standards of accountability for charter school boards of directors that exist for School District Boards of Directors. Requires preparation of annual financial reports, publishing the annual statement of financial condition, and annual audit of financial statements; Authorizes investment of excess cash with interest accruing back to the charter school.	—	Returned to Education	—

<p>S1324 (By Sens. Werk) Clarifies that public charter schools qualify for a property tax exemption on that portion or rental property used by the public charter school, clarifying language in charter school legislation passed in the 2003 session.</p>	—	Local Government	—
<p>S1325 (By Sen. Werk) Current law grants charter schools for a maximum of 5 years, which creates problems in obtaining long-term financing for constructing facilities. This bill allows chartering authorities to revoke charters for cause without requiring 5-year renewals of the initial charter. This also adds a negotiated probationary period to allow public charter schools to address areas of concern identified by the chartering authority.</p>	—	Education	—
<p>S1326 (By Bob Henry/Jon Allen) This bill (1) Removes limits on the number of charter schools granted in Idaho; (2) Recognizes that charter schools will be organized under the Idaho nonprofit corporation act, but be managed as a public school entity, and that the charter school board will be subject to Idaho Code governing public school trustees; (3) Specifies that while charter schools may borrow money to buy school facilities, the terms and contractual arrangements are subject to review by the State Superintendent of Public Instruction; (4) Addresses items to be included in the charter petition, including bylaws, admission procedures, selection of students, payment for dual-enrolled students, and contracts for teachers and administrators.</p>	—	Education	—
<p>S1327a (By Bob Henry) The purpose of this legislation is to give granting authorities another option other than revocation to bring a charter school back into compliance with Idaho Code or the Charter.</p>	—	Returned to Education	—
<p>S1330 (By Sen. Schroeder) Authorizes St. Dept. of Education to withhold funds of a charter school not in compliance with state law.</p>	—	Education	—
<p>S1339 (By Sen. Bailey) Provides for preparation of economic impact statements and regulatory flexibility analyses prior to the promulgation of agency rules upon written request of 25 persons or a business entity; when adopting rules to protect the health, safety and economic welfare of Idahoans, state agencies should seek to achieve statutory goals as effectively and efficiently as possible without imposing unnecessary burdens on business employers.</p>	—	Withdrawn by sponsor	—
<p>S1340 (By Idaho Building Contractors) This bill would require that all contractors be registered with the state Division of Building Safety. It would provide a mechanism for the state to remove contractors who prove to be incompetent, dishonest, or unprincipled from the registry. Application for registration would require a statement disclosing whether any person with an ownership interest in the business has ever been suspended or prohibited from practicing construction in Idaho or any other state. It would require proof that the applicant has complied with Idaho's workers' compensation law, and that the applicant has a general liability insurance policy in an amount not less than \$300,000.</p>	Held in Committee at Sponsor's Request	Passed 27-6	—
<p>S1347 (By Sen. Schroeder) Authorizes advance payment of part of charter school's estimated transportation costs.</p>	Passed 61-0	Passed 26-9	LAW
<p>S1348 (By Sen. Schroeder) Requires an open election of the Board of Directors of a charter school and prohibits compensation.</p>	Held in Education	Passed 26-8	—
<p>S1349 (By Sens. Stennett, Burkett, Maiepeai, Marley, Werk, Calabretta, & Kennedy) Specifies that the Board of Education has authority over certain matters pertaining to higher education, and the Department of Education has authority over certain matters pertaining to early public education through grade 12.</p>	—	Education	—

<p>S1354 (By Sens. Calabretta, Werk, Burkett, Kennedy, Stennett, Marley, Malepeai & Rep. Ringo) provide additional qualifications for members of the State Board of Education, requiring that consideration be given to balanced geographical representation, and that at least 3 but not more than 4 of the members shall be from the same major political party.</p>	—	Failed 8-24	—
<p>S1355 (By Sen. Schroeder) Creates process to notify citizens about vacancies in enrollment, to govern conduct of the selection process.</p>	—	Education	—
<p>S1358 (By Bob West & Don Robertson, St. Dept. of Education) Deletes provisions limiting the number of charter schools that can be approved each year in Idaho, and in each region, by boards of trustees in each district, during the first 5 years in which the Charter School Act was in place.</p>	Education	Passed 30-5	—
<p>S1359 (By Bob West & Don Robertson, St. Dept. of Education) Requires the charter school petition to include the provision of election of governing board members after the second year of operation. This proposal amends Idaho Code 33-5204 regarding how the membership of the governing board of a charter school is determined.</p>	—	Education	—
<p>S1362 (By Bob West & Don Robertson, St. Dept. of Education) Allows up to 10% of available capacity in each grade of a charter school to be reserved for children of charter school founders, board members, and employees; provides for random lotteries, in cases of over-enrollment, to be conducted by a third party.</p>	—	Education	—
<p>S1364 (By Bob West & Don Robertson, St. Dept. of Education) Companion legislation to the proposal that charter schools may be designated Local Education Agencies (LEA's) for funding purposes. Currently, charter schools, as schools within a LEA, are exempt from the sections referred to in this proposed legislation. If charter schools are allowed to be designated as LEA's, they would not be exempt from these sections.</p>	—	Education	—
<p>S1373a (By Sen. Sorenson) Requires contractors and subcontractors (including temporary employees) to participate in the Idaho Employer Alcohol and Drug-free Workplace program in order to be eligible for contracts with the state.</p>	Passed 39-26	Passed 26-9	LAW
<p>S1384 (By Sen. Cameron & Reprs. Newcomb and Bedke) <u>REPLACED BY S1439</u> Authorizes creation of a county-based intermodal commerce authority to create, stimulate and advance commerce and economic development. The authority is empowered to receive federal, state or local gifts, grants and direct appropriations. The authority can enter into contracts and hold and lease property only to promote local and statewide economic growth and commerce. There is no taxing authority.</p>	—	Local Government & Taxation	—
<p>S1392 (By Sen. Schroeder) Prohibits the State Board of Education from authorizing any alternative means of certifying teachers.</p>	—	3 rd Reading	—
<p>S1406 (By Bob Henry) Deletes limit on number of new public charter schools and prohibits the authorization of any new public charter school within two miles of an existing public charter school.</p>	—	Education	—
<p>S1436 (By Sens. Ingram and Bunderson, Rep. Gagner) Creates new method for funding local transportation infrastructure projects; Idaho Transportation Board would be authorized to dedicate up to 25% of the state's annual distribution of federal fuel taxes to service bonds issued to pay for qualified road projects, estimated to create \$12-\$13 million in revenue annually and finance up to \$700 million in bond proceeds; authorizes participation by the Idaho Housing Finance Association in these bonding actions; no general fund fiscal impact.</p>	—	Held in Committee at Sponsors' Request	—

<p>S1439a (By Sen. Cameron, Speaker Newcomb, Rep. Bedke) (+) (REPLACES S1334) Authorizes creation of county-based intermodal commerce authorities, designed to aid economic development. The authority is empowered to receive federal, state or local money including gifts, grants, direct appropriations, and to enter into contracts, acquire, hold and lease property only for purposes of promoting local and statewide economic growth and commerce, maintaining facilities for commerce, commodity shipping, transportation transfer, and storage; no tax authority is allowed; no general fund fiscal impact</p>	<p>Passed 63-3 as Amended in House</p>	<p>Passed 32-0</p>	<p>LAW</p>
<p>S1443 (By Gov. Kempthorne) Addresses the temporary and permanent solutions to funding issues faced by public virtual schools in Idaho. (1) The <i>temporary</i> solution provides that public virtual schools will be funded with formula divisors that are no higher than current median divisors for FY 2004 and FY 2005. For FY 2006 and FY 2007, the highest possible divisors that will be used are the second highest divisors. (2) At the same time, beginning in FY 2006, public virtual schools will become eligible to receive the state's 85% match on Pupil Transportation funds. Currently, the state covers 85% of the cost of transporting children to their education, but provides nothing to public virtual schools for their cost of transporting education to children. It is a simple matter of equity that the state should provide the same 85% match for the cost of bringing children and their education together, regardless of which model is primarily used. Public virtual schools would then receive their actual divisors beginning in FY 2008, by which time Transportation funds, in conjunction with higher instructional indexes, should make up for the loss of preferential divisors. This legislation will result in an additional \$1.6 million in costs in FY 2004 and FY 2005, through the existing public schools funding formula. In FY 2004, these costs are covered by an estimated \$3.5 million in pupil Transportation savings. In FY 2005, these costs are covered by the additional support units (175 mid-term units; 200 full-term units) built into the public schools budget by JFAC. The estimate of additional funds provided by this legislation in future fiscal years is \$1.45 million in FY06 and FY07, and \$1.04 million in FY08.</p>	<p>Passed 67-3</p>	<p>Passed 31-4</p>	<p>LAW</p>
<p>S1444a (By Sens. Schroeder, Gannon & McWilliams) Clarifies legislative intent; defines terms; revises limits on the number of public charter schools; governs methods of forming a public charter school; provides rules to be adopted by the State Board of Education to designate certain local education agencies; clarifies liability for public charter schools; governs applicability of professional codes and standards to employees of public charter schools; specifies procedures for submitting a petition to establish a public charter school and further governs admission procedures; creates set-asides for founders' children; governs requirements and prohibitions upon approval of a public charter school and further clarifies appeal procedures; strikes certain renewal requirements; creates a public charter school commission to act as a potential authorized chartering entity.</p>	<p>Passed 52-17 as amended in House</p>	<p>Passed 23-8</p>	<p>LAW</p>
<p>SCR125 (By Sen. Schroeder) Requests that the Office of Performance Evaluations assess the Idaho Standard Achievement Test prior to the test's implementation to determine if the test is appropriately aligned to Idaho, is reliable, and valid; requires that OPE in doing the study shall retain not less than three nationally recognized testing experts. Cost of study is estimated to be approximately \$250,000</p>	<p>—</p>	<p>Failed 17-18</p>	<p>—</p>
<p>SJR102 (By Sen. Schroeder) A constitutional amendment that would create separate boards to administer Idaho's higher education and K-12 school systems; the State Board of Education would oversee the K-12 system, while a newly created Board of Regents would supervise two- and four-year institutions of higher education.</p>	<p>—</p>	<p>State Affairs</p>	<p>—</p>

H757a (By Rep. Gagner) Provides disclosure to patients at the time of their initial contact with a health care provider as to whether they contract with the insurer.	Passed 66-1	Commerce & Human Resources	—
H768 (M) (By Appropriations) Aporopriates \$223,366,200 from the general fund to the State Board of Education and the Board of Regents of the University of Idaho for Boise State University, Idaho State University, the University of Idaho, Lewis-Clark State College, and the Office of the State Board of Education for FY05; expresses the Legislature's continued belief regarding funding equity among Idaho's four year institutions of higher education.	Passed 38-31	Passed 18-16	LAW
H808 (M) (By Woody Richards/Blue Cross) Clarifies whether health care plans are managed care plans for purposes of Title 41, Chapter 39, Idaho Code; Sets forth requirements for insurers offering health care plans that do not meet the definition of managed care plans; no general fund fiscal impact.	Passed 64-0	Passed 35-0	LAW
H833 (M) (By Ken McClure/Idaho Medical Association, Steve Tobiason/Idaho Assoc. of Health Plans, & Julie Taylor/Elue Cross) Requires insurance companies that provide health insurance to pay a claim for covered services within 30 days following receipt of a bill if the claim is sent electronically, or within 45 days if sent by paper. If an insurance company has a contract with a provider which contains different payment requirements, the contractual provisions supersede the requirements of this statute. This statute will apply only when an insurer is not complying with its contract, or where there is no contract. This statute will only apply if a provider submits a claim promptly for payment. There is no fiscal impact on general fund.	Business	—	—
H837 (M) (By Appropriations) FY05 appropriation to the Department of Environmental Quality for \$15,146,000 from the General Fund; Section 2 places 369.55 cap on number of authorized full-time equivalent positions; Sections 3 and 4 direct the State Controller to transfer \$520,000 from Water Pollution Control Fund to the Environmental Remediation Fund and to use those moneys for Bunker Hill remediation; Section 5 provides that \$1 million of Water Pollution Control Funds is to be used solely for projects in Coeur d'Alene River Basin to count toward match required to receive federal cleanup funds; Section 6 prohibits the department from transferring appropriations out of the air quality program.	Passed 54-16	Passed 33-1	LAW
S1269a (M) (By Sen. Ingram) INTRACITY LIGHT RAIL SYSTEMS – Authorizes specified public entities with responsibility for transportation systems and urban renewal projects to acquire, construct, reconstruct, extend, maintain or repair intracity light rail systems including, but not limited to, rights-of-way, rails, cars, and other ancillary improvements owned, controlled or operated by a public entity; revises and modernizes laws governing regulation of the offer and sale of securities. This bill closely tracks the Uniform Securities Act recently adopted by the National Conference of Commissioners on Uniform State Laws.	Passed 52-11	Passed 33-1	V E T O E D
S1284a (N) (By Sen. Compton) Revenues from Idaho's sales and uses tax shall be attributed by dollar amount to the counties in which the sales occurred. Purpose is to provide information about sales/use taxes being collected in the various counties, enhancing measurement of economic growth.	—	Amending Order	—
S1422a (N) (By Roy Eiguren/ValleyRide) Clarifies that Regional Public Transportation Authorities are exempt from taxation as are other political subdivisions of the state; public transportation services operated by RPTAs are subject to the same fuels tax treatment,	Sent to Floor With Do-Pass	Passed 34-0	—

<p>whether operated by city, county or regional authority; no general fund fiscal impact, but will impact gasoline fuel tax by \$11,000 per year.</p>	<p>Recommendation</p>		
<p>S1430 (M) (By Finance) FY05 Public Schools Budget: Appropriation of \$72,821,000 in general funds for the Division of Administrators portion. Adds funds for the effects of a PERSI rate increase, an increase of 175 new midterm support units and 200 new full-term support units, and an increase in available federal pass-through funds. This budget also includes an elimination of funding for the Administrators' portion of the Early Retirement Program, in which Administrators no longer participate. The pieces of the Public Schools budget that are part of this division's appropriation include: 1.) The administrators' portion of the salary-based apportionment formula; 2.) State paid employee benefits for administrators, which include PERSI and FICA; and 3.) The administrators' portion of federal pass-through funding to local school districts.</p>	<p>Passed 51-18</p>	<p>Passed 23-10</p>	<p>LAW</p>
<p>S1431 (M) (By Finance) FY05 Public Schools Budget: Appropriation of \$633,663,400 in general funds for the Division of Teachers portion. This budget adds funds for the effects of a PERSI rate increase, an increase of 175 new midterm support units and 200 new full-term support units, an increase in Master Teacher awards, an increase in teacher participation in the Early Retirement Program, and an increase in available federal pass-through funds. Funding is also added for the estimated \$2.2 million impact of increasing the cap on the experience/education index for instructional staff, to account for all estimated growth in the index for FY 2004 and FY 2005 that is attributable to teachers earning additional education credits. Additional funds are added for the estimated \$5.9 million cost of fully funding a 10% increase in the statewide minimum teacher salary, from \$25,000 to \$27,500. The pieces of the Public Schools budget that are part of this division's appropriation include: (1) The teachers' portion of the salary-based apportionment formula; (2) State paid employee benefits for teachers, which include PERSI and FICA; (3) Funding for Master Teacher awards; (4) Early Retirement Program payouts for teachers; (5) Funding for training teachers to work with Gifted & Talented students; and (6) The Teachers' portion of federal pass-through funding to local school districts.</p>	<p>Passed 41-28</p>	<p>Passed 22-12</p>	<p>LAW</p>
<p>S1432 (M) (By Finance) Public Schools Budget: Appropriation of \$244,022,100 in general funds for the Division of Operations portion. This budget adds funds for the effects of a PERSI rate increase, an increase of 175 new midterm support units and 200 new full-term support units, and an increase in available federal pass-through funds. It also maintains at the current year's level the state's K-12 Technology program (\$8.4 million) and discretionary funding per classroom (\$24,450 per support unit). This level of funding per classroom is backed by a guarantee of support from the \$7.1 million Public Education Stabilization Fund, which would be automatically tapped, if necessary, to maintain FY 2005 discretionary funds at the level stated in Section 8 of the bill. Section 9 includes the language necessary to provide a 1% base salary increase for all classified staff. The pieces of the Public Schools budget that are part of this division's appropriation include: (1) The classified staff portion of the salary-based apportionment formula; (2) State paid employee benefits for classified staff, which includes PERSI and FICA; (3) State funding for property tax replacement; (4) Pupil transportation costs; (5) Floor, which guarantees each school district at least 90% of the dollars it received from the state in the previous year; (6) Technology funds; (7) State discretionary funds; and (8) The Operations' portion of federal pass-through funding to local school districts.</p>	<p>Passed 50-20</p>	<p>Passed 27-8</p>	<p>LAW</p>

<p>S1433 (By Finance) Public Schools Budget Appropriation of \$14,200,000 in general funds for the Division of Children's Programs portion. This budget adds funds for increases in Exceptional Contracts/Tuition Equivalencies, growth in Limited English Proficiency (LEP) enrollment, and an increase in available federal pass-through funds. The budget also reflects a reduction in the amount of funding necessary for the Idaho Reading Initiative, due to a reduced need for teacher training and remedial student education (fewer children are reading below grade level). Section 9 of the bill ratifies recent decisions made by the State Board of Education, by directing the Board to use available federal funds to develop a computer-based program to help provide remedial education for students who fail to achieve full proficiency in the Idaho Standards Achievement test (ISAT). The pieces of the Public Schools budget that are part of this division's appropriation include: (1) Border Contracts for children educated out-of-state; (2) Exceptional Contracts/Tuition Equivalencies; (3) Program Adjustments (funding for Booth Home); (4) Idaho Safe & Drug-Free Schools program; (5) Idaho Reading Initiative; (6) Limited English Proficiency (LEP) program; (7) Idaho Digital Learning Academy funding; and (8) The Children's Programs' portion of federal pass-through funding to local school districts.</p>	<p>Passed 46-24</p>	<p>Passed 25-10</p>	<p>LAW</p>
<p>S1434 (By Finance) Public Schools Budget: Appropriation (no general funds) for the Division of Facilities. The pieces of the Public Schools budget that are part of this division's appropriation, all of which are funded with State Lottery revenues, include: (1) Funding for the Bond Levy Equalization program; (2) A final transfer to the School Safety & Health Revolving Loan & Grant Fund, for the second half of an interest subsidy payment due the Whitepine School District; and (3) The regular distribution to Idaho school districts of all net remaining lottery proceeds.</p>	<p>Passed 55-14</p>	<p>Passed 28-7</p>	<p>LAW</p>
<p>S1437 (By Sens. Andreason and Bunderson) Allows Idaho to work with 44 other states and the District of Columbia in addressing problems resulting from the nationwide growth in Internet sales, which creates an unfair competitive disadvantage for local retail businesses and allows avoidance of as much as \$44 million (2001 estimate) to \$151 million (2006 estimate) in sales tax revenues to the state. This legislation allows Idaho to fully participate with the Streamlined Sales Tax Implementing States (SSTIS) by sending a voting delegate to the SSTIS to work on amending the model Streamlined Sales and Use Tax Agreement (SSUTA). Before Idaho can sign the Agreement, the Idaho Legislature will need to pass additional legislation conforming Idaho's sales and use tax statutes to the agreement; no negative general fund fiscal impact.</p>	<p>Revenue & Taxation</p>	<p>Passed 34-0</p>	<p>—</p>
<p>S1441 (By John Greenfield) This bill would (1) Allow the Industrial Commission to quote or discuss otherwise exempt medical and rehabilitation records during a hearing on a claim for compensation, or in a written decision following such a hearing; and (2) Clarify that written decisions issued by the industrial commission, including the names of the parties involved, shall not be exempt from disclosure to the public in any way. Use of the names of the parties in the written decisions of the Industrial Commission, as they are released to the public, is important to research and briefing by claimants, self-insured employers, and sureties alike.</p>	<p>State Affairs</p>	<p>Passed 34-0</p>	<p>—</p>
<p>SJM108 (By Sen. Schroeder, Reps. Barraclough, Bedke, & Jaquet) Suggests amendments to the federal No Child Left Behind Act</p>	<p>Adopted on Voice Vote</p>	<p>Adopted on Voice Vote</p>	<p>—</p>

