

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, February 09, 2016

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Barbieri, Vice Chairman Clow, Representatives Collins, Crane, Palmer, Thompson, Batt, Hixon, Kauffman, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy, Smith, Rusche, Jordan

**ABSENT/
EXCUSED:** None

GUESTS: Tom Donovan, Department of Insurance; Woody Richards, Allstate & American Family Insurance; Bob Compan, Farmers Insurance; Phil Barber, American Insurance Association; Mike Kane, Property Casualty Insurers Association; Kent Day, Liberty Mutual Insurance; John Mackey, United Heritage Insurance; Kris Ellis, Barb DeHaan, Northwest Career College Federation; Robert Pilote, Contractors Board; Jonathan Parker, Holland & Hart, LLP; Suzanne Budge, National Federation of Independent Business; Lydia Benson, American Institute of Clinical Massage; Linda Chatburn, Board of Massage Therapy.

Chairman Barbieri called the meeting to order at 1:31 P.M.

MOTION: **Rep. Collins** made a motion to approve the minutes of the January 27, 2016, **Beyeler Subcommittee meeting. Motion carried by voice vote of the subcommittee.**

MOTION: **Rep. Hixon** made a motion to approve the minutes of the February 1, 2016, Troy Subcommittee meeting. **Motion carried by voice vote of the subcommittee.**

MOTION: **Rep. Dixon** made a motion to accept the report of the Dixon Subcommittee on pending rules and fee rules from the Bureau of Occupational Licenses. **Motion carried by voice vote.**

MOTION: **Rep. Beyeler** made a motion to accept the report of the Beyeler Subcommittee on pending rules and fee rules from the Board of Registration for Professional Geologists, the Idaho Department of Insurance, and the Certified Shorthand Reporters Board. **Motion carried by voice vote.**

MOTION: **Rep. Troy** made a motion to accept the report of the Troy Subcommittee on pending rules and fee rules from the Division of Building Safety, the Board of Professional Engineers and Professional Land Surveyors, the Department of Finance and the Division of Building Safety. **Reps. Hixon and Crane** invoked **Rule 38** stating a possible conflict of interest and they would not be voting on the motion. **Motion carried by voice vote.**

RS 24304: **Bob Compan**, Farmers Insurance Group, presented **RS 24304**. The purpose of this code section is to establish the amount of civil damages awards permitted when a plaintiff/claimant at the time of an accident is not in compliance with the requirements of Idaho Code, which mandates basic coverages of automobile insurance. The legislation affords certain protections against DUI's, intentional acts, accidents while in the course of a felony by the insured driver, students drivers, and those who have had a lapse in coverage as well as other protections.

MOTION: **Rep. Thompson** made a motion to introduce **RS 24304**.

**SUBSTITUTE
MOTION:** **Rep. Palmer** made a substitute motion to return **RS 24304** to sponsor.

ROLL CALL VOTE: Roll call vote was requested on the substitute motion. **Motion carried by a vote of 15 AYE, 3 NAY. Voting in favor** of the motion: **Reps. Clow, Collins, Crane, Palmer, Batt, Hixon, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy, Smith, Jordan and Chairman Barbieri. Voting in opposition** to the motion: **Reps. Thompson, Kauffman, Rusche.**

RS 24329: **Pam Eaton**, Idaho Retailers Association, presented **RS 24329**. The purpose of the proposed legislation is to clarify Idaho law to ensure the minimum wage in Idaho is decided by the legislature and applied uniformly across the state.

MOTION: **Rep. Rusche** made a motion to return **RS 24329** to the sponsor.

SUBSTITUTE MOTION: **Rep. Crane** made a substitute motion to introduce **RS 24329. Motion carried by voice vote. Reps. Rusche, Jordan and Smith** requested to be recorded as voting **NAY**.

H 440: **John Mackey** presented **H 440** on behalf of United Heritage Insurance. He stated current Idaho Code requires domestic insurers to have and maintain their principal place of business home office and assets in Idaho. This act establishes certain conditions which, if met, provide an exception to these requirements for stock insurers who redomesticate to Idaho. Mr. Mackey described **H 440** as a free enterprise piece of legislation adapting an old code to a more suitable statute given the business climate that exists today.

MOTION: **Rep. Palmer** made a motion to send **H 440** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Crane** will sponsor the bill on the floor.

H 433: **Rep. Sims** presented **H 433** relating to licensure of massage therapists. The bill would allow for compensation given to massage therapy students for tuition work-off programs where such a program has been established by the institution teaching massage therapy.

Lydia Benson, American Institute of Clinical Massage, spoke **in support of H 433**. She stated AiCM caters to a large network of clients who come to the school to receive student massages. Prior to a moratorium being placed on their financial structure, patrons tipped the students well, knowing the money was going toward the student's tuition. This tuition payment option is called the "Work-off" program. The students do not receive any fees, or other remuneration for performing massages. All massage fees and tips are received exclusively by AiCM, and AiCM reports these fees and tips as income on its federal and state tax returns.

MOTION: **Rep. Hixon** made a motion to send **H 433** to the floor with a **DO PASS** recommendation.

Maurie Ellsworth, Gen. Counsel, Bureau of Occupational Licenses, **Tana Cory**, Bureau Chief, Bureau of Occupational Licenses, **Kris Ellis** and **Linda Chatburn** spoke **in opposition** to the bill stating there could be unintended consequences resulting from this legislation. They would like an opportunity to meet with the sponsor.

SUBSTITUTE MOTION:

Rep. Smith made a substitute motion to **HOLD H 433** for time certain, February 17, 2016.

ROLL CALL VOTE:

Roll call vote was requested on the substitute motion. **Motion carried by a vote of 13 AYE, 3 NAY and 2 ABSENT/EXCUSED. Voting in favor of the motion: Reps. Clow, Collins, Thompson, Kauffman, Monks, Anderst, Beyeler, DeMordaunt, Troy, Smith, Rusche, Jordan and Chairman Barbieri. Voting in opposition to the motion: Reps. Crane, Batt and Hixon. Reps. Palmer and Dixon were ABSENT/EXCUSED.**

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 3:35 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary