

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Tuesday, January 19, 2016

Introductory Meeting

SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Barbieri	Rep Batt	Rep DeMordaunt
Vice Chairman Clow	Rep Hixon	Rep Dixon
Rep Collins	Rep Kauffman	Rep Troy
Rep Crane	Rep Monks	Rep Smith
Rep Palmer	Rep Anderst	Rep Rusche(Cuddy)
Rep Thompson	Rep Beyeler	Rep Jordan

COMMITTEE SECRETARY

Mary Dorsch
Room: EW58
Phone: 332-1139
email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, January 19, 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 (Cuddy), Jordan
**ABSENT/
EXCUSED:** Representative Thompson, Troy, Jordan, Crane
GUESTS: None

Chairman Barbieri called the meeting to order at 1:30 P.M.

Chairman Barbieri welcomed the committee and announced **Rep. Cindy Agidius** as the substitute for **Rep. Troy** and **Rep. Brad Cuddy** as the substitute for **Rep. Rusche**. Chairman Barbieri introduced **T.J. Ruiz**, Page and **Mary Dorsch** Committee Secretary.

Vice Chairman Clow introduced three (3) Rules Subcommittees as follows:

Beyeler Subcommittee

Rep. Beyeler, Chair
Rep. Monks
Rep. Batt
Rep. Collins
Rep. Rusche(Cuddy)

Troy Subcommittee

Rep. Troy, Chair
Rep. Palmer
Rep. DeMordaunt
Rep. Hixon
Rep. Smith

Dixon Subcommittee

Rep. Dixon, Chair
Rep. Anderst
Rep. Crane
Rep. Thompson
Rep. Jordan

Vice Chairman Clow suggested the Subcommittee members review the Administrative Rules assigned to their subcommittee.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:45 p.m.

Representative Barbieri
Chair

Mary Dorsch
Secretary

**AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Thursday, January 21, 2016**

SUBJECT	DESCRIPTION	PRESENTER
<u>RS24046</u>	Architectural Examiners Board	Mitchell Toryanski Board of Cosmetology
<u>RS23987</u>	Morticians Resident Training License	Roger Hales, Occupational Licenses Bureau
<u>RS23994</u>	Real Estate Appraisers	Roger Hales
<u>RS23996</u>	Funeral Establishments	Roger Hales
<u>RS23995</u>	Cosmetician Licensing	Mitchell Toryanski
<u>RS24112</u>	Barber Schools and Colleges	Kris Ellis, Northwest Career College Federation
<u>RS24026</u>	Factory Built Structures, Advisory Board	Steven Keys, Division of Building and Safety
<u>RS24190</u>	Auxiliary Containers	Rep. Clark Kauffman

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Barbieri	Rep Batt	Rep DeMordaunt
Vice Chairman Clow	Rep Hixon	Rep Dixon
Rep Collins	Rep Kauffman	Rep Troy(Agidius)
Rep Crane	Rep Monks	Rep Smith
Rep Palmer	Rep Anderst	Rep Rusche(Cuddy)
Rep Thompson	Rep Beyeler	Rep Jordan

COMMITTEE SECRETARY

Mary Dorsch
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, January 21, 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 (Van Tassel), Jordan

**ABSENT/
EXCUSED:** Rep. Beyeler

GUESTS: Steve Keys, DBS; Don Drum, PERSI; Jack Lyman, Idaho Housing Alliance

Chairman Barbieri called the meeting to order at 1:30 p.m.

RS 24046: **Mitch Toryanski**, legal council for Idaho Bureau of Occupational Licences presented **RS 24046** on behalf of the Idaho Board of Architectural Examiners. This bill will remove members of the State Board of Architectural Examiners from the Public Employee Retirement System of Idaho (PERSI). This is done at the request of the board members. Currently the board members receive \$75 per day in salary, which they would like to change to \$75 per day honorarium. The Board of Architectural Examiners is the last board to still participate in PERSI.

MOTION: **Rep. Palmer** made a motion to introduce **RS 24046** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Crane** will sponsor the bill on the floor.

RS 23987: **Roger Hales**, Idaho Bureau of Occupational Licenses on behalf of the Idaho Board of Morticians presented **RS 23987**. This bill amends the law to change the total cumulative period in which a person may serve as a resident trainee for either a mortician or funeral director from two years to three. This would allow more time for training.

MOTION: **Rep. Anderst** made a motion to introduce **RS 23987**. **Motion carried by voice vote.**

RS 23994: **Roger Hales**, Idaho Bureau of Occupational Licenses on behalf of the Idaho Real Estate Appraiser Board presented **RS 23994** in which the definition of appraisal would be amended in the Idaho Real Estate Appraisers Act to pertain to an estimate of value of real property rather than opinions regarding the nature, quality or utility of the real property. In response to questions from the committee, Mr. Hales clarified this change only relates to the function of the board, not the job of the appraisers.

MOTION: **Rep. DeMordaunt** made a motion to introduce **RS 23994**. **Motion carried by voice vote.**

RS 23996: **Roger Hales**, on behalf of the Idaho Board of Morticians presented **RS 23996** which would amend the law regarding the sale of pre-need services. Only morticians and funeral directors can sell pre-need services. This change would require them to identify an establishment that would be responsible to provide the services and maintain records. Funeral directors and morticians can move or change locations where they work, but the establishment is a set location where records could be found. In response to questions from the committee Mr. Hales clarified that the bill would make clear to the consumer who is responsible for the pre-arranged contract and should not impact sales of funeral goods outside of those sold by funeral directors or morticians.

MOTION: **Rep. DeMordaunt** made a motion to introduce **RS 23996**. **Motion carried by voice vote.**

RS 23995: **Mitch Toryanski**, on behalf of the Board of Cosmetology, presented **RS 23995** which would bring uniformity of the renewal and reinstatement statute language from the cosmetology board to that of the Bureau of Occupational Licenses' current statute language. In response to questions from the committee, Mr. Toryanski turned the question regarding gender neutral language over to **Tana Cory**, Director of Idaho Bureau of Occupational Licenses. Mrs. Cory stated they have frequently had this question. The bureau has deferred to the Legislative Services Office (LSO) for drafting language. It was asked of Mrs. Cory that in the future the question of gender neutral language be addressed.

ORIGINAL MOTION: **Rep. Smith** made a motion to introduce **RS 23995** with the following changes: On line 14 change the word "his" to gender neutral language.

SUBSTITUTE MOTION: **Rep. Crane** made a substitute motion to introduce **RS 23995** with the following changes: on line 14 change the word "his" to "their" and following the word reinstate, change "his" to "their."

Due to concerns from the Chairman regarding making changes to an **RS 23995** without consulting the sponsor or Legislative Services, he asked for a new motion.

UNANIMOUS CONSENT REQUEST: **Chairman Barbieri** made a unanimous consent request to withdraw the substitute motion. There being no objection, the request was granted.

UNANIMOUS CONSENT REQUEST: **Chairman Barbieri** made a unanimous consent request to withdraw the original motion. There being no objection, the request was granted.

MOTION: **Rep. Clow** made a motion to return **RS 23995** to the sponsor to address the terminology. **Motion carried by voice vote.**

RS 24112: **Kris Ellis**, on behalf of Northwest Career College Federation, presented **RS 24112**. This would designate barber schools as a post-secondary schools so that their students are eligible for federal financial aid.

MOTION: **Rep. Thompson** made a motion to introduce **RS 24112**. **Motion carried by voice vote.**

RS 24026: **Steven Keys**, Deputy Administrator, Division of Building and Safety presented **RS 24026**. This legislation would merge the manufactured housing and modular building advisory boards into one board to be named the Factory Built Structures Advisory Board.

MOTION: **Rep. Monks** made a motion to introduce **RS 24026**. **Motion carried by voice vote.**

RS 24190: **Clark Kauffman**, Representative District 25, presented **RS 24190** which would ensure the uniform regulation of auxiliary containers. This would require any regulation or taxation of auxiliary containers be done by the legislature. There would not be limits to any recycling program or prevent any food establishment from using any container that it chooses.

MOTION: **Rep. Batt** made a motion to introduce **RS 24190**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:19 p.m.

Representative Barbieri
Chair

Michele Jarvis
Secretary

**AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
DIXON SUBCOMMITTEE
1:30 P.M.
Room EW41
Monday, January 25, 2016**

DOCKET NO.	DESCRIPTION	PRESENTER
<u>24-0001-1500</u>	Licensing Boards Served by the Bureau of Occupational Licenses	Mitch Toryanski, Bureau of Occupational Licenses
<u>24-0801-1501</u>	Rules of the State Board of Morticians	Roger Hales, Bureau of Occupational Licenses
<u>24-1801-1501</u>	Rules of the Real Estate Appraiser Board	Roger Hales, Bureau of Occupational Licenses
<u>24-2101-1501</u>	Rules of the Idaho State Contractors Board	Rob Pilote, Idaho State Contractors Board
<u>24-2501-1501</u>	Rules of the Idaho Driving Businesses Licensure Board	Mitch Toryanski, Bureau of Occupational Licenses

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Dixon
Rep.Crane
Rep.Thompson
Rep.Anderst
Rep.Jordan

COMMITTEE SECRETARY

Mary Dorsch
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email: hbus@house.idaho.gov

MINUTES
**HOUSE BUSINESS COMMITTEE
DIXON SUBCOMMITTEE**

DATE: Monday, January 25, 2016

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Representatives Crane, Thompson, Anderst, Jordan

**ABSENT/
EXCUSED:** Representative Crane

GUESTS: Tyler Mallard, Idaho Building Contractors Association; Robert Pilote, Roy Ellis, Idaho Contractors Board; Tana Cory, Bureau of Occupational Licenses

Chairman Dixon called the meeting to order at 1:33 p.m.

DOCKET NO. 24-0001-1500: **Mitch Toryanski**, Legal Counsel, Bureau of Occupational Licenses, presented **Docket No. 24-0001-1500** relating to license renewal and reinstatement fees.

MOTION: **Rep. Thompson** made a motion to recommend the full committee approve **Docket No. 24-0001-1500. Motion carried by voice vote.**

DOCKET NO. 24-0801-1501: **Roger Hales**, Bureau of Occupational Licenses, representing the Idaho Board of Morticians and Funeral Directors presented **Docket No. 24-0801-1501**. This rule is amended to allow for the termination of an application to the Board upon written notice where there has been no activity for 12 months.

MOTION: **Rep. Jordan** made a motion to recommend the full committee approve **Docket No. 24-0801-1501. Motion carried by voice vote.**

DOCKET NO. 24-1801-1501: **Roger Hales**, Bureau of Occupational Licenses, representing the Idaho Board of Real Estate Appraisers presented **Docket No. 24-1801-1501**. This Docket minimizes the Board's regulation of personal property and business appraisals.

MOTION: **Rep. Anderst** made a motion to recommend the full committee approve **Docket No. 24-1801-1501. Motion carried by voice vote.**

DOCKET NO. 24-2101-1501: **Robert Pilote**, Chairman, Contractor Registration Board, presented **Docket No. 24-2101-1501** relating to fee increases.

MOTION: **Rep. Thompson** made a motion to recommend the full committee approve **Docket No. 24-2101-1501. Motion carried by voice vote.**

DOCKET NO. 24-2501-1501: **Mitch Toryanski**, Legal Counsel, Bureau of Occupational Licenses presented **Docket No. 24-2501-1501**. This Docket extends the period for medical examinations of driving instructors.

MOTION: **Rep. Anderst** made a motion to recommend the full committee approve **Docket No. 24-2501-1501. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:59 p.m.

Representative Dixon
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Wednesday, January 27, 2016

SUBJECT	DESCRIPTION	PRESENTER
	U.S. Supreme Court Decision re: Regulatory Boards	Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses
H 372	Auxiliary Containers	Rep. Kauffman

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Barbieri	Rep Batt	Rep DeMordaunt
Vice Chairman Clow	Rep Hixon	Rep Dixon
Rep Collins	Rep Kauffman	Rep Troy
Rep Crane	Rep Monks	Rep Smith
Rep Palmer	Rep Anderst	Rep Rusche(Van Tassel)
Rep Thompson	Rep Beyeler	Rep Jordan

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, January 27, 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 (Van Tassel), Jordan

**ABSENT/
EXCUSED:** Representative(s) Palmer, Hixon

GUESTS: Miguel Legarreta, Ada County Association of Realtors; Sean Armatage, Hilex Poly Company; Teresa Molitor, American Progressive Bag Alliance; Dean Cameron, Kathy McGill, Department of Insurance; Suzanne Budge, Idaho Petroleum Marketers and Convenience Store Association; Pam Eaton, Idaho Retailers Association; Jeremy Pisca, Risch Pisca

Vice Chairman Clow called the meeting to order at 1:30 p.m.

Mitch Toryanski, Legal Counsel, Board of Occupational Licenses, provided information pertinent to the legal exposure of Idaho's Regulatory Boards to federal antitrust claims. He said if a state uses active market participants as regulators, it must provide active supervision if the board is to qualify for state-action immunity from federal antitrust laws. There must be more than a mere façade of state involvement to ensure political accountability. In answer to a question, he stated Idaho's regulatory boards have functioned with active market participants for years. Although, if any board or commission restrains trade it could be affected.

Vice Chairman Clow turned the gavel over to **Chairman Barbieri**.

H 372: **Rep. Kauffman** presented **H 372** relating to the regulation of auxiliary containers. The purpose of this legislation is to ensure the uniform and prudent regulation of auxiliary containers. This law would require any regulation or taxation of auxiliary containers be done by the legislature, not by individual political subdivisions of the state. It would not interfere with or limit any municipal or county recycling program, nor would it prevent any retail or food establishment from utilizing any type of auxiliary container it chooses.

Suzanne Budge, IPMCSA, spoke **in support** of this legislation.

Pam Eaton, Idaho Retailers Association, spoke **in support** of the bill.

MOTION: **Rep. Thompson** made a motion to send **H 372** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kauffman** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:05 p.m.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
**HOUSE BUSINESS COMMITTEE
BEYELER SUBCOMMITTEE**
Upon Adjournment of the Full Committee
Room EW41
Wednesday, January 27, 2016

DOCKET NO.	DESCRIPTION	PRESENTER
<u>14-0101-1501</u>	Rules of Procedure of the Board of Registration for Professional Geologists	Roger Hales, Dept. of Occupational Licenses
<u>14-0101-1502</u>	Rules of Procedure of the Board of Registration for Professional Geologists	Roger Hales
<u>18-0127-1501</u>	Self-Funded Employee Health Care Plans Rule	Dean Cameron, Director, Department of Insurance
<u>18-0144-1501</u>	Schedule of Fees, Licenses, and Miscellaneous Charges	Dean Cameron
<u>18-0160-1501</u>	Long-Term Care Insurance Minimum Standards	Dean Cameron
<u>49-0101-1501</u>	Rules of Procedure of the Idaho Certified Shorthand Reporters Board	Mitch Toryanski, Legal Counsel, Department of Occupational Licenses

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Beyeler
Rep.Collins
Rep.Batt
Rep.Monks
Rep.Rusche(Van Tassel)

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
**HOUSE BUSINESS COMMITTEE
BEYELER SUBCOMMITTEE**

DATE: Wednesday, January 27, 2016

TIME: Upon Adjournment of the Full Committee

PLACE: Room EW41

MEMBERS: Chairman Beyeler, Representatives Collins, Batt, Monks, Rusche(Van Tassel)

**ABSENT/
EXCUSED:** None

GUESTS: Dean Cameron, Kally McGill, Department of Insurance

Chairman Beyeler called the meeting to order at 2:13 P.M.

DOCKET NO. 14-0101-1501: **Roger Hales**, Bureau of Occupational Licenses presented **Docket No. 14-0101-1501**. The pending rule implements changes for ease of review for the Board of Registration for Professional Geologists.

MOTION: **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 14-0101-1501**. **Motion carried by voice vote.**

DOCKET NO. 14-0101-1502: **Mitch Toryanski**, Bureau of Occupational Licenses presented **Docket No. 14-0101-1502**. The docket addresses renewal fees and reinstatement fees for professional geologists.

MOTION: **Rep. Batt** made a motion to recommend the full committee approve **Docket No. 14-0101-1502**. **Motion carried by voice vote.**

DOCKET NO. 49-0101-1501: **Mitch Toryanski** presented **Docket No. 49-0101-1501**. The docket addresses reinstatement fees for certified shorthand reporters.

MOTION: **Rep. Monks** made a motion to recommend the full committee approve **Docket No. 49-0101-1501**. **Motion carried by voice vote.**

DOCKET NO. 18-0144-1501: **Dean Cameron**, Department of Insurance presented **Docket No. 18-0144-1501**. The pending fee rule changes fees, removes from the fee rule a specific enumerated fee paid by applicants to a third party vendor and references the amount by contract. In answer to a question, Mr. Cameron stated the agency does not collect the fee or assign the fee to the examiner. The agency contracts with outside examiners.

MOTION: **Rep. Batt** made a motion to send **Docket No. 18-0144-1501** to the full committee without recommendation for further discussion. **Motion carried by voice vote.**

DOCKET NO. 18-0160-1501: **Dean Cameron**, Department of Insurance presented **Docket No. 18-0160-1501**. The pending rule clarifies that while inflation protection must be provided for long term care partnership policies, no minimum inflation levels are established. The rule also clarifies and standardizes references.

MOTION: **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 18-0160-1501**. **Motion carried by voice vote.**

DOCKET NO. 18-0127-1501: **Dean Cameron**, Department of Insurance presented **Docket No. 18-0127-1501**. The pending rule makes changes consistent with recent code changes, adds clarity and removes duplicative language. It revises language to narrow the scope of required fidelity bond or equivalent coverage.

MOTION: **Rep. Collins** made a motion to recommend the full committee approve **Docket No. 18-0127-1501**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:08 P.M.

Representative Beyeler
Chair

Joyce McKenzie
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Monday, February 01, 2016

SUBJECT	DESCRIPTION	PRESENTER
RS24176	Insurance policies, valuation	Sen. Nonini
RS24157C1	Massage students, compensation	Rep. Sims
H 371	Factory built structures	Steve Keys, Division of Building Safety

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Barbieri
Vice Chairman Clow
Rep Collins
Rep Crane
Rep Palmer
Rep Thompson

Rep Batt
Rep Hixon
Rep Kauffman
Rep Monks
Rep Anderst
Rep Beyeler

Rep DeMordaunt
Rep Dixon
Rep Troy
Rep Smith
Rep Rusche(Van Tassel)
Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE BUSINESS COMMITTEE

- DATE:** Monday, February 01, 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:** Chairman Barbieri, Representative(s) Crane, Anderst
- GUESTS:** Steve Keys, Department of Building Safety; Teri Ottens, Idaho Housing Alliance; Woody Richards, Allstate Insurance and American Family Insurance; Jason Blair, City of Boise; Russell Westerberg, Westerberg and Associates; John Mackey, United Heritage Insurance; Juli Hart, American Council for Life Insurance
- Vice Chairman Clow** called the meeting to order at 1:30 P.M.
- MOTION:** **Rep. Jordan** made a motion to approve the minutes of the January 19, 2016 meeting. **Motion carried by voice vote.**
- MOTION:** **Rep. Jordan** made a motion to approve the minutes of the January 21, 2016 meeting. **Motion carried by voice vote.**
- MOTION:** **Rep. Jordan** made a motion to approve the minutes of the January 25, 2016 Dixon Subcommittee Meeting. **Motion carried by voice vote of the subcommittee.**
- RS 24176:** **Senator Nonini** presented **RS 24176**. This legislation will update the current valuation method used for life insurance premiums to Principle Based Reserves. Principle Based Reserves ensures consumers pay the appropriate premiums so reserve levels more accurately reflect risk assumed.
- MOTION:** **Rep. Hixon** made a motion to introduce **RS 24176**. **Motion carried by voice vote.**
- RS 24157C1:** **Rep. Sims** introduced **RS 24157C1**. This legislation relating to the licensure of massage therapists would allow for compensation of massage therapy students as part of a tuition work-off program where such program has been established by the institution teaching students massage therapy.
- MOTION:** **Rep. Thompson** made a motion to introduce **RS 24157C1**. **Motion carried by voice vote.**
- H 371:** **Steve Keys**, , Department of Building Safety presented **H 371**. This legislation would merge the manufactured housing and modular building advisory boards into a single governing board to be named the Factory Built Structures Advisory Board. In answer to a question, Mr. Keys stated no positions for public members of either board were eliminated.

MOTION: **Rep. Thompson** made a motion to send **H 371** to the floor with a **Do Pass** recommendation. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:45 P.M.

Representative Clow
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
TROY SUBCOMMITTEE
Upon Adjournment of the Full Committee
Room EW41
Monday, February 01, 2016

DOCKET NO.	DESCRIPTION	PRESENTER
<u>10-0101-1501</u>	Rules of Procedure	Keith Simila, Board of Professional Engineers and Professional Land Surveyors
<u>10-0104-1501</u>	Rules of Continuing Professional Development	Keith Simila
<u>07-0203-1501</u>	Rules Governing Permit Fee Schedule - Fee Rule, Proposed Rule	Steve Keys, Division of Building Safety
<u>07-0301-1502</u>	Rules of Building Safety - Fee Rule, Proposed Rule	Steve Keys
<u>07-0301-1501</u>	Rules of Building Safety	Steve Keys
<u>12-0110-1501</u>	Rules Pursuant to the Idaho Residential Mortgage Practices Act	Mike Larsen, Department of finance

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COMMITTEE MEMBERS

Chairman Troy
Rep.Kauffman
Rep.Palmer
Rep.DeMordaunt
Rep.Hixon
Rep.Smith

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
HOUSE BUSINESS COMMITTEE
TROY SUBCOMMITTEE
Administrative Rules

- DATE:** Monday, February 01, 2016
- TIME:** Upon Adjournment of the Full Committee
- PLACE:** Room EW41
- MEMBERS:** Chairman Troy, Representatives Kauffman, DeMordaunt, Hixon, Smith
- ABSENT/
EXCUSED:** Palmer
- GUESTS:** Steve Keys, DPS; Jason Blais, City of Boise; Michael Larsen, Dept. of Finance; Knute Sandahl, State Fire Marshall; Dennis Stevensen, Rules Coordinator; Teri Ottens, ID Assoc. of Mortgage Professionals
- Chairman Troy** called the meeting to order at 1:52 p.m.
- DOCKET NO.
10-0101-1501:** **Keith Simila**, Executive Director, Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors presented **Docket No. 10-0101-1501** regarding the Board's Rules of Procedure. Mr. Simila stated one of the changes allows engineering and surveying students easier access to the first examination needed for licensure. A student can now take the exam before applying to the Board. A technical correction was made to clarify the rule and reflect the removal of examination and reexamination fees as well as clarification of the fees for reinstatement of licenses and related late fees.
- The rule will also update the definition of land surveying. The definition now includes all types of surveying where the previous definition was limited to property boundary surveying. The rule change reduces the boundary experience to two years and allows other surveying experience to count towards the four year total. The National Council of Examiners for Engineering and Surveying (NCEES) changed the engineering educational requirements to align with the national accrediting standards. A new section was added to bring clarity to the requirements for reinstating a retired or expired license. In response to questions from the committee, **Mr. Simila** acknowledged that the number of people going into the field of surveying is declining. With the rule changes, boundaries to education and employment will be reduced.
- MOTION:** **Rep. DeMordaunt** made a motion to recommend approval of **Docket No. 10-0101-1501** to the full committee. **Motion carried by voice vote.**
- DOCKET NO.
10-0104-1501:** **Keith Simila**, Executive Director, Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors presented **Docket No. 10-0104-1501** relating to the Board's Rules of Continuing Professional Development (CPD). The purpose of the rule is to remove obsolete language, improve readability, clarify CPD requirements related to licensure reinstatement, and to allow the use of a national register to make it easier for licensees in multiple states to keep track of CPD requirements and records.
- MOTION:** **Rep. Kauffman** made a motion to recommend approval of **Docket No. 10-0104-1501** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 07-0203-1501: **Steve Keys**, Deputy Administrator of Operations, Division of Building Safety presented **Docket No. 07-0203-1501** regarding a fee change from \$38 to \$65 for circumstances where only a sewer or water line installation is being inspected. The \$38 fee was well below the cost of providing the inspection in virtually all areas of Idaho. In response to questions from the committee, Mr. Keys stated most costs of the inspection are from travel expenses to and from the inspection site. He also stated about 65-70% of inspections are for both sewer and water lines. The person responsible for the fee is the person who takes out the permit. The cost of the inspection is 95% travel and 5% inspection time and it does not take much more time to inspect both the water and sewer lines. Mr. Keys turned the time over to **John Nielson**, Plumbing Program Manager, Division of Building Safety to answer a question regarding the fees. There is a standard fee of \$65 for most inspections in other areas. For the last seven years they had \$38 for water line and \$38 for sewer line inspection or \$65 for both. They were losing money with travel costs. There is no jurisdiction for a plumbing inspector, therefore travel is a large cost.

MOTION: **Rep. DeMordaunt** made a motion to recommend approval of **Docket No. 07-0203-1501** to the full committee. **Rep. Hixon** invoked Rule 38 stating a possible conflict of interest due to his real estate company hiring inspections, but will vote on the motion. **Motion carried by voice vote.** **Rep. Hixon** requested to be recorded as voting **NAY**.

DOCKET NO. 07-0301-1502: **Steve Keys**, Deputy Administrator of Operations, Division of Building Safety presented **Docket No. 07-0301-1502** regarding a Pending Fee Rule brought forward in response to requests from state universities and colleges that allows the institution to purchase one annual building permit which would cover all the minor alteration projects conducted by the staff during the year. The fees for inspection work are calculated on an hourly basis. In response to questions from the committee, Mr. Keys confirmed the definition of minor alteration is standard. Some examples are changing a door or window. This change allows the institution and inspector to streamline the process and reduce paperwork.

MOTION: **Rep. Smith** made a motion to recommend approval of **Docket No. 07-0301-1502** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 07-0301-1501: **Steve Keys**, Deputy Administrator of Operations, Division of Building Safety presented **Docket No. 07-0301-1501** regarding Idaho Building Code Board and changes to the building code. These changes include fire alarm requirements in educational facilities, requirements for fire-resistance walls separating townhouse units and amending the Energy Code to make buildings that are heated or cooled exclusively to maintain operating temperature of equipment to be exempt from the Energy Code. Time was turned over to **Jason Blais**, City of Boise, regarding questions about townhouse walls. He clarified which situations that would differentiate wall thicknesses. These changes were made in collaboration with the Idaho Building Code Board.

MOTION: **Rep. Kauffman** made a motion to recommend approval of **Docket No. 07-0301-1501** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 12-0110-1501: **Michael Larsen**, Consumer Finance Bureau Chief, Idaho Dept. of Finance presented **Docket No. 12-0110-1501** regarding the Idaho Residential Mortgage Practices Act. This rule would promote consistent, uniform and familiar industry standards in the marketplace by updating references to federal law and regulations (Truth-in-Lending Act and Regulation Z and X.) It reduces redundant disclosures and paperwork and streamlines forms. **Teri Ottens**, Idaho Assoc. of Mortgage Professionals, stood in support the docket.

MOTION: **Rep. Smith** made a motion to recommend approval of **Docket No. 12-0110-1501** to the full committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the subcommittee, the meeting was adjourned at 2:33 p.m.

Representative Troy
Chair

Michele Jarvis
Secretary

**AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Wednesday, February 03, 2016**

SUBJECT	DESCRIPTION	PRESENTER
RS24127	Insurance, principle place	John Mackey, United Heritage Insurance
RS24294	Cosmeticians, license renewal	Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses
H 367	Morticians, resident training license	Roger Hales, Bureau of Occupational Licenses
H 368	Real estate appraisers	Roger Hales
H 369	Funeral establishments	Roger Hales
H 370	Barbers, schools and colleges	Kris Ellis, Northwest Career College Federation

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Barbieri	Rep Batt	Rep DeMordaunt
Vice Chairman Clow	Rep Hixon	Rep Dixon
Rep Collins	Rep Kauffman	Rep Troy
Rep Crane	Rep Monks	Rep Smith
Rep Palmer	Rep Anderst	Rep Rusche(Van Tassel)
Rep Thompson	Rep Beyeler	Rep Jordan

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, February 03, 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: Ken Mallea, Idaho Funeral Directors; John Mackey, Dennis Johnson, United Heritage Insurance; James Opdahl, Board of Morticians; Brad Janoush, Real Estate Appraisal Board; Kris Ellis, Northwest Career College Federation; Gail Comer, Paul Mitchell the School; Dean Cameron, Department of Insurance; Nikki Martin, Sandra Ammann, Boise Barber College

Chairman Barbieri called the meeting to order at 1:33 P.M.

RS 24127: **John Mackey**, United Heritage Insurance, presented **RS 24127**. **Dennis Johnson**, President, United Heritage Insurance, explained this legislation deals with current Idaho Code requiring 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 that redomesticate to Idaho. He explained further, United Heritage Insurance is headquartered in Idaho. It is a holding company in Idaho started by Idaho farmers for Idaho farmers. By making this exception, United Heritage will be able to acquire more insurance companies and bring more jobs to Idaho.

MOTION: **Rep. Rusche** made a motion to introduce **RS 24127**. **Motion carried by voice vote.**

RS 24294: **Mitch Toryanski**, Legal Counsel, Bureau of Occupational Licenses, presented **RS 24294**. The proposed legislation amends the Idaho Board of Cosmetology's renewal and reinstatement of license statute.

MOTION: **Rep. Smith** made a motion to introduce **RS 24294**. **Motion carried by voice vote.**

H 367: **Roger Hales**, Bureau of Occupational Licenses, presented **H 367**. In this legislation, the Idaho Board of Morticians is amending its law to change the total cumulative period in which a person may serve as a resident trainee for either a mortician or funeral director. The change will allow applicants up to three years to fulfill requirements.

MOTION: **Rep. Clow** made a motion to send **H 367** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Clow** will sponsor the bill on the floor.

H 368: **Roger Hales** presented **H 368**. The Idaho Real Estate Appraiser Board is amending its definition of appraisal. The change will establish that the Board's regulation only pertains to an estimate of value of real property rather than opinions regarding the nature, quality or utility of the real property.

MOTION: **Rep. Anderst** made a motion to send **H 368** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Anderst** will sponsor the bill on the floor.

- H 369:** **Roger Hales** presented **H 369**. The Idaho Board of Morticians is amending its law to require morticians or funeral directors to identify which funeral establishment is responsible to provide funeral goods or services and to maintain all documentation associated with pre-arrangement sales made by or sold by morticians or funeral directors. In answer to a question, Mr. Hales stated this amendment to the law will go into effect July 1, 2016.
- MOTION:** **Rep. Clow** made a motion to send **H 369** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Clow** will sponsor the bill on the floor.
- H 370:** **Kris Ellis**, Northwest Career College Federation, presented **H 370**. The purpose of this legislation is to clarify licensed Barber schools as postsecondary institutions. The language in this bill will ensure Barber schools in Idaho are in compliance with U.S. Department of Education regulations for schools with students that are eligible for federal financial aid.
- MOTION:** **Rep. Thompson** made a motion to send **H 370** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Thompson** will sponsor the bill on the floor.
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 1:53 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
Upon Adjournment
Room EW41
Friday, February 05, 2016

SUBJECT	DESCRIPTION	PRESENTER
H 432	Insurance policies, valuation	Julie Hart, American Council of Life Insurers

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

Joyce McKenzie
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email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Friday, February 05, 2016
TIME: Upon Adjournment
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:** Representative(s) Crane, Batt, Rusche
GUESTS: Julie Hart, Dave Leroy, American Council of Life Insurers.
Chairman Barbieri called the meeting to order at 11:50 A.M.

H 432 **Julie Hart**, American Council of Life Insurers presented **H 432** on behalf of ACLI. The legislation will update the current valuation method used for life insurance premiums to Principle Based Reserves. Principle Based Reserves ensures consumers pay the appropriate premiums so reserve levels more accurately reflect risk assumed. Ms. Hart stated all life insurance companies are required to hold financial reserves in order to support payment of policy owner claims. The principle-based reserving method modernizes reserving to ensure the reserve and premiums match the risk being assumed by the insurance company. In answer to a question, **Dave Leroy**, ACLI, responded there is an inconsistency in wording relative to rule vs regulation, but an amendment is not required.

MOTION: **Rep. Thompson** made a motion to send **H 432** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Clow** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 12:05 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Tuesday, February 09, 2016

SUBJECT	DESCRIPTION	PRESENTER
	Report of Dixon Subcommittee	
	Report of Beyeler Subcommittee	
	Report of Troy Subcommittee	
RS24304	Motor vehicles, limits on damages	Bob Compan, Farmers Insurance Group
RS24329	Minimum wage	Pam Eaton, Idaho Retailers Association
H 440	Insurance, principle place	John Mackey, United Heritage Insurance
H 433	Massage students	Rep. Sims

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

Joyce McKenzie
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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

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Thursday, February 11, 2016

SUBJECT	DESCRIPTION	PRESENTER
H 441	Cosmeticians, license renewal	Mitch Toryanski, Legal Counsel, Board of Occupational Licenses
RS24451	Barber schools, additional requirements	Kris Ellis, Northwest Career College Federation
RS24385C2	Agreement/covenants/employee breach	Rep. McDonald

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
HOUSE BUSINESS COMMITTEE

- DATE:** Thursday, February 11, 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:** Kris Ellis, Lance Giles, Northwest Career Colleges Federation; Lou Starita, Paul Mitchell the School
- Chairman Barbieri** called the meeting to order at 1:33 P.M.
- MOTION:** **Rep. Jordan** made a motion to approve the minutes of the January 27, 2016, meeting. **Motion carried by voice vote.**
- MOTION:** **Rep. Jordan** made a motion to approve the minutes of the February 1, 2016, meeting. **Motion carried by voice vote.**
- MOTION:** **Rep. Jordan** made a motion to approve the minutes of the February 3, 2016, meeting. **Motion carried by voice vote.**
- H 441:** **Mitch Toryanski**, Legal Counsel, Bureau of Occupational Licenses, presented **H 441**. This legislation amends the Idaho Board of Cosmetology's renewal and reinstatement of license statute. The bill will simplify and standardize reinstatement of expired licenses.
- MOTION:** **Rep. Hixon** made a motion to send **H 441** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Smith** will sponsor the bill on the floor.
- RS 24451:** **Kris Ellis**, Northwest Career Colleges Federation, presented **RS 24451**. The purpose of this proposed legislation is to clarify licensed barber schools as postsecondary institutions, in order to align with federal regulations.
- MOTION:** **Rep. Batt** made a motion to introduce **RS 24451**.
- SUBSTITUTE
MOTION:** **Rep. Thompson** made a substitute motion to introduce **RS 24451** and recommend it be sent directly to the Second Reading Calendar.
- ROLL CALL
VOTE:** Roll call vote on the substitute motion was requested. **Motion carried by a vote of 10 AYE, 8 NAY. Voting in favor** of the motion: **Reps. Clow, Collins, Thompson, Kauffman, Anderst, Beyeler, DeMordaunt, Smith, Rusche, Jordan. Voting in opposition** to the motion: **Reps. Crane, Palmer, Batt, Hixon, Monks, Dixon, Troy, Chairman Barbieri.** **Rep. Crane** will sponsor the bill on the floor.
- RS 24385C2:** **Rep. McDonald** presented **RS 24385C2**. He stated in the event of a civil action by an employer, this amendment identifies the court as having the authority to determine if a key employee or independent contractor has breached an agreement or covenant resulting in harm to the employer.
- Cody Galloway**, LeapFox Learning, testified in support of **RS 24385C2**.

MOTION: **Rep. Monks** made a motion to introduce **RS 24385C2**. **Rep Palmer** invoked Rule 38 stating a possible conflict of interest and that he would not be voting on the motion. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:56 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Monday, February 15, 2016

SUBJECT	DESCRIPTION	PRESENTER
RS24431	Homeowner's association, prohibit conduct	Rep. Gestrin
H 463	Minimum wage	Pam Eaton, Idaho Retailers Association

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Monday, February 15, 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:** Representative(s) Thompson

GUESTS: Karleen Davis, landlord; Jonathan Frost, FrostCabins,Inc.; Marty Durand, Building Trades; Wayne Hoffman, Idaho Freedom Foundation; Peter Thomas, FrostCabins; Kelli Brassfield, IAC; Caz Marquart, Transform Idaho; John Watts, NW Grocers; Gayle Wilde, Jane Gheen Post, AAUW; Barbara Kemp

Chairman Barbieri called the meeting to order at 1:30 P.M.

RS 24431: **Rep. Gestrin** presented **RS 24431**. Rep. Gestrin stated the proposed legislation protects the private property rights of Idaho homeowners by ensuring their right to rent their property is preserved. If a homeowner bought a home at a time when renting the home was allowed by a Homeowner's Association (HOA), the HOA may not create new Covenants, Conditions, and Restrictions (CCR'S) that change the existing right to rent without written consent of the homeowner. This would not impact CCR'S that were in place prior to the time a homeowner purchased the property.

MOTION: **Rep. Hixon** made a motion to introduce **RS 24431**. **Motion carried by voice vote.**

H 463: **Pam Eaton**, presented **H 463** on behalf of the Idaho Retailers Association and the Idaho Lodging and Restaurant Association. Ms. Eaton stated the purpose of the legislation is to clarify Idaho Law to ensure the minimum wage in Idaho is decided by the legislature and applied uniformly across the state. In answer to a question, she said she can provide copies of similar legislation 29 states have passed. In response to another question, she stated she can furnish polling figures to support the bill.

Speaking in opposition to **H 463**: Karleen Davis, Marty Durand, Kay Marquart.
Speaking in support of **H 463**: John Watts and Wayne Hoffman.

MOTION: **Rep. Palmer** made a motion to send **H 463** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Jordan** made a substitute motion to **HOLD H 463** in committee.

AMENDED SUBSTITUTE MOTION: **Rep. Rusche** made an amended substitute motion to send **H 463** to General Orders.

**ROLL CALL
VOTE:**

Roll call vote was requested on the amended substitute motion. **Motion failed by a vote of 3 AYE, 14 NAY and 1 ABSENT/EXCUSED. Voting in favor** of the motion: **Reps. Rusche, Smith, Jordan. Voting in opposition** to the motion: **Reps. Clow, Collins, Crane, Palmer, Batt, Hixon, Kauffman, Monks, Anderst, Beyeler, DeMourdaunt, Dixon, Troy and Chairman Barbieri. Rep. Thompson was absent/excused.**

**VOTE ON
SUBSTITUTE
MOTION:**

Chairman Barbieri called for a vote on the substitute motion to **HOLD H 463** in committee. **Motion failed by voice vote.**

**VOTE ON
ORIGINAL
MOTION:**

Chairman Barbieri called for a vote on the motion to send **H 463** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Rusche, Smith and Jordan** requested to be recorded as voting **NAY. Rep. Malek** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 2:10 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Wednesday, February 17, 2016

SUBJECT	DESCRIPTION	PRESENTER
Docket No. 18-0144-1501	Schedule of fees, licenses and miscellaneous charges	Dean Cameron, Director, Department of Insurance
RS24556	Massage students, compensation	Rep. Sims
RS24542	Contracts, design professionals	Jeremy Chou, Givens Pursley, LLP

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, February 17, 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:** Representative(s) Crane

GUESTS: Barb DeHaan, NWCCF; Lydia Benson, AiCM; Suzie Lindberg, Becky Olinger, Nancy Bingham, AMTA-ID; Sean Bingham, Mountain Breeze Massage; Dean Cameron, Mitch Toryanski, Tom Donovan, DOI; Brad Hunt, O.A.R.C.

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

MOTION: **Rep. Kauffman** made a motion to approve the minutes of the February 5, 2016, meeting. **Motion carried by voice vote.**

**DOCKET NO.
18-0144-1501:** **Dean Cameron**, Director, Department of Insurance, presented **Docket No. 18-0144-1501**. Mr. Cameron was asked if it is appropriate for the Department to be involved in the pricing of testing when the fee is paid directly to the vendor with no Department participation in the transaction. He stated the Department of Insurance negotiates a contract with vendors to ensure the testing for public adjusters is administered fairly and adequately by a qualified vendor. A fee is set forth by contract between the department and third-party testing vendors. The entire amount of the fee is paid by the applicant to the vendor and retained by the vendor. Mr. Cameron said all states issue a contract with a single vendor to administer public adjuster testing for licensure.

MOTION: **Rep. Hixon** made a motion to approve **Docket No. 18-0144-1501** with the exception of Section 02.a.

Tom Donovan, Deputy Director, Department of Insurance, stated the Department is reluctant to issue a temporary rule with the omission.

**SUBSTITUTE
MOTION:** **Rep. Rusche** made a substitute motion to approve **Docket No. 18-0144-1501**. **Rep. Troy** invoked Rule 38 stating a possible conflict of interest and that she would not be voting on the motion. **Motion carried by voice vote.**

RS 24556: **Rep. Sims** presented **RS 24556**. The proposed legislation authorizes the Board of Massage Therapy to establish requirements for a student tuition credit program, for temporary licensure and provisional permits.

MOTION: **Rep. Anderst** made a motion to introduce **RS 24556**. **Motion carried by voice vote.**

RS 24542: **Jeremy Chou**, American Council of Engineering Companies of Idaho, presented **RS 24542**. He stated some government contracts contain a provision known as "Broad Form Indemnity". Under this clause the indemnitor is made responsible for not only their own negligence but also the negligence of others. In some cases, the indemnitor is made liable regardless of negligence. The proposed legislation makes a government contract provision that requires an engineer, architect, landscape architect, construction manager or surveyor and a governmental entity to indemnify each other for anything other than their own respective negligent acts, errors or omissions void as against public policy.

MOTION: **Rep. Thompson** made a motion to introduce **RS 24542. Motion carried by voice vote.**

Chairman Barbieri recognized the outstanding service of House Page, **TJ Ruiz** from Murtaugh, Idaho. TJ was presented a gift of appreciation from the committee.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:30 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Tuesday, February 23, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1219	Public works contracts	Wayne Hammon, CEO, Idaho Associated General Contractors
H 511	Homeowner's association, prohibit conduct	Rep. Gestrin
H 519	Massage therapy, student tuition credit	Rep. Sims

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

Joyce McKenzie
Room: EW58
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, February 23, 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:** Rep. Crane

GUESTS: Jonathan Frost, FrostCabins; Marta Frost, Mona Frost, Linda Trout, Amber Pence, City of Boise; Evan Mortimer, Peter Thomas, Mortimer, Thomas PLLC; Matt Reiber, Intern; Barb DeHaan, NWCCF; Lydia Benson, AiCM; Kathleen Lewis, SICOG; David Doran, SICOG; Serena Minesian, John Eaton, Realtors; Kris Ellis, NWCCF

Chairman Barbieri called the meeting to order at 1:32 P.M.

MOTION: **Rep. Anderst** made a motion to approve the minutes of the February 11, 2016, meeting.

MOTION: **Rep. Anderst** made a motion to approve the minutes of the February 15, 2016 meeting.

Chairman Barbieri welcomed the new Business Committee Page, **Katherine Nelson**. Katherine is a home school student from Boise, Idaho. Her parents are **Richard** and **Rachelle Nelson**.

S 1219: **Wayne Hammon**, CEO, Idaho Associated General Contractors, presented **S 1219**. Mr. Hammon stated this legislation adds guidelines to the Construction Managers and General Contractors (CM/GC) law approved by the Legislature during its 2014 session. Experience since the law was enacted has identified areas where additional clarification may be needed. This bill mandates the solicitation of bids from multiple contractors and limits CM/GC self-performance. The bill also requires written agreements for all fees and compensation, makes all bids public record and clarifies that the bidding can be done in phases.

MOTION: **Rep. Kauffman** made a motion to send **S 1219** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Thompson** will sponsor the bill on the floor.

H 511: **Rep. Gestrin** presented **H 511**. He stated the legislation protects the private property rights of Idaho homeowners by ensuring their right to rent their property is preserved. The bill states if a homeowner bought a home at a time when renting the home was allowed by a Homeowner's Association (HOA), the HOA may not create new Covenants and Restrictions (CCR's) that change the existing right to rent without written consent of the homeowner. This would not impact CCR's that were in place prior to the time a homeowner purchased the property.

Speaking **in support** of **H 511**: **Jonathan Frost**, vacation rental owner, his attorney **Evan Mortimer** and **John Eaton**, Idaho Association of Realtors.

Mr. Frost stated, currently, Idaho Home Owners Associations (HOA's) have the right to change their CC&Rs to restrict or eliminate rentals of any length of time in the area of their jurisdiction, even though those restrictions did not exist at the time the owner purchased the property. Owners should have the reasonable expectation that if a rental is allowed at the time of purchase, he/she will be able to continue renting the property throughout the time he/she owns the property. Speaking **in opposition** to **H 511**: **Linda Trout**, private property owner.

MOTION: **Rep. Thompson** made a motion to send **H 511** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

H 519: **Rep. Sims** presented **H 519**. This legislation provides an exemption from the definition of "compensation" and authorizes the Board of Massage Therapy to establish requirements for a student tuition credit program.

MOTION: **Rep. Hixon** made a motion to send **H 519** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Sims** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:28 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Thursday, March 03, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1221	Insurance producer licensing	Dean Cameron, Director, Department of Insurance
S 1286	Engineers, surveyors, term defined	Mike Kane, Board of Engineers & Land Surveyors
S 1287	Engineers, surveyors, civil penalty	Mike Kane, Board of Engineers & Land Surveyors

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, March 03, 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:** Representative(s) Palmer, DeMordaunt

GUESTS: Mike Kane, Engineers Board; Dean Cameron, Tom Donovan, Dept. of Insurance; Colby Cameron, Sullivan Reberger/IAHU; John Duvall, PBAI

Chairman Barbieri called the meeting to order at 1:32 P.M.

MOTION: **Rep. Jordan** made a motion to approve the minutes of the February 9, 2016 meeting. **Motion carried by voice vote.**

MOTION: **Rep. Anderst** made a motion to approve the minutes of the February 17, 2016 meeting. **Motion carried by voice vote.**

MOTION: **Rep. Jordan** made a motion to approve the minutes of the February 23, 2016 meeting. **Motion carried by voice vote.**

S 1221: **Dean Cameron**, Director, Idaho Department of Insurance presented **S 1221**. Director Cameron noted DOI's licensing division is nationally recognized and award nominated for their efficiency and customer service. **S 1221** is a bill to help the DOI be more efficient in licensing processes. The legislation relates to producer/agent/surplus lines broker licensing in Idaho. Circumstances for terminating a nonresident Idaho license are defined, where the resident license in another state has been voluntarily surrendered or lapsed. The process for terminating the license of a nonresident producer who no longer meets a prerequisite for holding a license has been streamlined. A person whose license has been revoked may not reapply for a license until not less than one year and up to five years have passed rather than the current one year waiting period.

MOTION: **Rep. Thompson** made a motion to send **S 1221** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Thompson** will sponsor the bill on the floor.

S 1286: **Mike Kane**, representing the Board of Engineers and Land Surveyors, presented **S 1286**. Mr. Kane stated the objective of the bill is to add a definition for a retired licensee as it relates to professional engineers and land surveyors. The bill will ensure licensees clearly understand that practicing professional engineering or professional land surveying on a retired license is prohibited.

MOTION: **Rep. Hixon** made a motion to send **S 1286** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hixon** will sponsor the bill on the floor.

S 1287: **Mike Kane** presented **S 1287**. He stated this legislation clarifies the unlicensed practice of engineering or land surveying is a violation of the law. It adds a civil penalty of up to \$1,500.00 as an enforcement provision which is a better option than pursuing a criminal complaint. In answer to questions, Mr. Kane responded the fines go to the State's General Fund. The intent of the legislation is to encourage people to get licensed.

MOTION: **Rep. Rusche** made a motion to send **S 1287** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Rusche** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:05 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AMENDED AGENDA #2
HOUSE BUSINESS COMMITTEE
1:30 P. M. or Upon Adjournment
Room EW41
Wednesday, March 09, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1345	Insurance producer license/dept. director	Mark Estess, Eiguren and Ellis Public Policy Firm
S 1285 aa	Engineers, surveyors, exams	Keith Simila, Board of Engineers and Land Surveyors
H 487	Agreement/covenants, employee breach	Rep. McDonald

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, March 09, 2016
TIME: 1:30 P. M. or Upon Adjournment
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: Doug Loertscher, Starr Family Behavioral Health; Scott Galloway, Codi Galloway, Ken Coulter, LeapFox Learning; Quinn Perez, Guy Hallam, Barbara Jorden, Marcia Jedry, ITLA; Mark Estess, Idaho Bail Coalition; Jody Sedrick, Zenware; Tom Donovan, Elaine Mellon, DOI; Jeremy Chou, Givens Pursley; Jason Ronk, Micron; Suzanne Budge, SBS Assoc. LLC; William Monk, Renee Karel, Lindsey Tyler, William Locke, Attny

Chairman Barbieri called the meeting to order at 1:33 P.M.

S 1345: **Mark Estess**, Eiguren Ellis Public Policy Firm, spoke on behalf of the Idaho Bail Coalition. He presented **S 1345**, stating the purpose of the legislation is to address a problem relating to bail agent solicitation of incarcerated inmates and reportedly paying the inmates referral fees. The legislation allows the Director of the Idaho Department of Insurance to impose a fine, suspend or revoke a bail agent's license if the bail agent, his employees, contractors or agents acting under his supervision compensate, employ, or solicit any person incarcerated in any courthouse, jail, or prison for the purpose of the incarcerated person referring business to the licensed bail agent. In answer to questions, Mr. Estess deferred to **Tom Donovan**, Dept of Insurance, who stated this regulation would prevent bail agents from soliciting. As far as inmates receiving referral fees, he said he's not aware of other classes who are prohibited from receiving referral fees. The harm done by inmates receiving kickbacks is it disturbs the general order of the jail and could place an inmate in authority or power over fellow inmates.

MOTION: **Rep. Rusche** made a motion to send **S 1345** to the floor with a **DO PASS** recommendation.

**ROLL CALL
VOTE:** Roll call vote was requested. **Motion failed by a vote of 8 AYE, 9 NAY, 1 Absent/Excused.** **Voting in favor** of the motion: **Reps. Collins, Thompson, Kauffman, Troy, Smith, Rusche, Jordan, Chairman Barbieri.** **Voting in opposition** to the motion: **Reps. Crane, Palmer, Batt, Hixon, Monks, Anderst, Beyeler, DeMordaunt, Dixon.** **Rep. Clow was Absent/Excused.**

S 1285aa: **Keith Simila**, Board of Engineers and Land Surveyors presented **S 1285aa**. He stated the legislation authorizes the Board to issue a professional engineering license to engineering faculty with an earned Ph.D. and employed at any Idaho university without a written technical examination. The requirements of professional examinations are clarified. The conditions concerning reexamination for those failing on prior attempts are also clarified. Fees for reexamination are removed with this legislation. In answer to questions, Mr. Simila responded faculty who teach upper division engineering courses are required by law to be licensed professional engineers. At some universities, faculty may receive specialized education relating to technical fields for which no technical examinations are available. A restricted license process will allow a waiver of the technical examination, in lieu of other requirements such as a written examination on laws, rules and ethical responsibilities. The license would be restricted to certain requirements such as remaining employed by the university and teaching upper division engineering courses.

Roger Brown, Director of Community Relations, Boise State University, spoke **in support** of **S 1285aa**.

MOTION: **Rep. Troy** made a motion to send **S 1285aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Batt and Monks** requested to be recorded as voting **NAY**. **Rep. Troy** will sponsor the bill on the floor.

H 487: **Rep. McDonald** presented **H 487**. This legislation relates to agreements and covenants protecting legitimate business interests and provides that a rebuttable presumption of irreparable harm by a key employee is established under certain circumstances. In answer to a question, Rep. McDonald responded in a manner to which **Rep. Rusche** objected. An apology was proffered and graciously accepted.

Doug Loertscher spoke **in opposition** to the bill saying he had been sued for hiring employees from competing companies.

Scott Galloway, LeapFox Learning; **Lindsey Tyler**, on behalf of **Brody Tyler**, Inbound Systems; **Jody Sedrick**, **Jeremy Chou**, on behalf of himself, spoke **in support** of the bill.

Codi Galloway, stated the bill uses clear, concise language and the focus should be on the term "Key Employee".

MOTION: **Rep. DeMordaunt** made a motion to send **H 487** to the floor with a **DO PASS** recommendation.

Guy Hallam, **William Locke** and **Renaë Carroll** spoke **in opposition** to the bill. They agreed that a presumption of irreparable harm is inappropriate. The legislation could lead to frivolous lawsuits. Mr. Locke stated resolution of these conflicts can't be legislated and the bill changes how cases are tried.

Aaron Coulter and **Jason Ronk** spoke **in support** of the bill. Mr. Ronk said the Micron legal team had reviewed the issue and determined the legislation would benefit employers.

Rep. McDonald was called upon to give his closing remarks. He thanked those who testified and apologized once again for what he termed his uncivil behavior earlier.

Rep. Crane invoked **Rule 38** stating a possible conflict of interest.

Reps. Clow, Anderst, Beyeler, and **Rusche** spoke **in opposition** to the motion citing concerns relative to the terms key employee and presumption of irreparable harm. Proving a negative is difficult to do.

Reps. DeMordaunt, Troy, and **Monks** spoke **in support** of the motion.

A clarification was called for, **Rep. Crane** objected to the clarification because the chairman had already asked for a closing statement from the sponsor.

**ROLL CALL
VOTE:**

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

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 4:04 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 PM or Upon Adjournment
Room EW41
Tuesday, March 15, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1359	Farm implements/equip, repurchase	Roger Batt, Western Equipment Dealers

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Barbieri	Rep Batt	Rep DeMordaunt
Vice Chairman Clow	Rep Hixon	Rep Dixon
Rep Collins	Rep Kauffman	Rep Troy
Rep Crane	Rep Monks	Rep Smith
Rep Palmer	Rep Anderst	Rep Rusche
Rep Thompson	Rep Beyeler	Rep Jordan(Memmott)

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, March 15, 2016

TIME: 1:30 P.M. or Upon Adjournment

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 (Memcott)

**ABSENT/
EXCUSED:** Rep. Rusche

GUESTS: Roger Batt, Western Equipment Dealers Assoc.; Suzanne Budge, SBS Assoc. LLC/John Deere; Matt Reiber, Intern

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

MOTION: **Rep. Anderst** made a motion to approve the minutes of the March 3, 2016 meeting. **Motion carried by voice vote.**

S 1359: **Roger Batt**, Western Equipment Dealers Assoc., presented **S 1359**. The bill clarifies rental and demonstration equipment that has not been retailed to an end user shall be eligible for repurchase within the 36 months immediately proceeding notification of intent to cancel or discontinue the contract. The legislation also clarifies that specialized repair tools that are repurchased by a supplier and are not in new, unused condition shall be repurchased as repair tools in complete and usable condition. A new depreciation schedule to determine the value of demonstration and rental equipment is included.

Suzanne Budge, SBS Assoc., representing John Deere, spoke **in support of S 1359**.

Rep. DeMordaunt spoke **in opposition** to the bill. He stated this bill is an attempt to micromanage business and the effort does Idaho businesses a disservice.

In answer to questions, **Chairman Barbieri** said the contracts referred to in the bill are contracts of adhesion and are treated differently in the law.

Rep. Batt invoked **Rule 38** stating a possible conflict of interest, but she will be voting on the legislation.

MOTION: **Rep. Hixon** made a motion to send **S 1359** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** requested to be recorded as voting **NAY**. **Rep. Crane** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:49 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 PM or Upon Adjournment
Room EW41
Monday, March 21, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1315 aa	Trustee's sale, property disposal	Trent Wright, Idaho Bankers Association

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

Joyce McKenzie
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Monday, March 21, 2016
TIME: 1:30 PM or Upon Adjournment
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: Representative(s) Palmer, Hixon, Monks, Troy, Rusche
GUESTS: None
Chairman Barbieri called the meeting to order at 4:04 P.M.
MOTION: **Rep. Anderst** made a motion to approve the minutes of the March 9, 2016 and March 15, 2016 meetings. **Motion carried by voice vote.**
S 1315aa: **Trent Wright**, President & CEO, Idaho Bankers Assoc., presented **S 1315aa**. He stated this legislation clarifies following the 10th day of a trustee's sale the purchaser may remove any non-titled personal property remaining in the unoccupied premises. The property can be placed in suitable storage for a period of 90 days. Prior to disposing of the personal property, the purchaser shall provide both a written notice to the last known occupant and a posted notice to the premises. If the owner fails to claim the property within 90 days, the purchaser may dispose of the property and shall have no further liability for it. In answer to a question, Mr. Wright responded the purchaser of the home is responsible for payment of storage fees. Participants in the banking and foreclosure realm have been thoroughly vetted so they will be aware of the regulation.
MOTION: **Rep. Beyeler** made a motion to send **S 1315aa** to the floor with a **DO PASS** recommendation.
Rep. Beyeler asked if it would be appropriate to request the bill be sent directly to the Second Reading Calendar. **Rep. Crane** called for a point of order. He said bills automatically go to the Second Reading Calendar so a motion to that effect is not necessary.
VOTE ON MOTION: **Motion carried by voice vote. Rep. Beyeler** will sponsor the bill on the floor.
ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:14 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 PM or Upon Adjournment
Room EW41
Wednesday, March 23, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1317aa	Homeowner's assoc., attorney's fees	Sen. Lakey

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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

COMMITTEE SECRETARY

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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, March 23, 2016
TIME: 1:30 PM or Upon Adjournment
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:** Reps. Palmer, Kauffman, Anderst
GUESTS: Andrew Mitzel, Realtors
Chairman Barbieri called the meeting to order at 3:53 P.M.
MOTION: **Rep. Jordan** made a motion to approve the minutes of the March 21, 2016 meeting. **Motion carried by voice vote.**
S 1317aa: **Senator Lakey** presented **S 1317aa**. He stated this legislation clarifies Home Owners' Associations may only seek attorney's fees and costs from a property owner after the property owner has had the opportunity to cure any violation. A court may determine the attorney's fees assessed by an association are reasonable. The prevailing party in a dispute may be awarded attorney's fees and costs. In answer to a committee question, he stated it is common practice for HOA's to send a homeowner notice of an infraction on attorney letterhead and pass the attorney fees on to the homeowner before he/she has had an opportunity to correct the infraction.
MOTION: **Rep. Hixon** made a motion to send **S 1317aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Anderst** will sponsor the bill on the floor.
Chairman Barbieri and the committee thanked Page, **Katherine Nelson** and secretary, **Joyce McKenzie** for their work this session.
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 4:20 P.M.

Representative Barbieri
Chair

Joyce McKenzie
Secretary