

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, February 21, 2024

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Clow, Vice Chairman Crane(12), Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Cornilles, Ehlers, Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/
EXCUSED:** Rep. Andrus

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Clow called the meeting to order at 1:31 p.m.

MOTION: **Rep. Crane (12)** made a motion to approve the minutes of the January 25, 2024 and January 29th, 2024 meetings. **Motion carried by voice vote.**

H 543: **Rep. Vander Woude** presented **H 543** sharing a constituent's experience with their home owners association which prompted his involvement with the legislation. Rep. Vander Woude introduced **Rep. Green** to further explain the legislation.

Rep. Green explained **H 543** prevents homeowner associations from adding restrictions to existing covenants, conditions, and restrictions which prohibit the operation of a family day care unless that restriction is in the covenants, conditions, and restrictions when the property is purchased. She further explained the legislation specifies family day care which is limited to six or fewer non-related children and the HOA is still able to adopt reasonable rules such as requiring licensing. Rep. Green explained the benefits of in-home family day care.

In response to committee questions, **Rep. Green** explained the legislation does not supersede city, county and state laws or ordinances which are currently in place. She also shared the legislation is only preventing home owners associations from adding an in-home family day care restriction. If the restriction is already in the covenants, it would still stand.

Chairman Clow opened the legislation to public testimony.

Testifying **in opposition** of **H 543**, **Brindee Collins**, Community Association Institute, expressed concern the language of the legislation is contradictory and may cause litigation to occur.

Testifying **in opposition** of **H 543**, **Mitchell Gardner**, Community Association Institute, expressed various communities have differing interests. Mr. Gardner shared maintaining the ability to govern their associations is important.

Rep. Green introduced **Kate Hass**, Kestrel West on behalf of Wondersfull. Responding to committee questions, Ms. Hass explained the enforcement language of **H 543** is not retroactive before July 1, 2024.

In closing, **Rep. Green** explained **H 543** addresses concerns about the availability of day care in our communities and reiterated it only applies to family day care which is limited to six or fewer non-related children in the home.

MOTION: **Rep. Redman** made a motion to send **H 543** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Green** will sponsor the bill on the floor.

H 576: **Rep. Vander Woude** presented **H 576** explaining the proposed legislation updates and amends **Idaho Code 55-2301, 55-2304, 55-2306, 55-2308 and 55-2309**; relating to self-storage facilities. Amendments include updating definitions and clarifying language for consumers and operators.

Chairman Clow opened the legislation to public testimony. No one indicated their desire to testify.

MOTION: **Rep. Palmer** made a motion to send **H 576** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Vander Woude** will sponsor the bill on the floor.

H 571: **Rep. Sauter** presented **H 571** explaining the legislation improves local government options when selecting contractors and sub-contractors for construction projects. By changing the project value amount requiring a public works contractor license from \$50,000 to \$100,000, more contractors will be able to bid on small-scale local government projects without the need for a public works license. One class of public works licensing has also been eliminated as a result of this change.

Chairman Clow opened the legislation to public testimony. No one indicated their desire to testify.

MOTION: **Rep. Dixon (1)** made a motion to send **H 571** to the floor with a **DO PASS** recommendation.

Reps. Crane (12), Dixon (1) and Crane (13) declared a Rule 80 stating a possible conflict of interest.

VOTE ON MOTION: **Motion carried by voice vote.** **Rep. Sauter** will sponsor the bill on the floor.

Chairman Clow introduced **Krissy Veseth**, Bureau Chief, Department of Occupational & Professional Licenses who gave a presentation on DOPL's FY 2025 Performance Report.

In response to committee questions, **Katie Stuart**, Bureau Chief, Department of Occupational & Professional Licenses (DOPL), explained board establishment, promulgation of rules, legal fees and consumer protection contribute to some boards being in a deficit. She shared out of forty-nine boards and commissions and three safety programs, there are currently thirteen boards which are operating at a deficit. Ms. Stuart explained looking back to when the agencies operated independently, they have been running in the red for some time. She shared DOPL is working on a plan to get their boards operating in the black over time. Ms. Stuart explained DOPL has been retrieving data from 11 independent legacy systems which has led to data inconsistency. She explained the 2023 hiring of a senior research analyst has helped increase the accuracy of the data. Ms. Stuart shared there is an interim committee which looks at statute and considers licensing areas appropriate for future consolidation or elimination. She also shared DOPL is considering having their senior research analyst go over past data and resubmitting it to the Division of Financial Management. Ms. Stuart shared they hoped to have accurate data as soon as possible.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:23 p.m.

Representative Clow
Chair

Michelle A Anderson
Secretary