



# 6th Legislative Update

March 23, 2009

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Idaho State Legislature  
2009 Legislative Session

## Eleven weeks and counting

Eleven weeks in, the session is beginning to pick up steam after being brought to a crawl by the federal stimulus legislation. Legislators are hurriedly working on policy areas impacted by the stimulus, such as transportation and education, and doing their best to take into account the planned budget cuts for the next fiscal year.

Meanwhile, some of the legislation that was stalled in committees seems to be moving once again. Check out our legislative tracking table for updated information.

## Day Care Licensing bill moves to the House

[Senate Bill 1112aa - Basic Day Care License](#) passed the Senate on Thursday, March 12. Floor sponsor Sen. Tim Corder (R-Mountain Home) took 40 minutes to introduce the bill, walking legislators through every proposed change to current Idaho law. There was no floor debate on the bill and after Sen. Corder's closing arguments, the Senate voted 30-5 in favor of SB 1112 (as amended). To see how your Senator voted, [click here](#) (if you don't know who represents you, [click here](#) to find your Senator).

SB 1112aa is scheduled for a hearing in the House Health & Welfare Committee this Thursday, March 26th at 1:30 PM (room 228 of the Capitol Annex).

**Idaho Voices for Children supports this legislation. Be sure and [contact your legislator](#) and let them know you support [SB 1112](#). We especially encourage you to contact [House Health & Welfare Committee](#) members with letters, emails or phone calls in support of SB 1112.**

For more information or talking points on this legislation, contact Karen Mason, Executive Director of Idaho AEYC, at [kmason@idahoaeyc.org](mailto:kmason@idahoaeyc.org).

## Pushing to print IVC's 2009 Early Learning Proposal

IVC's 2009 policy priority for Early Learning is to work towards the establishment of a committee to provide a means to bring together legislative leaders, executive branch representatives, and key stakeholders concerned with the early learning of young children (ages 0-5 years) in Idaho. The purpose of this select committee would be to build political consensus on this issue. [Click here to read a one-page document explaining why we need this committee.](#)

*What can you do to support this effort?* Encourage members of the House and Senate Education Committees to have the proposal printed so it can be circulated and discussed by lawmakers as an official legislative document. If your legislator is on the [House](#) or [Senate](#) Education Committee ([click here](#) to see who represents you), please call them and express your support for having the Idaho Voices for Children proposal printed so the issue can be discussed in a committee hearing. **To reach members of the House Education Committee: call 208-332-1148 and leave a message with committee secretary Claudia Howell. To reach members of the Senate Education Committee: call 208-332-1321 and leave a message with committee secretary Sara Pealy.**

Thank you again to everyone who has already called or written to Rep. Nonini and Sen. Goedde encouraging them to have this draft printed. We will keep you informed of any movement on this issue.

## Emerging Issues

IVC is researching possible initiatives to strengthen sentencing in child abuse cases. We will report back to you after the session on our findings and the IVC Policy Workgroup on Emerging Issues will make recommendations to the IVC Board on a possible course of action for the 2010 Legislative Session.

## IVC's 2009 Policy Priorities

[Click here](#) to see the full "IVC 2009 Policy Priorities" document, which includes a list of our overarching beliefs and 3 - 5 year goals.

### Legislative Tracking 2009

aa = as amended in the house of origin

aaH = as amended in the House

aaS = as amended in the Senate

H = House bill

S = Senate bill

Voting records = Ayes - Nays - Absent & Excused

\* = Multiple sponsors. For names of sponsors, click on the legislative link in the table. Main sponsor is listed at the end of the "Statement of Purpose/Fiscal Note" document. Additional sponsors are listed on the "Legislative Co-Sponsors" document.

#### Early Learning

|   |  |                                   |
|---|--|-----------------------------------|
| <p><a href="#">H0245</a><br/>Multiple sponsors*</p> | <p><b>Parents As Teachers Family Support Act</b> - The purpose of this legislation is to provide statutory authority for the Idaho Children's Trust Fund to administer or contract out the administration of the Parents as Teachers Program. The legislation also gives the Idaho Children's Trust Fund the authority to pursue grants and other sources of funding to support this program. The Parents as Teachers Program recognizes that parents are their children's first and most influential teachers and helps equip parents with the skills and tools to prepare their children for school.</p> | <p>House Education Committee</p>  |
| <p><a href="#">S1023</a><br/>Sponsor: Sen. Bock</p> | <p><b>Prekindergarten</b> - The purpose of this bill is to reduce the age at which children may be enrolled in public schools and, thereby, effectively authorize, but not require, public school districts to establish prekindergarten programs.</p>   | <p>Senate Education Committee</p> |

#### K-12 Education

|   |   |   |
|---|---|---|
| <p><a href="#">H0025</a><br/>Sponsor: Rep. Thayn</p>  | <p><b>Kindergarten mastery, requirements</b> - This bill encourages parents of kindergarten age children to meet with their kindergarten teacher prior to the beginning of the school year to discuss what the child needs to learn in kindergarten. The parents can then choose to send their child to public kindergarten or to choose another option including home kindergarten. If the child does not go to public kindergarten and is able to pass the postkindergarten assessment (to be developed by the State Board), the parents and the school district will both receive a portion of the state funds allocated for public kindergarten students (each would receive one fourth of the total funds). The purpose is to stimulate a parent teacher partnership, encourage parental involvement, and provide for early identification of students with remediation needs.</p> | <p>House Ways &amp; Means Committee<br/>(this committee rarely meets--bills sent to this committee are generally considered "dead")</p> |
| <p><a href="#">H0058</a><br/>Sponsor: Rep. Jarvis</p> | <p><b>School attendance, parent/guardian role</b> - This legislation amends Idaho Code to change the legal dropout age from age sixteen to age eighteen.</p>  | <p>Held in the House Education Committee on a 9-8 vote.</p>   |
| <p><a href="#">H0084</a><br/>Sponsor: Rep. Jarvis</p> | <p><b>School attendance, first grade enrollment</b> - Amends existing law relating to school age to revise provisions relating to school age for purposes of enrollment in first grade.</p>   | <p>House PASSED 57-7-6</p>  |
| <p><a href="#">H0117</a><br/>Multiple sponsors*</p>   | <p><b>Education, provisions revised</b> - The purpose of this legislation is to reduce the cost of the FY10 Public Schools appropriation and to grant school districts the tools and flexibility they will need to manage a likely reduction in state funding for employee salaries. P</p>  | <p>House Education Committee<br/>NOTE: this bill was put on hold pending recommendations for stimulus spending</p>                      |
| <p><a href="#">H0118</a><br/>Multiple sponsors*</p>   | <p><b>Public Schools, transportation costs</b> - This legislation eliminates reimbursement for miles that are unrelated to transporting students to and from school, including the elimination of state funding for field trips.</p>  | <p>House Education Committee<br/>NOTE: this bill was put on hold pending recommendations for stimulus spending</p>                      |

| <b>K-12 Education (continued)</b>                                |   |   |
|--|---|---|
| <a href="#">H0158</a><br>Sponsor: Rep. Boe,<br>Rep. Wills        | <b>Interstate compact on education opportunity</b> - This legislation will allow the entry of Idaho into an interstate compact to help military children. The Interstate Compact Commission will remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents.   | House Education Committee   |
| <a href="#">H0252</a><br>Multiple sponsors*                      | <b>School Districts - Financial Emergencies</b> - Amends and adds to existing law relating to school district financial emergencies to provide for notice requirements in the event a financial emergency has been declared; to provide an exception to the issuance of certain contracts; to clarify language; to provide for an informal review under certain circumstances; to provide for a due process hearing and procedure under certain circumstances; to provide that a due process hearing is not required under certain circumstances; to provide for financial emergencies; and to provide a time requirement for preparation of a budget if a financial emergency has been declared.   | House 2nd Reading   |
| <a href="#">HCR007</a><br>Sponsor: Rep. Thayn                    | <b>Public ed, innovative practices</b> - A resolution to identify broad policies that may improve the K through 12 Public Education system in times of budget shortfalls including: grade acceleration, early graduation, parental empowerment and flexibility.   | Returned to House Education Committee at the request of Chairman Nonini (see note on HCR 27)  |
| <a href="#">HCR027</a><br>Sponsor: Rep. Thayn                    | <b>Public education, support</b> - A resolution to identify broad policies that may improve the K through 12 Public Education system even in times of budget shortfalls including: grade acceleration, early graduation, parental empowerment and flexibility.  | House Education Committee (replaces HCR 7)  |
| <a href="#">S1017aa</a><br>Sponsor: Kirtlan Naylor               | <b>School attendance, requirements</b> - This proposed amendment to Idaho Code clarifies under what circumstances a child may be found to suffer educational neglect by tying this term to the compulsory education requirements of Idaho Code.   | Senate PASSED (aa,aa) 34-0-1<br>House 3rd Reading   |
| <a href="#">S1077</a><br>Sponsor: Sen. Davis                     | <b>Interstate compact on education opportunity</b> - The purpose of this legislation is to adopt the interstate compact on educational opportunity for military children.   | Senate Education Committee  |
| <b>Safety</b>  |   |   |
| <a href="#">H0225</a><br>Sponsor: Rep. Thayn                     | <b>Day care, access to information</b> - The purpose of this legislation is to empower day care consumers with tools useful in identifying quality day care.  | Returned to House Education Committee at the request of Chairman Nonini<br>Hearing held 3/23/09 at 8:00 am (results unknown at this time) |
| <a href="#">S1089</a><br>Multiple sponsors*                      | <b>Motor vehicle passenger safety, children</b> - The purpose of this legislation is to remove two exemptions in Idaho's Child Safety Seat Statute. The first exemption does not require restraints for children if all restraints are utilized. This language assures protection for adults but leaves children unprotected. The second exemption allows a child to be removed from his or her safety restraint for virtually any reason so long as it is to accommodate the child's "psychological needs." This term is undefined and extremely broad. This loophole makes enforcement nearly impossible for law enforcement, prosecution and judges.   | Senate PASSED 19-15-1<br>House Transportation & Defense Committee   |
| <a href="#">S1112aa</a><br>Sponsors: Sen. Corder,<br>Rep. Saylor | <b>Basic Day Care License</b> - This legislation amends Idaho Code to revise and extend the State's licensing requirements for child care providers. The current code provides minimum health and safety standards for day care centers with thirteen or more children, but does not provide licensure for providers with fewer than thirteen. This legislation would extend licensing to all providers who receive compensation and care for four or more children, with specific exceptions maintained. Basic requirements include: criminal history background checks, health, safety and fire inspections and restrictions on firearms, alcohol and tobacco use. Minimum standards for infant CPR and first aid training are specified. This act establishes staff-child ratio recommendations consistent with nationally accepted standards and provides for fees to be established based upon the number of children. The Health and Welfare Department will serve as the portal or administrator for the program. The Department will contract for the inspection services, receive and compile complaints and provide for a one-stop application process. | Senate PASSED (aa) 30-5-0<br>House Health & Welfare Committee<br>Hearing scheduled for 3/26/09 at 1:30 pm, room 228 of the Capitol Annex  |
| <b>Idaho Voices for Children supports this legislation.</b>      |   |   |

| <b>Family Economic Security</b>   |   |   |
|---|---|---|
| <a href="#">HCR023</a><br>Multiple sponsors*                                      | <b>Equal Pay Day</b> - This resolution is to acknowledge that pay disparity in Idaho is genuine and to reaffirm that women deserve equal pay for equal work, and to demonstrate that Idaho families will benefit greatly by closing the pay gap. The resolution also calls for April 28, 2009, to be proclaimed as Equal Pay Day.   | House ADOPTED by voice vote<br>Senate Education Committee                                   |
| <a href="#">S1119</a><br>Neil Colwell, Avista                                     | <b>Public Utility regulation</b> - Amends existing law to provide for low-income bill payment assistance and other programs to public utility customers under certain conditions.   | Senate FAILED 17-18-0   |
| <b>Child Welfare</b>  |   |   |
| <a href="#">H0060</a><br>Sponsor: Bill Von Tagen,<br>Attorney General's<br>Office | <b>Sex crimes with minors, subpoena computer records</b> - This proposed legislation will grant to prosecuting attorneys and the attorney general a limited power to issue administrative subpoenas to Internet service providers in the investigative phase of crimes committed against children through the use of the Internet or other electronic communication services.   | House PASSED 63-0-7;<br>Senate PASSED 33-0-2;<br>President of the Senate signed             |
| <a href="#">H0104</a><br>Sponsor:<br>Patricia Tobais,<br>The Courts               | <b>Domestic Violence, family services</b> - Amends and adds to existing law relating to coordinated family services to provide that a Domestic Violence Court Coordinator is an effective response to address the needs of families and children; to provide that a Domestic Violence Court Coordinator shall submit to a fingerprint-based criminal history check; to provide a statement of policy relating to domestic violence courts; to provide for domestic violence courts; and to provide for domestic violence court fees and the distribution of domestic violence court fees.   | House PASSED 67-0-3<br>Senate PASSED 32-0-3   |
| <a href="#">H0145aa</a><br>Sponsor: Jim Baugh                                     | <b>Sterilization, definition revised</b> - Recent cases have come to our attention involving involuntary sterilization of children with disabilities, making the change in wording from "person" to "adult" significant. The purpose of this bill is to restore the language to its original intent, and to provide statutory protections for people under the age of 18 who are subjected to involuntary sterilization, based on constitutional and common law principles.   | House PASSED (aa) 68-0-2<br>Senate 3rd Reading  |
| <a href="#">H0167</a><br>Sponsor: Rep. Jarvis                                     | <b>Custody, children, additional factors</b> - This legislation amends Idaho Code to provide additional relevant factors concerning a child's performance in school (including attendance and assignment completion) in determining the best interest of the child regarding his or her custody, care and education.  | Held in the House Judiciary,<br>Rules & Administration<br>Committee by unanimous<br>consent |
| <a href="#">H0168</a><br>Sponsor: Rep. Clark                                      | <b>Sexual offender registration act, reporting requirements</b> - Currently, persons who are required to register as sexual offenders must list their address or a description of where they are living. However, many of those who have a transient status do not have a physical address, nor do they have a mailing address. This will allow law enforcement to track the location of these individuals until they are able to establish a residence with a physical address.  | House PASSED 64-0-6<br>Senate 3rd Reading   |
| <a href="#">H0182</a><br>Sponsor: Rep. Clark                                      | <b>Crimes Against Children</b> - This legislation relates to crimes against children. It amends Idaho Code to provide for additional acts that constitute injury to children that are subject to specific punishments.  | House Judiciary, Rules &<br>Administration Committee  |
| <a href="#">S1034</a><br>Sponsor:<br>Sen. Schroeder                               | <b>Sex offenders, minimum sentencing</b> - The purpose of this legislation is to provide mandatory minimum penalties for persons who commit any lewd or lascivious act or acts upon or with the body or any part or member thereof of a minor child less than 12 years of age.  | Senate Judiciary & Rules<br>Committee   |
| <a href="#">S1048</a><br>Sponsor:<br>Robert Aldridge                              | <b>Disabled persons, certain guardians prohibited</b> - This bill makes necessary corrections to the Idaho probate code regarding guardianships and conservatorships, especially for minors. Sections One, Two, and Three of the bill provide protections to the appointment of the guardian of a minor, including that the petition must include a statement as to whether the proposed guardian, or a person who resides at or frequents the proposed place of residence of the minor, is a felon, and, in Section Three, that the guardian must take reasonable steps to protect the minor from such felons. There have been an increasing number of cases involving minors where felons are involved, which can cause danger to the minor, including sexual or other abuse. | Senate PASSED 33-0-2;<br>House Judiciary, Rules &<br>Administration Committee               |
| <a href="#">S1105</a><br>Sponsor:<br>Robert Aldridge                              | <b>Visitation rights, Grandparents</b> - This bill takes a conservative approach to guarantee constitutionality of grandparent visitation in Idaho until there is a clear judicial statement that some lesser standard might be allowable.  | Senate Judiciary & Rules<br>Committee<br>Withdrawn at the request of<br>Sen. Darrington.    |

| Health   |   |  |
|--|---|--|
| <p><b>H0108</b><br/>Sponsor: Rep. Rusche</p>                 | <p><b>Insurance contracts, coverage</b> - The purpose of this revision is to allow individuals who are unmarried, are under the age of 25 years, and are financially dependent to remain under their parents' health insurance coverage. This revision will allow health insurance coverage for those who are part-time students or laid off from work and cannot afford health insurance on their own.</p>   | <p>House PASSED 66-2-2<br/><br/>Senate 3rd Reading</p> |
| <p><b>S1107</b><br/>Sponsors: Sen. Bair,<br/>Rep. Rusche</p> | <p><b>Insurance contracts, coverage</b> - Certain children suffer from severe, lifethreatening food allergies. For children with this very rare condition, elemental (aminoacid based) formulas allow these children to absorb nutrition, heal and grow without requiring prolonged intravenous feeding. These severe food allergies usually are not present at birth and, when treated correctly, usually resolve over time. Some health plans refuse to cover the lifesaving nutritional formula which may cost more than many families can afford (up to \$2400/month). This bill requires that health plans not exclude coverage for these children, and cover the cost of this lifesaving treatment as they do for other conditions (congenital and metabolic conditions). Proof that the formula was medically necessary would still be required.</p> | <p>Senate Commerce &amp; Human Resources Committee</p> |

## Stay tuned for our next Legislative Update!



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This legislative report has been sent to all *Idaho Voices for Children* members. If you have questions or wish to remove your name from this mailing list, email Sara Herring at [sara@idahovoices.org](mailto:sara@idahovoices.org) or call 208. 336. 5533 x 233

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