

**JOURNAL**  
of the  
**HOUSE OF  
REPRESENTATIVES**



**SECOND REGULAR SESSION**  
and  
**FIRST EXTRAORDINARY SESSION**

of the  
**FIFTY-EIGHTH LEGISLATURE**

of the  
**STATE OF IDAHO**  
**2006**

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled HCR 40 and HJM 12 to the Secretary of State at 1:45 p.m., as of this date, March 10, 2006.

FIELD(18), Chairman

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration HCR 48, HCR 52, and H 668 and recommend that they do pass.

BLOCK, Chairman

HCR 48, HCR 52, and H 668 were filed for second reading.

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration HCR 50 and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

HCR 50 was placed on General Orders for consideration.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration S 1374 and recommend that it do pass.

DEAL, Chairman

S 1374 was filed for second reading.

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

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

HOUSE BILL NO. 800 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO WATER; AMENDING SECTION 42-234, IDAHO CODE, TO REVISE PRIORITY PROVISIONS REGARDING RIGHTS ASSOCIATED WITH PERMITS AND LICENSES RELATING TO GROUND WATER RECHARGE; AND AMENDING SECTION 42-4201A, IDAHO CODE, TO REVISE PRIORITY PROVISIONS REGARDING RIGHTS ASSOCIATED WITH PERMITS AND LICENSES RELATING TO GROUND WATER RECHARGE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 801 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

HOUSE BILL NO. 802 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE COST FUND FOR FISCAL YEAR 2007.

HOUSE BILL NO. 803 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2007; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 804 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS FOR THE HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR THE SEVERAL DESIGNATED PROGRAMS; AND SETTING CONDITIONS FOR REAPPROPRIATION.

HOUSE BILL NO. 805 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2007; APPROPRIATING FEDERAL FUNDS FOR UNEMPLOYMENT INSURANCE PROGRAM; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; DIRECTING ALLOCATION OF SALARY SAVINGS; PROVIDING FOR CERTAIN APPROPRIATIONS TO BE FOR THE PERIOD OF JULY 1, 2006 THROUGH JUNE 30, 2008; DIRECTING THE DEPARTMENT TO REPORT ON THE IMPACT OF THE FILM/TOURISM MARKETING SPECIALIST; DIRECTING THE DEPARTMENT TO REPORT ON THE IMPACT OF THE SMALL BUSINESS ASSISTANCE FUND; AND DIRECTING THE DEPARTMENT TO REPORT ON THE IMPACT OF RURAL ECONOMIC DEVELOPMENT PROFESSIONALS.

HOUSE BILL NO. 806 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO DAYCARE PROGRAMS; AMENDING SECTION 39-1101, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1102, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE

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Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 800** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 800** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Boe, LeFavour, Martinez, Mitchell, Pasley-Stuart, Ringo, Rusche, Smith(30). Total -- 8.

Absent and excused -- Barrett, Crow, Ellsworth, Henbest, Jaquet, McGeachin, Sali, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 800** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall **H 800** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Eskridge, Field(18), Field(23), Harwood, Henderson, Jaquet, Lake, Loertscher, Mathews, McKague, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Smith(24), Stevenson, Trail, Wills, Mr. Speaker. Total -- 43.

NAYS -- Barrett, Bayer, Black, Boe, Brackett, Edmunson, Garrett, Hart, Henbest, Kemp, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Ringo, Rusche, Shepherd(2), Skippen, Smith(30), Smylie, Snodgrass. Total -- 22.

Absent and excused -- Crow, Ellsworth, McGeachin, Sali, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 800** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 736**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 736**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Boe, LeFavour, Martinez, Mitchell, Pasley-Stuart, Ringo, Rusche, Smith(30). Total -- 8.

Absent and excused -- Barrett, Crow, Ellsworth, Henbest, Jaquet, McGeachin, Sali, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 736**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall **H 736**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 61.

NAYS -- Barrett, LeFavour. Total -- 2.

Absent and excused -- Bradford, Crow, Ellsworth, McGeachin, Sali, Wills, Wood. Total -- 7.

Total -- 70.

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March 30, 2006

Mr. Speaker:

I transmit herewith enrolled S 1300, as amended, as amended in the House, and S 1363, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1300, as amended, as amended in the House, and S 1363, as amended in the House, and, when so signed, ordered them returned to the Senate.

March 30, 2006

Mr. Speaker:

I return herewith enrolled HCR 50, as amended, which has been signed by the President.

WOOD, Secretary

Enrolled HCR 50, as amended, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 30, 2006

Mr. Speaker:

I transmit herewith S 1484 which has passed the Senate.

WOOD, Secretary

S 1484 was filed for first reading.

March 30, 2006

Mr. Speaker:

I return herewith HCR 45, H 736, as amended, H 737, as amended, H 844, H 739, H 833, and H 778, as amended, which have passed the Senate.

WOOD, Secretary

HCR 45, H 736, as amended, H 737, as amended, H 844, H 739, H 833, and H 778, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 30, 2006

Mr. Speaker:

I return herewith H 800 which has failed the Senate.

WOOD, Secretary

H 800 was filed in the Office of the Chief Clerk.

**Report of Standing Committees**

March 31, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled H 791, H 836, H 837, H 838, H 839, H 814, as amended, H 760, as amended, H 742, as amended, H 771, H 772, H 773, H 774, and H 775.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled H 791, H 836, H 837, H 838, H 839, H 814, as amended, H 760, as amended, H 742, as amended, H 771, H 772, H 773, H 774, and H 775, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

H 854 held at the Desk, March 28, 2006, was referred to the Transportation and Defense Committee.

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

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

**HOUSE BILL NO. 863  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO GOVERNANCE OF SCHOOLS; AMENDING SECTION 33-512, IDAHO CODE, TO DIRECT THE BOARDS OF TRUSTEES OF SCHOOL DISTRICTS TO ADOPT POLICIES AND PROCEDURES FOR NOTIFYING PARENTS OR LEGAL GUARDIANS OF STUDENTS REGARDING SCHOOL CLUBS AND ORGANIZATIONS IN WHICH A STUDENT MAY PARTICIPATE, AND FOR OBTAINING PERMISSION FROM A PARENT OR LEGAL GUARDIAN BEFORE THE STUDENT JOINS OR PARTICIPATES IN A SCHOOL CLUB OR ORGANIZATION; AMENDING SECTION 33-515, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1001, IDAHO CODE, TO DEFINE "CLUB OR ORGANIZATION," TO DEFINE "COMPETITIVE INTERSCHOLASTIC ACTIVITY OR EVENT" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-1004G, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 864  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF FACILITIES; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2007; TRANSFERRING AND APPROPRIATING CERTAIN FUNDS TO THE BOND LEVY EQUALIZATION FUND; AND AMENDING SECTION 33-906A, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE BOND LEVY EQUALIZATION FUND BE CONTINUOUSLY APPROPRIATED FOR THE BOND LEVY EQUALIZATION SUPPORT PROGRAM.

**HOUSE BILL NO. 865  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE SALARIES OF ELECTIVE OFFICERS; AMENDING SECTION 59-501, IDAHO CODE, TO PROVIDE THAT THE SALARIES OF ELECTIVE OFFICERS SHALL BE INCREASED BY FOUR PERCENT

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April 11

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

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of S 1501, as amended in the House. There being no objection, it was so ordered.

The question being, "Shall S 1501, as amended in the House, pass?"

Roll call resulted as follows:  
AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 54.

NAYS -- Boe, Cannon, Clark, Hart, Harwood, Henbest, Jaquet, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Smith(30), Smith(24), Trail. Total -- 16.

Paired Votes:  
AYE -- Ellsworth. NAY -- Trail.  
AYE -- McGeachin. NAY -- Jaquet.  
AYE -- Bastian. NAY -- Mitchell.  
(Pairs enumerated in roll call above.)  
Total -- 70.

Whereupon the Speaker declared S 1501, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

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

**Third Reading of Bills and Joint Resolutions**

Mr. Roberts asked unanimous consent that H 859 be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

H 421, as amended in the Senate, 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. Lake to open debate.

The question being, "Shall H 421, as amended in the Senate, pass?"

Roll call resulted as follows:  
AYES -- Anderson, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest,

Henderson, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 60.

NAYS -- Andrus, Barrett, Bedke, Crow, Denney, Harwood, Loertscher, Wood. Total -- 8.

Absent and excused -- Jaquet, Trail. Total -- 2.

Paired Vote:  
AYE -- Mitchell. NAY -- Andrus.  
(Pair enumerated in roll call above.)  
Total -- 70.

Whereupon the Speaker declared H 421, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

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

**Miscellaneous and Unfinished Business**

Mr. Stevenson asked unanimous consent that the following Statement of Intent and Stipulation be entered in the House Journal. There being no objection, it was so ordered.

**STATEMENT OF INTENT**  
Presented by Representative Stevenson

Since the defeat of House Bill 800, it was confirmed that Idaho Power Company voluntarily subordinated its hydropower water rights to Water Right Permit Nos. 01-7054 and 37-7842 as part of the Swan Falls Water Right Agreement, dated October 25, 1984. Water Right Permit No. 01-7054 is for diversion of water from the Snake River above Milner in the amount of 1,200 c.f.s. and has a priority date of August 25, 1980. Water Right Permit No. 37-7842 is for diversion of 800 c.f.s. of water from the Big Wood and Little Wood Rivers and carries a priority date of August 25, 1980.

Today, the State of Idaho and Idaho Power Company entered into a Stipulation in which the Company expressly acknowledges that its hydropower water rights are subordinated to Water Right Permit Nos. 01-7054 and 37-7842 and agrees to not oppose the exercise of these water rights on the basis of priority, the Swan Falls Agreement, or Idaho Code Sections 42-234, 42-4201 and 42-4201A. This Stipulation was filed today with the Idaho Department of Water Resources and will be memorialized in all of the affected water rights.

It is important to note that this Stipulation only resolves a portion of the dispute regarding the effect of the Swan Falls Agreement on recharge. The parties continue to disagree on whether Idaho Power Company voluntarily subordinated its hydropower water rights to aquifer recharge in excess of Water Right Permit Nos. 01-7054 and 37-7842 as part of the Swan Falls Agreement and also on the effect of the 1994 Amendments to Idaho Code Sections 42-234 and 42-4201A. This Stipulation preserves the parties respective positions on these disputes, and

the parties have agreed through this Stipulation that such issues will be resolved through litigation, if necessary. This Stipulation expressly provides that neither this Stipulation nor Idaho Code Sections 42-234, 42-4201 or 42-4201A shall bar the litigation of any issues regarding the interpretation of the Swan Falls Agreement.

This Stipulation is a first step in unraveling the recharge dispute that exists between Idaho Power Company and the State. As responsible parties should, we have resolved those issues upon which we could agree and have agreed to submit to a court, if necessary, those issues upon which we could not agree.

### STIPULATION

April 11, 2006

The Idaho Power Company and the State of Idaho ("State") hereby stipulate and agree, by and through their respective undersigned counsel, as follows:

- 1) Stipulation Regarding Water Right Permit Nos. 01-7054 and 37-7842: Recognizing that Water Right Permit Nos. 01-7054 and 37-7842 are subject to the Swan Falls Settlement -
  - a) The Company agrees that its water rights are subordinated to water rights nos. 01-7054 and 37-7842 pursuant to the terms of the Swan Falls Agreement and will neither contest nor otherwise oppose the exercise of those water rights on the basis of priority, the Swan Falls Agreement, or I.C. §§ 42-234, 42-4201 and 42-4201A. The Company further agrees that those water rights may be exercised in a manner consistent with state law.
  - b) The parties agree that all provisions of the Swan Falls Agreement and the implementing legislation shall continue to apply to Water Right Permit Nos. 01-7054 and 37-7842, including I.C. §§ 61-539 and 61-540 for the benefit of Idaho Power Company.
  - c) The parties further agree that in the event that the Idaho Water Resource Board (IWRB) seeks to have said permits licensed or decreed, that the Company will not file a protest or objection in such proceedings, but that the State, in recognition of its obligations under the Swan Falls Agreement and state law, through the Idaho Department of Water Resources (IDWR), will appropriately investigate such permits to ensure that they meet applicable requirements and that the licensed or decreed water rights fully comply with state law.
- 2) Further Proceedings Relating to the Swan Falls Agreement. The parties agree that in the event that there are disagreements or disputes between the parties as to the interpretation or application of the Swan Falls Agreement that they will endeavor to resolve those disagreements through informal discussions and negotiation. In the event that the parties are unable to resolve any such disagreements to their mutual satisfaction, either party, after notice to the other, may file a petition for declaratory relief with a court of appropriate jurisdiction to have the disagreement resolved and the Swan Falls Agreement interpreted and neither this Stipulation nor I.C. §§ 42-234, 42-4201, or 42-4201A shall act as a bar to the filing of such action.
- 3) Request for Recognition of the Stipulation. The parties agree to submit this Stipulation in all administrative and judicial proceedings involving the recognition of Water Right Permit Nos. 01-7054 and 37-7842 and to jointly present affidavits and such other evidence as may be required for the recognition of the Stipulation.
- 4) Defense of Stipulation. The parties agree to jointly support and defend the terms of the Stipulation against any and all objections or other challenges that may arise against the terms of the Stipulation in any administrative or judicial proceeding.
- 5) Stipulation Does Not Affect Statutory or Regulatory Authority. The parties agree that nothing in this Stipulation shall be construed or interpreted to affect the authority of the State as provided by constitution, statute or regulation. Nor shall this Stipulation be construed or interpreted to affect the rights of any person not a party to the Stipulation.
- 6) Stipulation Not to be Used Against Parties. Except as provided herein, neither party by entry into this Stipulation waives any legal position or arguments it may have regarding any legal disputes that may exist between the parties. Nothing in this Stipulation shall be construed as an admission against interest or tendered or used as evidence to support or oppose any party's claims or objections in any administrative or judicial proceeding, other than those seeking approval of the Stipulation, for interpretation, enforcement or administration of this Stipulation or for a purpose contemplated by Idaho Rule of Evidence 408.
- 7) Stipulation is Binding. The terms of this Stipulation shall bind and inure to the benefit of the respective successors of the parties.
- 8) Mutual Covenants of Authority. The parties represent and acknowledge that each of the undersigned is authorized to execute this Stipulation on behalf of the party they represent.
- 9) Non-Severability. The provisions of this Stipulation are not severable.
- 10) Triplicate Originals. This Stipulation is executed in triplicate.
 

Each of the three Stipulations with an original signature of each party shall be an original.

The parties have executed this Stipulation on the date following their respective signatures.

FOR THE STATE OF IDAHO, including THE IDAHO WATER RESOURCE BOARD:

Date: April 11, 2006

/s/ LAWRENCE G. WASDEN,  
Attorney General  
State of Idaho

FOR IDAHO POWER COMPANY:

Date: April 11, 2006

/s/ JAMES C. TUCKER  
Idaho Power Company

There being no objection, the House returned to the Fifth Order of Business.

<u>House Bill No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>	<u>House Bill No.</u>
799	Appropriations	240	PUBLIC UTILITIES COMMISSION - Appropriates \$4,475,200 to the Public Utilities Commission for fiscal year 2007; limits the number of full-time equivalent positions to 49; and directs the allocation of salary savings. ....	275	394	LAW	806
800	Ways and Means	248	WATER RIGHTS - Amends existing law relating to water to revise provisions regarding rights associated with permits and licenses relating to ground water recharge. ....	294	385	Failed Senate	
801	Appropriations	248	APPELLATE PUBLIC DEFENDER - Appropriates \$1,965,500 to the State Appellate Public Defender for fiscal year 2007; limits the number of full-time equivalent positions to 21; and directs the allocation of salary savings. ....	282	394	LAW	
802	Appropriations	248	CATASTROPHIC HEALTH CARE - Appropriates \$20,766,800 for Catastrophic Health Care for fiscal year 2007. ....	282	394	LAW	
803	Appropriations	248	SPECIAL PROGRAMS - STATE BOARD OF EDUCATION - Appropriates \$10,395,700 to the State Board of Education and the Board of Regents of the University of Idaho for Special Programs, including the Forest Utilization Research Program, Idaho Geological Survey Program, Scholarships and Grants Program, Idaho Museum of Natural History, Idaho Small Business Development Centers, and the Idaho Council on Economic Education for fiscal year 2007; and limits the number of full-time equivalent positions to 24.8. ....	282	394	LAW	807
804	Appropriations	248	HEALTH EDUCATION PROGRAMS - STATE BOARD OF EDUCATION - Appropriates \$9,229,700 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs including the WOI Veterinary Education Program, WWAMI Medical Education Program, Idaho Dental Education Program, University of Utah Medical Education Program, the Family Practice Residency Program and WICHE for fiscal year 2007; limits the number of full-time equivalent positions to 20.39; and reappropriates any unexpended and unencumbered fund balances for nonrecurring expenditures. ....	282	394	LAW	808
805	Appropriations	248	DEPARTMENT OF COMMERCE AND LABOR - Appropriates \$33,617,500 to the Department of Commerce and Labor for fiscal year 2007; appropriates federal funds for the unemployment insurance program; limits the number of full-time equivalent positions to 63.5; directs the allocation of salary savings; and directs reports regarding the Film/Tourism Marketing Specialist, the Small Business Assistance Fund and the twelve Rural Economic Development professionals. ....	283	394	LAW	809