

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Monday, January 17, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29144	Prohibition, Rent Regulation	Rep. Palmer

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Monday, January 17, 2022
TIME: 1:30 P.M.
PLACE: Room EW41
MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green
**ABSENT/
EXCUSED:** Rep. Furniss, DeMordaunt, Nichols, Shepherd
GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.
Chairman Dixon called the meeting to order at 1:29 p.m.
Chairman Dixon welcomed the committee back into session and made introductions.
RS 29144: **Rep. Palmer** presented **RS 29144** to amend Section 55-307 of the Idaho Code to clarify local governments may not control or regulate rent, fees, or deposits when leasing a private residential property.
Rep. Palmer said, currently, local governments are only prohibited from controlling rent. This legislation would add "fees and deposits" to the list of items local governments could not regulate or control.
In response to a committee question, **Rep. Palmer** said he believes Air B&B's will be addressed under different regulations.
MOTION: **Rep. Crane** made a motion to introduce **RS 29144**. **Motion carried by voice vote.**
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:35 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Tuesday, January 25, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29181	Security Deposits	Rep. Nichols
RS 29195	Digital Assets	Rep. Manwaring
DOCKET NO.:		
48-0101-2100F	Notice of Omnibus Rulemaking (Fee Rule) - Pending Rule - Idaho Grape Growers and Wine Producers Commission	Brenna Smith, Operations and Finance Manager, Idaho Grape Growers and Wine Producers Commission

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, January 25, 2022

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Rep. Crane, Adams

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

Chairman Dixon called the meeting to order at 1:29 p.m.

MOTION: **Rep. Berch** made a motion to approve the meeting minutes from January 17, 2022. **Motion carried by voice vote.**

RS 29181: **Rep. Nichols** presented **RS 29181**. This proposed legislation makes the following changes to Idaho Code under section 6-321: Adding both the Federal Deposit Insurance Corporation and the National Credit Union Administration for the purposes of holding security deposits for residential rental premises managed by a third-party.

Last year **H 152** passed to address deposits. **RS 29181** introduces a technical change to that bill because many areas in Idaho have credit unions rather than FDIC insured banks. **Rep. Nichols** declared **Rule 80**.

In response to committee questions, **Rep. Nichols** said she is not opposed to the legislation going into effect upon signature of the Governor. She indicated most businesses have established accounts with their lending institutions so this change should not cause any challenges for the banks or credit unions. **Rep. Berch** declared **Rule 80**.

MOTION: **Rep. DeMordaunt** made a motion to introduce **RS 29181**.

During discussion, there was encouragement, again, to change the effective date of the proposed legislation so it would go into effect immediately upon passage and approval.

**MOTION
WITHDRAWN:** **Rep. DeMordaunt** requested unanimous consent to withdraw her motion. There being no objection, the motion was withdrawn.

MOTION: **Rep. DeMordaunt** made a motion to introduce **RS 29181**, including language to change the effective date to, "...upon signature of the Governor." **Motion carried by voice vote.**

RS 29195: **Rep. Manwaring** presented **RS 29195** to define the legal status of digital assets, classify digital assets as personal property, and specify rights of purchase, possession, and control. He declared **Rule 80**.

Rep. Manwaring stated this proposed legislation is a starting point for dealing with digital assets, including how it can be used in business. Digital assets are controllable electronic records and will be recognized as personal property. It clarifies digital assets may be purchased and sold. Examples of digital assets include electronic documents, media, digital art and music. Digital assets are currently in a two-trillion dollar asset class.

In response to committee questions, **Rep. Manwaring** said the IRS currently defines digital assets as personal property and property gains are paid on these assets. For example, the user is responsible for reporting and paying taxes on cryptocurrency. Concern was expressed about the potential need for additional law enforcement resources to address illegal sales. Rep. Manwaring stated there would not be an additional burden on law enforcement resources.

MOTION: **Rep. Clow** made a motion to introduce **RS 29195. Motion carried by voice vote.**

DOCKET NO. 48-0101-2100F: **Brenna Smith**, Operations and Finance Manager, Idaho Grape Growers and Wine Producers Commission (IGGWPC) presented **Docket No. 48-0101-2100F**, a pending rule regarding the re-authorization of fee rules for IGGWPC. She stated the rules are existing rules, previously reviewed by the Legislature, and have not been changed in the last year.

MOTION: **Rep. Palmer** made a motion to approve **Docket No. 48-0101-2100F. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:51 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Thursday, January 27, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO.:		
12-0000-2100	Notice of Omnibus Rulemaking - Pending Rule 12.01.04 - Idaho Credit Union Act 12.01.10 - Idaho Residential Mortgage Practices Act	Anthony Polidori, Deputy Director, Idaho Department of Finance
12-0000-2100F	Notice of Omnibus Rulemaking (Fee Rule) - Pending Rule 12.01.08 Uniform Securities Act	Anthony Polidori
RS 29239	Building Codes for Non-Profit Installations	Rep. Dixon
RS 29243	Energy Conservation Code	Rep. Dixon

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, January 27, 2022

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** **Reps. Crane, Mitchell**

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

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

DOCKET NO. 12-0000-2100: **Anthony Polidori**, Deputy Director, Idaho Department of Finance, presented **Docket No. 12-0000-2100**, including pending rules related to the Idaho Credit Union Act and the Idaho Residential Mortgage Practices Act. He stated the rules remain unchanged from the rules previously reviewed and approved by the Legislature.

MOTION: **Rep. Galloway** made a motion to approve **Docket No. 12-0000-2100**. **Motion carried by voice vote.**

DOCKET NO. 12-0000-2100F: **Mr. Polidori** presented **Docket No. 12-0000-2100F**, including a pending fee rule related to the Uniform Securities Act. He stated the rule remains unchanged from the rule previously reviewed and approved by the Legislature.

MOTION: **Rep. Shepherd** made a motion to approve **Docket No. 12-0000-2100F**. **Motion carried by voice vote.**

Chairman Dixon turned the gavel over to **Rep. Palmer**.

RS 29239: **Chairman Dixon** presented **RS 29239**. This legislation allows a non-profit organization and its volunteers to construct single family residences without the need to sub-contract work to licensed individuals. The legislation creates an electrical, plumbing, and HVAC licensure exemption when providing these volunteer services. It does not change the current requirements in Idaho Code to pull a permit and complete an inspection according to life-safety codes when completing these installations in a single-family residence.

In response to committee questions, **Rep. Dixon** said there is no value limit on homes being built and non-licensed workers, specifically volunteers, can do the installations. He stated State rules must be followed and the work will be inspected upon completion. Chairman Dixon said the non-profit organizations will save money by not needing to hire a contractor.

MOTION: **Rep. Nichols** made a motion to introduce **RS 29239**.

During committee discussion, there was a question relating to the difference between a non-profit and a charitable organization. Chairman Dixon said he will research the difference between the two types of organizations. Concern was expressed about unintended loopholes. There was a suggestion to revisit the language before introducing the RS.

SUBSTITUTE MOTION:

Rep. Berch made a substitute motion to return **RS 29239** to the sponsor to reevaluate the language used and ensure there are no unintended loopholes created.

During committee discussion, **Reps. Barbieri, Rep. Clow** and **Rep. Ferch** said they will not support the substitute motion because they are not concerned with the current language in the proposed legislation.

SUBSTITUTE MOTION WITHDRAWN:

Rep. Berch asked for unanimous consent to withdraw his substitute-motion. There being no objection, the substitute motion was withdrawn.

VOTE ON ORIGINAL MOTION:

Motion carried by voice vote.

RS 29243:

Chairman Dixon presented **RS 29243**. This proposed legislation will create the Idaho Energy Conservation Code in Title 39, Chapter 97, Idaho Code. The new chapter adds the current adoption of 2018 International Energy Conservation Code by the Building Code Board into Idaho Code. The legislation prohibits local governmental entities from adopting any energy codes that differ from or are more extensive than the requirements of the Idaho Energy Conservation Code. The legislation does not adopt any new provisions of energy code and does not change the rulemaking authority for the Building Code Board under the Division of Occupational and Professional Licenses to make amendments, revisions or modifications to the Idaho Energy Conservation Code, adopted by the Idaho Legislature.

Chairman Dixon said this proposed legislation will bring everyone up to the same level in the energy conservation code and it will be codified in Idaho law.

In response to committee questions, **Chairman Dixon** confirmed he is willing to add the new clause, recommended by **Rep. Barbieri** stating, "Any rules, including temporary rules, promulgated pursuant to this Section must be approved by concurrent resolution during the next succeeding regular session of the legislature, and in the case of a temporary rule, if not so approved, the rule expires at the end of said succeeding session, and cannot be re-promulgated without going through the negotiated rulemaking process." **Rep. Barbieri** said this will help with the rule-making process. He also stated the additional language will ensure new temporary rules are not drafted immediately following sine die. It was proposed this language be added as section four (4) and the emergency clause become section five (5).

Rep. Berch said it is inappropriate to make this large of a change to a piece of legislation without committee members having an opportunity to read and fully understand the ramifications of the proposed amendment.

MOTION:

Rep. Barbieri made a motion to introduce **RS 29243**, adding the new language, as stated above, to section four (4) and moving the emergency clause to section five (5).

During committee discussion, **Chairman Dixon** confirmed his willingness to include the clause to **RS 29243**. **Rep. DeMordaunt** will support this the motion because it does not impact the substance of the proposed legislation. It would impact what happens to the bill in the future when the legislature is out of session. **Rep. Nichols** said she appreciates the suggested language and will also support the motion. It was clarified the added language applies only to this piece of proposed legislation. **Rep. Berch** will not support the motion.

VOTE ON THE MOTION:

Motion carried by voice vote. Rep. Berch requested to be recorded as voting Nay.

ADJOURN: There being no additional business to come before the committee the meeting adjourned at 2:01 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Monday, January 31, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO.:		
18-0000-2100F	Notice of Omnibus Rulemaking (Fee Rule) - Pending Rule	Dean Cameron, Director, Idaho Department of Insurance
18-0000-2100	Notice of Omnibus Rulemaking - Pending Rule	Dean Cameron
18-0201-2101	Insurance Rates and Credit Rating (NewChapter) - Pending Rule	Dean Cameron
18-0305-2101	Credit Life and Credit Disability Insurance (NewChapter) -Pending Rule	Dean Cameron
18-0401-2101	Health Carrier External Review (New Chapter) - Pending Rule	Dean Cameron
18-0402-2101	Complications of Pregnancy, Newborn, and Adopted Children Coverage (New Chapter) - Pending Rule	Dean Cameron
18-0407-2101	Restrictions on Discretionary Clauses in Health Insurance Contracts (New Chapter) - Pending Rule	Dean Cameron
18-0410-2101	Medicare Supplement Insurance Standards (New Chapter) - Pending Rule	Dean Cameron
18-0604-2101	Continuing Education (New Chapter) - Pending Rule	Dean Cameron

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COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Monday, January 31, 2022

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** None

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

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

MOTION: **Rep. Berch** made a motion to approve the committee meeting minutes from January 25, 2022. **Motion carried by voice vote.**

DOCKET NO. 18-0000-2100F: **Dean Cameron**, Director, Idaho Department of Insurance (DOI) presented **Docket No. 18-0000-2100F**. He stated there are two (2) rule chapters in this omnibus action. Both are existing rules, previously reviewed and adopted by the legislature. There are no changes to either fee rule.

MOTION: **Rep. Bundy** made a motion to approve **Docket No. 18-0000-2100F**.
During committee discussion, **Rep. Crane** declared Rule 80, stating a potential conflict.

**VOTE ON
MOTION:** **Motion carried by voice vote.**

DOCKET NO. 18-0000-2100: **Dir. Cameron** presented **Docket No. 18-0000-2100** which includes thirty-two (32) chapters, all previously reviewed and adopted by the legislature. He stated there are no changes from what was previously adopted, except for the rules specifically identified as part of the department's ZBR review. Mr. Cameron explained their approach to the omnibus started with the Red Tape Reduction Act. Rules were decreased by a net 24 chapters and the total word count was reduced by 44%. Multiple outreach meetings were held and the Rules were mostly supported by the industry.

MOTION: **Rep. Furniss** made a motion to approve **Docket No. 18-0000-2100**. **Motion carried by voice vote.**

DOCKET NO. 18-0201-2101: **Dir. Cameron** presented **Docket No. 18-0201-2101** - Insurance Rates and Credit Rating. The change asks carriers to make a self attestation that they are compliant with the Rules set forth by the Idaho Department of Insurance (DOI). The DOI's rule and rate review had become complicated and cumbersome and was considered in conflict with the statute by the Attorney General's staff. Audits may still be done by the DOI if there are suspected problems.

MOTION: **Rep. Furniss** made a motion to approved **Docket No. 18-0201-2101**.
During committee discussion, **Rep. Berch** stated discomfort in approving this docket because it appears to be a step back in oversight.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Berch** requested to be recorded as voting NAY.

DOCKET NO. 18-0305-2101: **Dir. Cameron** presented **Docket No. 18-0305-2101** Credit Life and Credit Disability - There were no substantive changes, only removal of repetitive language.

MOTION: **Rep. Furniss** made a motion to approve **Docket No. 18-0305-2101. Motion carried by voice vote.**

DOCKET NO. 18-0401-2101: **Dir. Cameron** presented **Docket No. 18-0401-2101** Health Carrier External Review - There were no substantive changes, only removal of repetitive language.

In response to committee questions, **Dir. Cameron** clarified there are approximately 60 external reviews annually brought by consumers and carriers. The majority of complaints are brought by consumers. Close to 50% of those cases get overturned. He stated authorized representatives may represent a consumer, such as a provider or attorney. There are existing provisions in Idaho Code that allow for this to happen. He also clarified, "Banned Acts", are already in state statute, therefore do not need to be repeated in the Rules.

Dir. Cameron explained health insurance companies are required to keep attestations of self examination and the DOI reserves the right to conduct reviews at any time. This approach has not caused an increase in consumer complaints. Self review by carriers is new to the industry, in that it requires companies to provide the attestation. While the approach has shifted, they still set their own rates.

An employee has cause for action under the Employee Retirement Income Security Act of 1974 (ERISA). **Dir. Cameron** stated under Title 41 Chapter 59, there is no inference that DOI has authority over non-governmental agencies. In relation to educators, teachers and school employees may file for an external review. DOI does not deny anyone in filing a redress.

Wes Drexler, Deputy Director, DOI clarified an authorized representative, including a health care provider, may represent in individual. In Idaho Code, 41-5903 Chapter 59 of Title 41- External Review Statute, there is a definition chapter that defines a covered person includes an authorized representative. An individual has the right to have a health care provider represent them.

MOTION: **Rep. Ferch** made a motion to approve **Docket No. 18-0401-2101. Motion carried by voice vote.**

DOCKET NO. 18-0402-2101: **Dir. Cameron** presented **Docket No. 18-0402-2101** Complications of Pregnancy, Newborn, and Adopted Children Coverage - There were no substantive changes. Two previous rules were combined, including Complications of Pregnancy and Uniform Coverage for Newborn and Newly Adopted Children. Repetitive language was also removed.

Rep. Furniss and **Chairman Dixon** declared **Rule 80.**

In response to committee questions, **Dir. Cameron** said much of the existing language comes from terminology used by insurance carriers. It does not speak specifically to the effect or lack of effect of any vaccine. By nature of the Rule, all information about inclusions or exclusions must be included in a contract.

Dir. Cameron explained missed abortions occur form involuntary actions. Examples include an empty gestational sac, a fetus without a heartbeat before 20 weeks that has experienced embryologic death, without expulsion, or a stillbirth. Missed abortions are required to be covered by insurance.

MOTION: **Rep. Furniss** made a motion to approve **Docket No. 18-0402-2101. Motion carried by voice vote.**

DOCKET NO. 18-0407-2101: **Dir. Cameron** presented **Docket No. 18-0407-2101** Restrictions on Discretionary Clauses in Health Insurance Contracts - There were no substantive changes, only removal of repetitive language.

MOTION: **Rep. Furniss** made a motion to approve **Docket 18-0407-2101**. **Motion carried by voice vote.**

DOCKET NO. 18-0410-2101: **Dir. Cameron** presented **Docket No. 18-0410-2101** Medicare Supplement Insurance Standards - This Rule was created due to the passage of **S 1143** and was not included in the reduction act because new language had to be adopted. One purpose of **S 1143** was to eliminate dead-pooling, when a carrier comes into the market, very competitively, closes a block of business after a period of time and comes back into the market with a new company and product. When this occurs to increase profits. Additionally, the statute takes health insurance plans to a community rating rather than "attained age" or "issue age" ratings. **S 1143** also allows consumers to shop for plans once a year, at their birth date. They have sixty-three (63) days to switch plans. **Dir. Cameron** said DOI also eliminated outdated and unnecessary provisions in this docket..

In response to committee questions, **Dir. Cameron** indicated companies who leave the state are required, by law, to continue providing service to their subscribers. He said rates are still significantly lower for Medicare but the reduction in rates decrease with age. The DOI is providing consumer alerts to work against television ads and others who are preying on senior citizens and vulnerable populations. Medicare advantage plans are not available everywhere in Idaho and there are approximately two dozen who offer medicare supplements.

MOTION: **Rep. Furniss** made a motion to approve **Docket No. 18-0410-2101**. **Motion carried by voice vote.**

DOCKET NO. 18-0604-2101: **Dir. Cameron** presented **Docket No. 18-0604-2101** Continuing Education - There were no substantive changes, just removal of repetitive language.

MOTION: **Rep. Clow** made a motion to approve **Docket No. 18-0604-2101**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:34 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Tuesday, February 01, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
H 442	Property - Fees, and Deposits	Rep. Palmer
RS 29029C1	Securities	Rep. Furniss
RS 29059C1	Payday Lenders, Licensing System	Rep. Furniss

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COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, February 01, 2022

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** None

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

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

H 442: **Rep. Palmer** introduced **H 442**. This legislation would amend existing code to clarify local governments may not control or regulate rent, fees, or deposits when leasing a private residential property. Currently, local governments are only prohibited from controlling rent. This legislation would add "fees and deposits" to the list of items local governments could not regulate or control.

Denise Carruzi, Boise City Ada County Homeless Coalition, **Linda Beebe**, Self, **Kendra Knighten**, Idaho Asset Building Network, **Marisa Keith**, **Lisa Sanchez**, **Alexa Roitman**, **Julie Hart**, and **Janelle Wintersteen** spoke in **opposition** to **H 442** because affordable housing is critical and the government should minimize barriers to achieving it. While property owners should have the right to set rent, housing fees are different and create a separate stream of income which allows the owner to charge per person. With current economic difficulties and the housing shortage, affordable housing is vital to support stable communities.

In response to questions, **Ms. Sanchez** said a lease renewal fee is simply a loophole that landlords use to charge renters additional fees. There are many complaints about the improper use of rental fees because the current system creates incentives for landlords to exploit people. With the City of Boise's current ordinances which place a cap on application fees, she has seen fewer complaints.

Michael Prentiss, Prentiss Properties, spoke in **opposition** to **H 442**. As a real estate investment company owner, he seeks to give people a nice place to live at a fair price. Landlords have opportunities to take advantage of renters and can make thousands of dollars on each unit by encouraging as many applications per unit as possible. This could be solved by making application fees refundable.

In response to questions about the average cost of background checks, **Mr. Prentiss** said background checks have cost around twenty-five dollars and he wasn't aware of any significant increase. Out-of-state companies are just using the process to make money.

Rep. Nichols and **Rep. Ferch** declared Rule 80.

Kathy Griesmeyer, Director of Government Affairs, City of Boise, testified in **opposition** to **H 442** and said there is a thirty dollar cap on application fees in Boise. Landlords can only accept applications based on availability of units. There have been no problems since these rules were enacted and this legislation is searching for a problem. Local authority should be able to regulate these ordinances.

In response to questions, **Ms. Griesmeyer** said there has been an increase in property taxes. With more people moving into the Boise area, it is a complex issue. The growing property taxes are frequently passed on to renters. Affordable housing is a major problem and this legislation would only exacerbate it.

Don May, Paul Smith, Idaho Apartment Association, and **Melissa Sharone**, Association for Property Managers, spoke **in support** of **H 442** saying the ordinances in Boise are an overreach of government authority. Landlords need to have this protection from renter abuses. The free market is able to regulate fee prices without government intervention.

In response to questions, **Mr. May** said he charges twenty-nine dollars, which is the same as Zillow. He does not charge for his time to go through the applications and background checks.

In response to questions, **Mr. Smith** said other states do have more regulations but laws have to be balanced. If the fees are capped, businesses will find creative ways to recoup charges. However, the state could set parameters to protect renters while still being fair for all.

Rep. Palmer closed by saying cities are using loopholes and this legislation would ensure that Idaho continues to be a business-friendly state.

MOTION: **Rep. Ferch** made a motion to send **H 442** with **DO PASS** recommendation.

During committee discussion, **Rep. Green** said she cannot support the motion because it is within the government's role to prevent predatory behaviors and protect residents.

SUBSTITUTE MOTION: **Rep. Berch** made a substitute motion to **HOLD H 442** in committee. **Motion failed by voice vote.**

ROLL CALL VOTE ON ORIGINAL MOTION: A roll call vote was requested. **Original motion carried by a vote of 14 AYE, 2 NAY, and 2 Absent/Excused. Voting in favor** of the motion: **Reps. Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, and Dixon. Voting in opposition** to the motion: **Reps. Berch and Green. Reps. Crane and Furniss** were absent/excused. **Rep. Palmer** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:58 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Thursday, February 03, 2022

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<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29275	State Treasurer, Investments	Rep. Furniss
DOCKET NO.:		
24-0000-2100	Notice of Omnibus Rulemaking - Pending Rules	Tim Frost, Deputy Administrator
	24.39.60 Uniform School Building Safety	Idaho Division of Occupational and Professional Licenses
	24.39.80 Minimum Safety Standards and Practices for Logging	
24-0000-2100F	Notice of Omnibus Rulemaking (Fee Rule) - Pending Rule	Tim Frost
	24.05.01 Drinking Water and Wastewater Professionals	
	24.32.01 Professional Engineers and Professional Land Surveyors	
	24.39.10 Idaho Electrical Board	
	24.39.20 Plumbing	
	24.39.30 Building Safety	
	24.39.31 Factory Built Structures	
	24.39.70 Installation of HVAC Systems	

Public Testimony Will Be Taken by Registering Through the Following Link:
[**Register to Testify**](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon	Rep DeMordaunt	Rep Ferch
Vice Chairman Furniss	Rep Clow	Rep Galloway
Rep Crane	Rep Andrus	Rep Mitchell
Rep Palmer	Rep Nichols	Rep Shepherd
Rep Barbieri	Rep Adams	Rep Berch
Rep Armstrong	Rep Bundy	Rep Green

COMMITTEE SECRETARY

Kelly Staskey
Room: EW58
Phone: 332-1139
Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, February 03, 2022

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Rep. Andrus, Bundy

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

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

RS 29275: **Vice Chairman Furniss** presented **RS 29275**. This proposed legislation allows the State Treasurer to provide financial education for the purpose of increasing financial literacy and preparedness for retirement. It provides for a review of retirement savings vehicles and a portal to highlight options for individual retirement accounts for private sector employer informative purposes.

Vice Chairman Furniss said the majority of Idahoans are vastly unprepared, financially, for retirement and most private-sector employees in Idaho do not offer a retirement plan at work. When retirees have adequate money upon retirement they rely less on safety net programs. This proposed legislation leverages existing resources and provides access to low dollar IRA's.

Vice Chairman Furniss stated no additional appropriation would be needed. The information provided through this legislation would be hosted on the Treasurer's website and any costs for updating the website could be accommodated within the current appropriation.

MOTION: **Rep. Adams** made a motion to introduce **RS 29275**.

In response to questions, **Vice Chairman Furniss** stated many states have implemented these types of programs and most have done very well, accumulating assets. The 529 program works well because it will connect this program to the IRA, promoting them together. Reaching out to businesses who are doing the 529 and offering the connection to the IRA. Vendors will need to go through the Request for Proposals process to be listed on the Treasurer's website.

**VOTE ON
MOTION:** **Motion carried by voice vote.**

**DOCKET NO.
24-0000-2100:** **Tim Frost**, Deputy Administrator, Idaho Division of Occupational and Professional Licenses (DOPL) presented **Docket No. 24-0000-2100**, a pending rule. Before starting, he introduced **Michelle Bird**, Building Construction and Real Estate Bureau Chief, DOPL. Mr. Frost highlighted two chapters with changes. He said all other chapters have been previously reviewed and approved by the Legislature and have not been changed in the past year. All of the Rules were reviewed in accordance with the Red Line Reduction Act.

**RULE
CHAPTER
24.39.60:**

Mr. Frost presented **Rule Chapter 24.39.60 Uniform School building Safety**. Four (4) definitions were removed from this rule chapter: Division, Administrator, Imminent Safety Hazard, and Serious Safety Hazard. These definitions are previously defined in **Idaho Code, Section 39-8004**. There were no other substantive changes.

**RULE
CHAPTER
24.39.80:**

Mr. Frost presented **Rules Chapter 24.39.80. Idaho Minimum Safety Standards and Practices for Logging Safety**. Several definitions were removed from **Rules 7-10** because they are not used in this rule chapter. They do not provide any benefit to the enforcement of the Logging Safety Program.

Concerns were expressed about the definition of "qualified person" and if this is left in the Rule, it could open the door for stricter regulations in the future. There was also a concern if options are removed from this chapter, it may infer there are no requirements.

In response to questions, **Mr. Frost** clarified, "qualified person", is located in **Chapter 24.39.80, Rule .012, Employers Responsibility, Sub-section 02, Sub-section D**. It is the decision of the employer to identify the qualified person. Loggers do not need a college degree to be qualified to conduct safety inspections. **Mr. Frost** clarified no baseline qualifications were changed. DOPL does not license logging contractors nor the employer or employees underneath them. It was noted the Associated Logging Contractors support all of the proposed changes, as presented.

Mr. Frost stated redundant and unnecessary language was removed from **Rule 13**. He indicated the red-lines between **Rule 13** and **Rule 453** contain no substantive changes.

Mr. Frost said language describing logging equipment was removed from **Rule 453** because it does not assist in the enforcement of safe logging practices, it was deemed unnecessary. He also indicated picture diagrams were removed from **Rule 456**. The diagrams conveyed various options for logging operations to use but those particular options are not required to be used. **Mr. Frost** said DOPL may create an education manual containing this type of informative information in the future.

MOTION:

Vice Chairman Furniss made a motion to approve **Docket No. 24-0000-2100**.

**SUBSTITUTE
MOTION:**

Rep. Crane made a substitute motion to approve **Docket No. 24-0000-2100**, but strike the words "by a qualified person", in **Chapter 24-39-80.012, Sub-section 2, Sub-section D**.

During committee discussion, it was stated the committee needs to understand the logic behind adding the words, "qualified person".

Mr. Frost provided context to **Rule 12**, stating regular safety inspections are conducted regularly, and the intent was to add a qualifier to the language.

Rep. Shepherd said he has extensive experience as a logger and has done every phase of what is included in this section. He indicated a person with a certificate or degree may be deemed qualified but if they do not have extensive experience in the field, they may not be able to identify mechanical problems. It may provide a false sense of security. He said, "qualified person" should not be included.

Rep. Clow stated the committee is reviewing an Omnibus bill. While the committee is looking at a red-line version of the document and cannot edit the content. A motion would have to be made to reject **Sub-section D**, in its entirety.

Rep. Crane clarified the intent of his motion was to help the Senate understand the committee's area of concern, letting them know the Committee wants to approve the Docket, excluding the area of concern. **Rep. Crane** asked for a ruling from the Rules Administrator. He suggested **Mr. Frost** continue to present the DOPL rules and the committee vote on the Rules in a future meeting.

**MOTION
WITHDRAWN:**

Rep. Crane asked for unanimous consent to withdraw his substitute motion. With no objection, the motion was withdrawn.

**MOTION
WITHDRAWN:**

Vice Chairman Furniss asked for unanimous consent to withdraw his original motion. With no objection, the motion was withdrawn.

Chairman Dixon stated the committee will not vote until clarification is received from the Rules Administrator.

**DOCKET NO.
24-0000-2100F:**

Tim Frost presented **Docket No. 24-0000-2100F**, a pending rule regarding reauthorization of fee rules for DOPL. He stated he will highlight chapters with changes.

24.05.01 Drinking Water and Wastewater Professionals Mr. Frost indicated the board made a simple change. They want to provide for an apprenticeship program model for individuals who attain a Class 3 operator's license. This will provide additional educational options outside of a college experience.

Chairman Dixon stopped **Mr. Frost** and informed him the committee does not have the red-line information in their printed materials. He stated he does not want to continue until he can be assured that the committee has all of the needed information in front of them.

MOTION:

Rep. Crane made a motion to adjourn the meeting.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:20 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Monday, February 07, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29029C1	Securities	Rep. Furniss
RS 29059C1	Payday Lenders, licensing system	Rep. Furniss

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

- DATE:** Monday, February 07, 2022
- TIME:** 1:30 P.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green
- ABSENT/
EXCUSED:** Rep. DeMordaunt, Nichols, Mitchell
- GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.
- Chairman Dixon** called the meeting to order at 1:30 p.m. He announced the Committee will have a bill hearing on Wednesday and will also meet on Friday due to the deadline for submitting RS's.
- MOTION:** **Rep. Berch** made a motion to approve the meeting minutes from January 27, 2022. **Motion carried by voice vote.**
- RS 29029C1:** **Rep. Furniss** presented **RS 29029C1**. This proposed legislation clarifies the application of denial or suspension actions specific to certain registrants. Additionally, the legislation makes non-substantive technical corrections to various sections of the statute. Further, the legislation amends provisions that limit the ability of investors to obtain relief in a private right of action.
- Rep. Furniss** highlighted changes in each section. Section 1 - Adds the word, "covered" to provide consistency. Section 2 - added a comma, on page 2 line 37. Sec. 3 - Adds one year, to the current two-year time period, a consumer can take action based on fraudulent activities relating to an investment fraud. Section 4 adds appropriate citation references to federal law. This proposed legislation also clarifies where codes were located and will put them into this section. Rep. Furniss clarified by removing the statute of limitations, there can be recourse if a fraudulent scheme is identified several years after the fact.
- MOTION:** **Rep. Berch** made a motion to introduce **RS 29029C1**. **Motion carried by voice vote.**
- RS 29059C1:** **Rep. Furniss** presented **RS 29059C1**. This proposed legislation creates efficiencies and consistency in licensing processes for regulated lenders and payday lenders by requiring the use of an electronic system of licensing. Additionally, the legislation reduces unnecessary licensing requirements applicable to regulated lenders and payday lenders.
- Rep. Furniss** said 70% of licences are currently processed electronically, saving the consumer and agency processing time. He said liquidity requirements have been eliminated. No other substantive changes were made.
- In response to committee questions, **Rep. Furniss** said there was originally a liquidity requirement because there was a worry the lender would not have enough money to loan. He also stated this legislation has not been run by many Payday Loan people but he does not see anything to which they might object.

MOTION: Rep. Clow made a motion to introduce **RS 29059C1 Motion carried by voice vote..**

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

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Wednesday, February 09, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29329	Required Immunization Liability Act	Rep. Monks
RS 29425C1	Medical Information, employers	Rep. Monks
RS 29353C1	Easements, commercial character	Rep. Blanksma
RS 29436	Employee Medical Information Protection Act	Rep. Shepherd
RS 29388	Digital Assets Act	Rep. Manwaring
RS 29361	Building Codes - nonprofits	Rep. Dixon

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, February 09, 2022

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Reps. Furniss, Armstrong, Adams

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

Rep. Palmer called the meeting to order at 1:30 p.m.

MOTION: **Rep. Galloway** made a motion to approve the minutes from January 31, 2022.
Motion carried by voice vote.

RS 29329: **Rep. Monks** presented **RS 29329**. This proposed legislation holds an employer liable for damages and or injuries if the employer requires employees to receive an immunization, as a condition of employment, and the employee applies for an exemption from said immunization and their exemption is denied.

Rep. Monks asked for permission to discuss other legislation. There being no objection, he said last year there was a similar piece of legislation proposed to hold employers liable for any damages associated with the vaccination. This year there is proposed legislation to insure Worker's Compensation will cover injuries sustained as the result of a vaccine. Employees could file for worker's compensation rather than filing a lawsuit.

This proposed legislation goes beyond Worker's Compensation, which has minimums in place. **Rep. Monks** stated there is an exemption for employers who are mandated by the Federal Government to have vaccinated employees, such as manufacturers.

In response to questions, **Rep. Monks** said an employee would be eligible to go to court to seek redress, if injury occurs as the result of a mandated vaccine. He clarified exemptions are not required to be offered nor accepted by employers. He said a statute of limitations is already in place.

MOTION: **Rep. Clow** made a motion to introduce **RS 29329**. Speaking to his motion, he said Worker's Compensation is already in place to protect both the employee and employer. He clarified he is fine with the word, "exemption".

During committee discussion, it was noted broad access to compensation is appropriate. Businesses will be able to do their own analysis and decide if they want to assume liability for this mandate. Businesses may also get insurance coverage for vaccine related injuries.

**VOTE ON
MOTION:** **Motion carried by voice vote.** **Rep. Berch** asked to be recorded as voting **NAY**.

Rep. Palmer turned the gavel over to **Chairman Dixon**.

RS 29425C1: **Rep. Monks** presented **RS 29425C1**. This proposed legislation protects an employee's medical privacy. An employee does not need to disclose medical information to an employer unless the requested information is identified at or around the time of hire and said information is necessary to determine if the prospective employee can perform the essential functions of the job, for which they are being considered.

This legislation went to General Orders last year. Employers would be able to ask for medical information to ensure a person can perform the job for which they are being considered, prior to offering employment. The employee could also be required to provide any updated medical information if changes occur.

In response to a question, **Rep. Monks** clarified this proposed legislation relates to new employees.

MOTION: **Rep. Clow** made a motion to introduce **RS 29425C1**. Speaking to the motion, Rep. Clow expressed concern about protections for existing employees. **Motion carried by voice vote.**

RS 29353C1: **Rep. Blanksma** presented **RS 29353C1**. This proposed legislation creates an exception to allow commercial easements in gross (easements that benefit a particular person rather than a parcel of land) to be inheritable, bringing Idaho law into conformity with neighboring states.

In response to questions, **Rep. Blanksma** said Lake Cascade is part of a reservoir and was privately owned by ranchers and ranching companies. When the lake was flooded for the reservoir, easements in gross were created for the properties that abutted the lake. This proposed legislation will ensure property around the lake will stay with the family who owned it prior to the flooding. Easements total approximately 1,800 acres. **Rep. Crane** declared **Rule 80**.

MOTION: **Rep. Crane** made a motion to introduce **RS 29353C1**. **Motion carried by voice vote.**

RS 29436: **Rep. Shepherd** presented **RS 29436**. This proposed legislation ensures the individual rights of employees to not be discriminated against, in the work force, because of their vaccination status in regard to COVID-19 or any other emergency use authorized vaccine. Rep. Shepherd said the same proposed legislation was brought before the Legislature last year.

MOTION: **Rep. Palmer** made a motion to introduce **RS 29436**.

During committee discussion, **Rep. Berch** stated he cannot support this motion. He said employees who travel internationally, must adhere to each country's immunization laws.

VOTE ON MOTION: **Motion carried by voice vote.** **Rep. Berch** and **Rep. Green** requested to be recorded as voting **NAY**.

RS 29388: **Rep. Manwaring** presented **RS 29388**. This proposed legislation defines the legal status of digital assets, classifies digital assets as personal property, and specifies rights of purchase, possession, and control. This proposed legislation is a revision of **H 465**. One word was changed on Page 2, Line 29. The word, "intangible" was inserted to define the type of digital assets being addressed.

MOTION: **Rep. Crane** made a motion to introduce **RS 29388**. **Motion carried by voice vote.** **Chairman Dixon** handed the gavel over to **Rep. Crane**.

RS 29361: **Chairman Dixon** presented **RS 29361**. This proposed legislation allows a non-profit organization and its volunteers to construct single family residences without the need to sub-contract work to licensed individuals. The legislation creates an electrical, plumbing, and HVAC licensure exemption when providing these volunteer services. The legislation does not change the current requirements in Idaho Code to pull a permit and complete an inspection according to life-safety codes when completing these installations in a single-family residence.

Chairman Dixon said this is a new version of an RS the committee already passed. The term (DACT) was inadvertently removed in the drafting of this language. (DACT) is a specific term agreed upon in previous legislation and must remain in this proposed legislation.

MOTION: **Rep. Palmer** made a motion to introduce **RS 29361**. **Motion carried by voice vote.**

Rep. Crane turned the gavel over to **Chairman Dixon**.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:08 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
Upon adjournment of the Floor
Room EW41
Friday, February 11, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29334	Material Leins Process, mechanics	Rep. Troy
RS 29494C1	Homeowner's Association Act	Rep. Troy
RS 29028C1	Collection Agencies, licensure	Rep. Furniss
RS 29519	Reinsurance, claims	Rep. Furniss
RS 29557	Occupational Licensing Reform Act, expungement	Rep. DeMordaunt
RS 29556	Occupational Licensing, Coronavirus	Rep. DeMordaunt
RS 29235C1	New Building Code	Rep. Crane
RS 29555	Idaho Energy Conservation Code	Rep. Dixon

COMMITTEE MEMBERS

Chairman Dixon
Vice Chairman Furniss
Rep Crane
Rep Palmer
Rep Barbieri
Rep Armstrong

Rep DeMordaunt
Rep Clow
Rep Andrus
Rep Nichols
Rep Adams
Rep Bundy
Rep Ferch
Rep Galloway
Rep Mitchell
Rep Shepherd
Rep Berch
Rep Green

COMMITTEE SECRETARY

Kelly Staskey
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MINUTES
HOUSE BUSINESS COMMITTEE

- DATE:** Friday, February 11, 2022
- TIME:** Upon adjournment of the Floor
- PLACE:** Room EW41
- MEMBERS:** Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green
- ABSENT/
EXCUSED:** Reps. Crane, Armstrong, Adams, Galloway, Bundy
- GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.
- Chairman Dixon** called the meeting to order at 11:57 a.m.
- MOTION:** **Rep. Berch** made a motion to approve meeting minutes from February 7, 2022. **Motion carried by voice vote.**
- RS 29334:** **Rep. Troy** presented **RS 29334**. This proposed legislation amends Idaho Code to clarify the materials lien process must include certain documentation and notification, and the prevailing party will be entitled to recover attorney fees.
- MOTION:** **Rep. Furniss** made a motion to introduce **RS 29334**. **Motion carried by voice vote.**
- RS 29494C1:** **Rep. Troy** presented **RS 29494C1**. This proposed legislation combines all Idaho Code related to Homeowner's Associations (HOA) into a single new Chapter and Title, provides for meetings and financial disclosures, and provides for legislative intent to protect the rights of current and future property owners within the HOA.
- Rep. Troy** indicated there are two replications that need to be removed, including: 55-3204 Section (2) (b), Lines 38-39 and 55-3206 and Section (4), Lines 3-12.
- In response to committee questions, **Rep. Troy** said this legislation would not prohibit any municipality from passing ordinances associated with rentals. That is already in Idaho Code.
- MOTION:** **Rep. Mitchell** made a motion to introduce **RS 29494C1** with the following amendment: Delete 55-3204, Section (2) (b), Lines 38-39 and 55-3206, Section (4), Lines 3-12. **Motion carried by voice vote.**
- RS 29028C1:** **Rep. Furniss** presented **RS 29028C1**. This proposed legislation adds a provision to allow collection agencies to collect incidental charges included in the contract between the creditor and the debtor. Additionally, the legislation creates licensing efficiencies by requiring the use of an electronic system of licensing and allowing for the reinstatement of an expired license. Further, the legislation eliminates a licensing requirement regarding a responsible person in charge of a licensee.
- In response to committee questions, **Rep. Furniss** said unless costs are incurred or awarded, attorneys cannot collect any fees.
- MOTION:** **Rep. Green** made a motion to introduce **RS 29028C1**. **Motion carried by voice vote.**

- RS 29519:** **Rep. Furniss** presented **RS 29519**. This legislation authorizes the Director of the Department of Insurance to apply for a federal 1332 innovation waiver, and along with the board of directors of the Idaho Individual High Risk Reinsurance Pool to implement the waiver, once approved. In order to obtain larger premium reductions for consumers participating in the individual health insurance market, the legislation halts any reinsurance payments by the Idaho Individual High Risk Reinsurance Pool until the waiver application is approved. There is an ongoing savings.
- MOTION:** **Rep. Green** made a motion to introduce **RS 29519**. **Motion carried by voice vote.**
- RS 29557:** **Rep. DeMordaunt** presented **RS 29557**. Consistent with the Occupational Licensing Reform Act, this legislation allows an Idaho licensing authority to consider and grant a request for the expungement of disciplinary action previously imposed on a person's occupational license. The bill requires a licensing authority, upon request, to expunge any prior disciplinary action based on failure to timely renew a license or failure to complete required continuing education. The bill removes all requirements for a licensee to report expunged disciplinary action on future licensing or renewal applications in Idaho. The bill does not apply to civil or criminal convictions.
- In response to questions, **Rep. DeMordaunt** said if someone conducts work without renewing his or her licence, the individual would have to demonstrate they do meet the requirements. **Rep. Ferch** and **Chairman Dixon** declared Rule 80.
- MOTION:** **Rep. Shepherd** made a motion to introduce **RS 29557**. **Motion carried by voice vote.**
- RS 29556:** **Rep. DeMordaunt** presented **RS 29556**. This legislation amends Section 67, Idaho Code, adding Chapter 97. The new chapter defines terms and provides certain licensing protection for physicians, physicians assistants, nurses, and pharmacists. Furthermore, vaccination records shall not form any basis for occupational licensing purposes.
- MOTION:** **Rep. Andrus** made a motion to introduce **RS 29556**. **Motion carried by voice vote.**
- RS 29235C1:** **Rep. Dixon** presented **RS 29235C1**. This legislation adopts the 2018 International Building Code, 2018 International Energy Conservation Code, 2017 National Electrical Code, 2015 Uniform Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, and parts V and VI of the 2018 International Residential Code in Idaho Code. The legislation adds all current adopted codes in Idaho administrative rule by the respective regulatory boards into Idaho Code. The bill does not adopt any new provisions of codes and does not change the rulemaking authority for the respective regulatory boards under the Division of Occupational and Professional Licenses to make amendments, revisions or modifications to the code adopted by the Idaho Legislature.
- MOTION:** **Rep. Shepherd** made a motion to introduce **RS 29235C1**. **Motion carried by voice vote.**
- RS 29555:** **Rep. Dixon** presented **RS 29555**. This legislation will create the Idaho Energy Conservation Code in Title 39, Chapter 97, Idaho Code. The new chapter adds the current adoption of 2018 International Energy Code by the Building Code Board into Idaho Code. The Legislation prohibits local governmental entities from adopting any energy codes that differ from or are more extensive than the requirements of the Idaho Energy Conservation Code. The legislation does not adopt any new provisions of energy code and does not change the rulemaking authority for the Building Code Board under the Division of Occupational and Professional Licenses to make amendments, revisions or modifications to the Idaho Energy Conservation Code adopted by the Idaho Legislature.

MOTION: Rep. Shepherd made a motion to introduce **RS 29555. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 12:20 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Tuesday, February 15, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
H 473	PROPERTY - Amends existing law to provide that security deposits for residential rental premises shall be maintained in accounts at institutions insured by the FDIC or the NCUA.	Rep. Nichols
H 581	EMPLOYEE MEDICAL INFORMATION PROTECTION ACT - Adds to existing law to implement the Employee Medical Information Protection Act.	Rep. Shepherd

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon	Rep DeMordaunt	Rep Ferch
Vice Chairman Furniss	Rep Clow	Rep Galloway
Rep Crane	Rep Andrus	Rep Mitchell
Rep Palmer	Rep Nichols	Rep Shepherd
Rep Barbieri	Rep Adams	Rep Berch
Rep Armstrong (Armstrong)	Rep Bundy	Rep Green

COMMITTEE SECRETARY

Kelly Staskey
Room: EW58
Phone: 332-1139
Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, February 15, 2022

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer (Palmer), Barbieri, Armstrong (Armstrong), DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Rep. Dixon, DeMordaunt

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.

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

H 473: **Rep. Nichols** introduced **H 473**. This bill makes the following changes to Idaho Law under Sections 6-321: Adding both the Federal Deposit Insurance Corporation and the National Credit Union Administration for the purposes of holding security deposits for residential rental premises managed by a third-party.

Spencer Harrison, Realty Management Associates Inc. spoke in support of **H 473**. From the perspective of a property manager, he recommended an amendment to Section 21 which currently reads, "...30 days after surrender of the premises by the tenant." He suggested a change to say, "... after the conclusion of the tenancy." Mr. Harrison clarified tenants sometimes surrender a premises to the property manager early but it may not be the conclusion of their tenancy. If the time limit is left at 30 days, it may prohibit the property manager from taking full accounting for the entire period of tenancy.

In response to a committee question, **Mr. Harrison** said this section of **H 473** will create issues for those who do not specify a time limit in their rental agreement and the tenant surrenders the premises early.

In closing, **Rep. Nichols** said there are a few additional changes needed to this legislation but this change will be beneficial to many people.

MOTION: **Rep. Palmer** made a motion to send **H 473** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Nichols** will sponsor the bill on the floor.

H 581: **Rep. Shepherd** introduced **H 581**. This legislation ensures the individual rights of employees to not be discriminated against in the work force because of their vaccination status, in regard to COVID-19 or any other emergency use authorized vaccine.

Rep. Shepherd stated big government and big business has overstepped their bounds. He said this bill will not effect anyone who works for a company that does not mandate vaccines.

In response to questions, **Rep. Shepherd** said **H 581** will not create a new protected class. He stated because of the Supreme Court ruling, this bill will not cover workers in the health care industry, federal employees or anyone outside of the United States. Rep. Shepherd clarified many definitions are already in code and **H 581** is another piece to the puzzle to provide protection for workers. He said there is nothing in this bill stating a company cannot close their doors if there is a danger. Rep. Shepherd said he would rather see a business close its doors rather than mandate a vaccine.

Dr. Howard Bowers, representing himself, spoke **in support** of the bill. He said it should include health care workers. He expressed the bill does not go far enough but any steps the Legislature can take to limit overreach should be made.

MOTION:

Rep. Crane made a motion to send **H 581** to the floor with a **DO PASS** recommendation. He said it is a good bill and wishes it could be extended to health care workers and federal employees. Rep. Crane stated **H 581** works to restore rights back to the employee.

During committee discussion, **Rep. Green** stated she will not support the motion because **H 581** is counter to what this committee is all about. The Business Committee should be doing more to empower businesses and give them the tools they need to be successful.

Rep. Adams stated he will support the motion. He voiced concern about how the employer is defined, to not include workers in the health care field and believes the bill will present some unintended consequences.

Rep. Ferch stated he will support the motion. He said businesses have been interfering with traditional doctor patient relationships. Decisions to receive a vaccine should remain with the individual. Despite the vaccine mandate, the local hospital is currently operating under the crisis standard of care because so many employees are sick.

Rep. Berch stated he will not support the motion because if the legislature passes a law which allows anyone to spread a disease, it is not good law or public policy. There needs to be a balance between individual freedoms and responsibility to the community. This current situation may not reflect future situations.

VOTE ON MOTION:

Motion carried by voice vote. **Rep. Green** and **Rep. Berch** requested to be recorded as voting **NAY**. **Rep. Shepherd** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:00 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Thursday, February 17, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
H 612	OCCUPATIONAL LICENSING - Expungement of certain disciplinary action related to licensure	Rep. DeMordaunt
H 580	EASEMENTS - Easements in gross of a commercial character	Rep. Blanksma
H 609	LIENS OF MECHANICS AND MATERIALMEN - Attorney's fees and costs in certain instances	Rep. Troy
H 556	SECURITIES - Disciplinary conditions	Rep. Furniss
H 557	COMMERCIAL TRANSACTIONS - Use of electronic system of licensing.	Rep. Furniss

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon	Rep DeMordaunt	Rep Ferch
Vice Chairman Furniss	Rep Clow	Rep Galloway
Rep Crane	Rep Andrus	Rep Mitchell
Rep Palmer	Rep Nichols	Rep Shepherd
Rep Barbieri	Rep Adams	Rep Berch
Rep Armstrong (Armstrong)	Rep Bundy	Rep Green

COMMITTEE SECRETARY

Kelly Staskey
Room: EW58
Phone: 332-1139
Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, February 17, 2022

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong (Armstrong), DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green (Lesmeister)

**ABSENT/
EXCUSED:** Rep. Crane

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

MOTION: **Rep. Berch** made a motion to approve the meeting minutes from February 11, 2022. **Motion carried by voice vote.**

H 612: **Rep. DeMordaunt** introduced **H 612**. Consistent with the Occupational Licensing Reform Act, this legislation allows an Idaho licensing authority to consider and grant a request for the expungement of disciplinary action previously imposed on a person's occupational license. The bill requires a licensing authority, upon request, to expunge any prior disciplinary action based on failure to timely renew a license or failure to complete required continuing education. The bill removes all requirements for a licensee to report expunged disciplinary action on future licensing or renewal applications in Idaho. The bill does not apply to civil or criminal convictions.

After three (3) years, the board is required to grant expungement, if requested, for failure to renew a license or complete continuing education credits (CEU's) in a timely manner. After seven (7) years, an individual with a disciplinary action on their record may ask for board consideration of an expungement. The expungement is at the discretion of the board. She stated this is model legislation and one other state has a similar law.

Tim Frost, Deputy Administrator, Department of Occupational and Professional Licenses (DOPL), spoke **in support** of **H 612**. He said this bill provides opportunities for individuals whose records have been marred by minor infractions to have a clean record. This bill only effects occupational licensing.

In response to questions, **Mr. Frost** indicated the board does not deal with civil or criminal matters. A licensee's record is sealed after an expungement is granted. He stated the expungement serves as the record and is provided to the national database. Mr. Frost said there is opportunity for a licensee to make an appeal after a disciplinary action is issued. If an expungement request is denied, there is not an opportunity for appeal.

Rep. Ferch declared **Rule 80**.

MOTION: **Rep. Barbieri** made a motion to send **H 612** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

H 580: **Rep. Blanksma** introduced **H 580**. This bill creates an exception to allow commercial easements in gross (easements that benefit a particular person rather than a parcel of land) to be inheritable, bringing Idaho law into conformity with neighboring states.

Rep. Blanksma said this legislation addresses property easements around Cascade Lake. The area involved includes approximately 1800 acres of land. There are currently no commercial easement definitions in Idaho Code.

Heath Clark, an attorney representing himself, spoke **in support of H 580**. He wants Idaho law to be consistent with surrounding states. Making easements in gross transferable typically respects the intent of the original signor. Most easements in gross do not terminate when the property is sold. If the easement has been recorded, it runs with the ground and does not modify the terms of the agreement. An easement in gross clarifies the intent of allowing access to another's land and lives, in perpetuity. Currently, the Bureau of Reclamation does not view easements in gross as transferable.

MOTION: **Rep. Ferch** made a motion to send **H 580** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.

H 556: **Rep. Furniss** introduced **H 556**. This legislation clarifies the application of denial or suspension actions specific to certain registrants. Additionally, the legislation makes non-substantive technical corrections to various sections of the statute. Further, the legislation amends provisions that limit the ability of investors to obtain relief in a private right of action.

Rep. Furniss said **H 556** Relates to the Uniform Securities Act. It enhances consumer rights to seek relief through a private action. He stated the term, "Federally covered securities", was added where it was inadvertently left out of the last bill. It also adds a year to the limitation of two years a consumer can take action based on activities related to investment fraud.

MOTION: **Rep. Barbieri** made a motion to send **H 556** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Furniss** will sponsor the bill on the floor.

H 557: **Rep. Furniss** introduced **H 557**. This bill creates efficiencies in licensing processes for regulated lenders and payday lenders by requiring the use of an electronic system of licensing. Additionally, the legislation reduces unnecessary licensing requirements applicable to regulated lenders and payday lenders.

Rep. Furniss stated approximately 70% of licences are currently processed electronically, saving time for the agency. **Rep. Furniss** stated licensing decisions are made by the Idaho Department of Finance, not the electronic processing system.

In response to committee questions, **Rep. Furniss** clarified this bill relates to commercial lenders. A financial statement is submitted and a loan determination is made. He state this bill deletes the need for the applicant to reimburse if there is a lawsuit or a conflict.

Anthony Polidori, Deputy Dir., Department of Finance, spoke **in support of H 557**. Mr. Polidori requested permission to reference past legislation. He said **H 400** was presented to the committee in 2019 and was withdrawn to be redrafted with recommendations from the committee bill. Mr. Polidori said this bill brings efficiencies. It removes database requirements. He said the liquidity requirement is insignificant and creates more paperwork and a barrier to entry. This bill expands who can be evaluated, including those who help direct operations of a company and eliminates those who own 25% or more of a company.

In response to questions, **Mr. Polidori** said the policy requires liquid assets rather than cash on hand. The electronic system of licensing is owned and controlled by state regulators. Idaho helped create the system and there is no comparable option at the federal level. All information contained in the system belongs to the state using it. There is no usage fee for the state. Applicants pay a fee when they apply for a license and when they renew their license. Administrative cost savings average two (2) FTE's per year. Mr. Polidori said analyzing financial responsibility, character and fitness is not being expanded, rather it is adding persons who can be evaluated. He said there is nothing in the bill that would be harmful to consumers or would produce unintended consequences.

Mike Brassy, Lobbyist, representing Idaho Financial Services Association, spoke in support of **H 557**. It streamlines the process of licensing. The more lending competition that exists, the better it is for the lender. He said removing the barrier to the entry into the field is good for business. The liquidity requirement is not favorably viewed by the industry.

MOTION: **Rep. Clow** made a motion to send **H 557** to the floor with a **DO PASS** recommendation.

During committee discussion, **Rep. Berch** stated he will support the motion but reserves right to change his vote on the floor. **Rep. Nichols** expressed her concern about streamlining data.

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

H 609: **Rep. Troy** introduced **H 609**. This legislation amends Idaho Code to clarify the materials lien process must include certain documentation and notification, and the prevailing party will be entitled to recover attorney fees.

Rep. Troy said this legislation passed out of the House and stalled in the Senate, last year. Since that time, she has worked with the Association of General Contractor's and the Idaho Home Builders Association to strengthen this bill. **Rep. Troy** said If a contractor works on a house, they must provide a disclosure statement, a builder must let the homeowner know there is a lien against the house and if the homeowner prevails in any court proceeding and wins, they will be able to recover reasonable attorney fees and costs.

Rep. Mitchell declared **Rule 80**

MOTION: **Rep. Barbieri** made a motion to send **H 609** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Troy** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:45 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
3:00 P.M.
Room EW41
Monday, February 21, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO.: 24-0000-2100	Notice of Omnibus Rulemaking - Proposed Rule 24.39.60 Uniform School Building Safety 24.39.80 Minimum Safety Standards and Practices for Logging	Tim Frost, Deputy Administrator Idaho Division of Occupational and Professional Licenses
DOCKET NO.: 24-0000-2100F	Notice of Omnibus Rulemaking (Fee Rule) - Proposed Rule 24.05.01 Drinking Water and Wastewater Professionals 24.32.01 Professional Engineers and Professional Land Surveyors 24.39.10 Idaho Electrical Board 24.39.20 Plumbing 24.39.30 Building Safety 24.39.31 Factory Built Structures 24.39.70 Installation of HVAC Systems	Tim Frost

Public Testimony Will Be Taken by Registering Through the Following Link:
[***Register to Testify***](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon	Rep DeMordaunt	Rep Ferch
Vice Chairman Furniss	Rep Clow	Rep Galloway
Rep Crane	Rep Andrus	Rep Mitchell
Rep Palmer	Rep Nichols	Rep Shepherd
Rep Barbieri	Rep Adams	Rep Berch
Rep Armstrong (Armstrong)	Rep Bundy	Rep Green (Lesmeister)

COMMITTEE SECRETARY

Kelly Staskey
Room: EW58
Phone: 332-1139
Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Monday, February 21, 2022

TIME: 3:00 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway (Hancock), Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Rep. Adams

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

Vice Chairman Furniss called the meeting to order at 3:10 p.m.

DOCKET NO. 24-0000-2100: **Tim Frost**, Deputy Administrator, Division of Occupational and Professional Licensing (DOPL), presented **Pending Rule Docket No. 24-0000-2100**. He said DOPL's approach to the omnibus was in line with the Red Tape Reduction Act and clarified he would go over chapters with changes. Redundant and unnecessary language was removed to simplify all of the Rules. All other chapters have no changes and have been previously reviewed and approved by the legislature.

IDAPA 24.39.60 Uniform School Building Safety - Mr. Frost said there was technical cleanup on legal authority and four duplicative definitions were removed.

IDAPA 24.39.80 Logging Safety - Mr. Frost said the term, "qualified person" was added to ensure safety inspections for equipment is being performed by an individual with the expertise to do so. Language was removed which does not assist with the enforcement of safe practices. Safety practices are addressed elsewhere. He also stated picture diagrams were removed because the Rules do not require use of the systems pictured.

Shawn Keough, Executive Director, Association of Logging Contractors, spoke **in support of Docket No. 24-0000-2100**. She said DOPL worked closely with the Association to make the Rules more user friendly for those who use them daily. An advisory board has been established and it supports the Rule changes.

In response to questions, **Mr. Frost** stated a "qualified person" is broadly defined and does not require a college degree. The terminology already exists in other parts of the Rule in relation to conducting inspections. **Rep. Shepherd** has spoken to members of the industry and they are supportive of the current language. Rep. Shepherd has reservations about future changes in the definition of "qualified person".

MOTION: **Rep. DeMordaunt** made a motion to approve **Docket No. 24-0000-2100**. **Motion carried by voice vote. Rep. Crane** requested to be recorded as voting **NAY**.

DOCKET NO. 24-0000-2100F: **Mr. Frost** presented **Docket No. 24-0000-2100F**. He stated the approach to the omnibus was in line with the Red Tape Reduction Act and clarified he would go over chapters with changes. Redundant and unnecessary language was removed to simplify all the Rules. All other chapters have no changes and have been previously reviewed and approved by the legislature.

IDAPA 24.05.01 Drinking Water and Wastewater - Mr. Frost indicated an apprenticeship program model was added for individuals obtaining a Class III operator's license. The Idaho Rural Water Association requested the ability to provide additional education options outside of a two-year college experience.

IDAPA 24.32.01 Idaho Board of Professional Engineers and Professional Land Surveyors - Mr. Frost said language was removed relating to public statements because the Board does not have the statutory authority or jurisdiction over public statements. New language was added for surveying practices, adopting a "State Plan Coordinate" system to describe all Idaho land. He also said language was simplified regulating professional development and continuing education (CE). He noted NCEES is a standard and not a continuing education provider, therefore not limiting CE providers.

IDAPA 24.39.10 ID Electrical Board - Mr. Frost said some changes include permits are valid for 365 days beyond purchase. The Rule allows for 365 days to become licensed after passing the required exams. Contractor and Limited Contractor Rules were combined and maintain a minimum exam score of 75%, to ensure reciprocal agreements with other states are not in jeopardy. In addition, the Electrical Board may impose a civil penalty on an individual who fails to request an electrical inspection after performing electrical installations.

In response to questions, **Mr. Frost** said there is an apprentice to journeyman ratio of 1 to 4. Due to this ratio, he is not aware of increased electrical fires. DOPL hosted nine (9) public listening sessions and ratios were a topic of discussion. He stated while there were varying opinions, the majority want the Rule to remain as printed.

Shelley Roberts, CEO, Idaho Rural Water Association, spoke **in support** of apprenticeships. She said it provides an avenue to further employees in the field without requiring them to go to college.

Marty Durand, Legislative Council for the Idaho Building Trades Council, spoke **in support** of this chapter. She encouraged the committee not to make any changes until next year. In the coming year, more listening tours will be conducted and there will be more input.

24.39.20 Plumbing - Mr. Frost stated the mobile home plumbing specialty license was removed from the Rule as it is exempt from licensure in Idaho Code.

24.39.30 Building Safety (Building Code Rules) - Mr. Frost said language was added for the installation and use of "Mass Timber" products from the 2021 International Building Code. Amendments were also added to the Energy Code, addressing the global supply shortage of insulated flexible ductwork and when duct insulation is required in residential structures.

Jonathan Oppenheimer of the Idaho Conservation League spoke **in support** of the Building Code Rules, as presented. He noted some amendments were drafted in response to supply shortages and is pleased with the ability for agencies to pass Temporary Rules.

24.39.31 Factory Built Structures - Mr. Frost reported four (4) Rule Chapters have been consolidated into one chapter including the following sub-chapters: Modular Building, Manufactured / Mobile Home Licensing, Manufactured Home Consumer Complaint and Dispute Resolution Process and Manufactured or Mobile Home Installations. The scope of the Rule chapter was revised so it will apply to all sub-chapters.

24.39.70 Installation of Heating, Ventilation, and Air Conditioning (HVAC) Systems - Mr. Frost said many antiquated items were removed. Other items of note include modification of language for Specialty Contractor and Contractor requirements to ensure consistent enforcement and applicability. Language was also modified eliminating the in-state versus out-of-state experience requirements to qualify for the Contractor and Journeyman licenses, ensuring the experience requirements for Idaho applicants is equal to that of those coming from out of state.

In response to questions, **Mr. Frost** clarified refunds have been removed. A review in 2022 will address how permit refunds will be handled. Currently, DOPL has the ability to make refunds on a case by case basis.

MOTION: **Rep. Berch** made a motion to approve **Docket No. 24-0000-2100F**. **Motion carried by voice vote.** **Rep. Palmer** requested to be recorded as voting **NAY**.

MOTION: **Rep. Berch** made a motion to approve the minute from February 3, 2022. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:20 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
3:00 P.M.
Room EW41
Wednesday, February 23, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 583</u>	DIGITAL ASSETS - Adds to existing law to provide for classification of digital assets, to provide for purchase and sale of digital assets, and to provide for perfection by possession or control of digital assets.	Rep. Manwaring
<u>H 582</u>	BUILDING CODES - Amends existing law to provide for electrical, plumbing, and HVAC installations by nonprofit groups and volunteers.	Rep. Dixon
<u>H 660</u>	BUILDING CODES - Amends and adds to existing law to provide for the adoption of the Idaho Energy Conservation Code.	Rep. Dixon
<u>H 610</u>	COLLECTION AGENCIES - Amends existing law to revise certain requirements for collection agencies and applicants for licensure.	Rep. Furniss
<u>H 611</u>	INSURANCE - Amends existing law to provide for conditions for reinsurance.	Rep. Furniss

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway (Hancock)

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, February 23, 2022

TIME: 3:00 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway (Hancock), Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Reps. Armstrong, Adams, Mitchell

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 Dixon called the meeting to order at 3:00 p.m.

MOTION: **Rep. Berch** made a motion to approve meeting minutes from February 15, 2022.
Motion carried by voice vote.

H 583: **Rep. Manwaring** presented **H 583**. The purpose of this bill is to define the legal status of digital assets, classify digital assets as personal property, and specify rights of purchase, possession, and control.

Rep. Manwaring stated this bill is a starting point for how digital assets will be protected in Idaho. It is broad to protect all digital assets and defines terms. **H 583** does not create new regulations or change any laws. It sanctions rights and personal property in code. It is important to have direction for what happens to these assets when there is a divorce, bankruptcy, or other civil matter.

In response to questions, **Rep. Manwaring** said a bank account is not a digital asset but a Facebook page is a digital asset. Digital assets are now being included in wills and it is difficult to draft legal documents because there is no relative information in Idaho Code. Rep. Manwaring said Smart Contracts have built-in triggers and Bitcoin is set up to have military grade protection.

Terrel Tovey, self, **Zach Forester**, Lobbyist, Idaho Banker's Association, **Ryan Fitzgerald**, NW Credit Association, and **Seth Ruder**, professor, College of Idaho, spoke **in support of H 583**. Mr. Tovey explained the complexities of cryptocurrency and the security to protect it. All agreed it is critical to define this asset class and include it in Idaho's legal framework.

In response to questions, **Mr. Fitzgerald** said there are 38 states with active legislation related to Digital Assets.

Rep. Manwaring closed by saying the risk of not addressing digital assets is losing the ability to innovate in this arena.

MOTION: **Rep. Crane** made a motion to send **H 583** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Manwaring** will sponsor the bill on the floor.

Chairman Dixon turned the gavel over to **Vice-Chairman Furniss**.

H 582: **Chairman Dixon** presented **H 582**. This legislation allows a non-profit organization and its volunteers to construct single family residences without the need to sub-contract work to licensed individuals. The legislation creates an electrical, plumbing, and HVAC licensure exemption when providing these volunteer services. The legislation does not change the current requirements in Idaho Code to pull a permit and complete an inspection according to life-safety codes when completing these installations in a single-family residence.

Chairman Dixon said with minor changes to the current code, non-profit organizations could pull permits and have volunteers do the electrical, plumbing and HVAC work. He said the bill would make it easier and more cost effective for non-profit organizations to construct houses.

In response to questions, **Chairman Dixon** said, currently, organizations have to have a licensed contractor pull permits. Each home goes through three inspections: a rough inspection, an inspections for items in the ground / other installations, and a final inspection when the construction is completed.

Michael Kane, representing Property and Casualty Insurers Association of America proposed an amendment to **H 582**. The Association is concerned by exemptions to the Idaho Building Code. The amendment would mandate a disclosure to buyers stating unlicensed people could have installed the electrical /plumbing/ /HVAC system in the home. Mr. Kane requested the committee send **H 582** to the Amending Order.

In response to committee questions, **Mr. Kane** said insurance liability would not change. There is a difference between a homeowner doing small projects within the home versus building an entire structure. An individual purchasing a home built by non-profit, has the right to ask for an independent inspection. Inspectors are good but still miss problems.

MOTION: **Rep. Ferch** made a motion to send **H 582** to the floor with a **DO PASS** recommendation.

In closing, **Chairman Dixon** said he does not support **Mr. Kane's** proposed amendment and does not think there is any greater risk for a volunteer helping build a home than a homeowner who does work on their own home.

During Committee discussion, **Rep. Berch** said he will not support the motion but respects the intent of the legislation. Licensure is about insuring a level of competency, therefore safety, therefore consumer protection.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Bundy** and **Rep. Berch** requested to be recorded as voting **NAY**. **Chairman Dixon** will sponsor the bill on the floor.

H 660: **Chairman Dixon** presented **H 660**. This legislation will create the Idaho Energy Conservation Code in Title 39, Chapter 97, Idaho Code. The new chapter adds the current adoption of 2018 International Energy Conservation Code by the Building Code Board into Idaho Code. The legislation prohibits local governmental entities from adopting any energy codes that differ from or are more extensive than the requirements of the Idaho Energy Conservation Code. The legislation does not adopt any new provisions of energy code and does not change the rulemaking authority for the Building Code Board under the Division of Occupational and Professional Licenses to make amendments, revisions or modifications to the Idaho Energy Conservation Code adopted by the Idaho Legislature. The base codes could not be changed unless approved by the Legislature.

Jonathan Oppenheimer, External Relations Director, Idaho Conservation League, spoke **in opposition** of **H 660**. He said separating the Energy Efficiency Codes from the Rules of Building Safety and putting it in statute will increase consumer costs. Idaho Building Codes allow for flexibility to adopt Temporary and Emergency Rules. Mr. Oppenheimer requested the bill be held in committee.

Ken Burgess, Veritas, representing the Idaho Building Contractor's Association, spoke **in support** of **H 660**. He stated the Association prefers to have the Idaho Building Codes in Statute. If Codes are eliminated, it would allow local jurisdictions to set higher or lower standards and cause future problems. **H 660** will bring consistency.

In response to committee questions, **Mr. Burgess** said building for the Energy Conservation Code adds more expense but the cost in energy savings is made up over time.

MOTION: **Rep. Shepherd** made a motion to send **H 660** to the floor with a **DO PASS** recommendation.

During committee discussion it was noted Negotiated Rulemaking is possible. **Rep. Barbieri** stated he will not support the motion because he would like both houses to approve new rules.

VOTE ON MOTION: **Motion carried by voice vote.** **Rep. Barbieri** and **Rep. Berch** requested to be recorded as voting **NAY**. **Chairman Dixon** will sponsor the bill on the floor.

H 610: **Rep. Furniss** presented. **H 610**. This legislation adds a provision to allow collection agencies to collect incidental charges included in the contract between the creditor and the debtor. Additionally, the legislation creates licensing efficiencies by requiring the use of an electronic system of licensing and allowing for the reinstatement of an expired license. Further, the legislation eliminates a licensing requirement regarding a responsible person in charge of a licensee.

Anthony Polidori, Deputy Director, Idaho Department of Finance, said this legislation limits attorney fees to work performed. He explained the Electronic System of Licensing is a software platform and federal regulators use the system but they do not guide or operate it. Mr. Polidori said reinstatement of licenses may happen within 60 days of expiration without having to reapply.

MOTION: **Rep. Green** made a motion to send **H 610** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Furniss** will sponsor the bill on the floor.

H 611: **Rep. Furniss** introduced **H 611**. This legislation authorizes the Director of the Department of Insurance to apply for a federal 1332 innovation waiver, and along with the board of directors of the Idaho Individual High Risk Reinsurance Pool to implement that waiver once approved. In order to obtain larger premium reductions for consumers participating in the individual health insurance market, the legislation halts any reinsurance payments by the Idaho Individual High Risk Reinsurance Pool until the waiver application is approved. If a waiver is granted, it would lower individual health insurance costs by approximately 7-8%.

MOTION: **Rep. DeMordaunt** made a motion to send **H 611** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:39 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
2:30 pm or upon adjournment
Room EW41
Tuesday, March 01, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
S 1232	ARCHITECTS AND LANDSCAPE ARCHITECTS - Amends existing law to provide for the Board of Architects and Landscape Architects.	Rep. DeMordaunt
S 1235	ENGINEERS AND LAND SURVEYORS - Amends existing law to update definitions and to provide additional options for monuments used as references on plats and surveys.	Rep. Green
S 1299	ARCHITECTS - Amends existing law to provide for mutual recognition agreements for licensure.	Rep. Green
H 703	HOMEOWNER'S ASSOCIATION ACT - Amends, repeals, and adds to existing law to reestablish the Homeowner's Association Act.	Rep. Troy
H 614	BUILDING CODES - Amends existing law to provide for adoption of the 2018 International Building Code, the 2018 International Residential Code, the 2017 National Electrical Code, and the 2017 Idaho State Plumbing Code.	Rep. Dixon

Public Testimony Will Be Taken by Registering Through the Following Link:
[***Register to Testify***](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon
Vice Chairman Furniss
Rep Crane
Rep Palmer
Rep Barbieri
Rep Armstrong

Rep DeMordaunt
Rep Clow
Rep Andrus
Rep Nichols (Brooks)
Rep Adams
Rep Bundy

Rep Ferch (Gempler)
Rep Galloway (Hancock)
Rep Mitchell
Rep Shepherd
Rep Berch
Rep Green

COMMITTEE SECRETARY

Kelly Staskey
Room: EW58
Phone: 332-1139
Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, March 01, 2022

TIME: 2:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Rep. Palmer

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

Chairman Dixon called the meeting to order at 2:30 p.m.

Chairman Dixon changed the order of the agenda.

H 703: **Rep. Troy** and **Rep. Green** presented **H 703**. This bill combines all Idaho Code related to Home Owners Associations (HOA) into a single new Chapter and Title. It provides for meetings and financial disclosures, and provides for legislative intent to protect the rights of current and future property owners within the HOA. It also addresses prohibited conduct and rental restrictions.

In response to questions, **Rep. Troy** said the only method of recourse for HOA enforcement is suing the board. She clarified weighted voting is not addressed in the bill. Property managers, HOA's, Idaho Realtor's Association and bankers were consulted. CC&R's, in conjunction with **H 703**, will provide sideboards and more stability for HOA's. They can have different processes of how they determine dues increases, open meetings and release of financial information.

Mr. Zazio, HOA President, **Brindee Collins**, Vice Chair Legislative Action Committee and **Bert Willie**, HOA attorney, spoke in support of **H 703**. A well functioning HOA should not have any opposition to what is included in this bill. It allows HOA's be to mindful that members may stand up and ask questions. It also helps get rid of problematic board members. **H 703** consolidates everything into one place, including unincorporated associations.

Rep. Green closed by saying **H 703** establishes thresholds and provides some control to property owners.

MOTION: **Rep. Berch** made a motion to send **H 703** to the floor with a **DO PASS** recommendation. In speaking to the motion, he said the bill brings professionalism to HOA's and not supporting this bill, would be a step backward.

During committee discussions, **Rep. DeMordaunt** stated she will support the motion. It addresses her long-time concern of the balance between HOA boards and homeowners. The bill provides both process and transparency and allows homeowners to interface with HOA's in a better way. **Rep. Nichols** stated she likes the streamlining this bill provides and will support the motion. Rep. Nichols and **Rep. Furniss** declared **Rule 80**.

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

S 1232: **Rep. DeMordaunt** presented **S 1232**. The bill combines the Idaho Board of Architectural Examiners and the Idaho Board of Landscape Architects into a single board to regulate architects, architect interns, landscape architects, and landscape architects in training. This legislation will facilitate efficient licensing and oversight from the Division of Occupational and Professional Licenses. She stated the board would consist of four (4) architects, two (2) Landscape Architects and one (1) community member. There are currently 2,700 architects and 350 landscape architects in Idaho. Other states have combined these boards successfully.

In response to questions, **Tim Frost**, Deputy Administrator, Idaho Division of Occupational and Professional Licenses, said the combined board makeup will be a four (4) to two (2) balance, plus a member from the general public and is in line with the percentage from the two industries. Cost savings is anticipated to be at least \$10,000 was a consideration in combining the boards.

Ben Brocksome, Lobbyist, American Institute of Architecture, spoke **in support** of **S 1232**. He said many architects are appointed to both boards and attend both board meetings. Combining the boards will bring efficiencies.

MOTION: **Rep. Ferch** made a motion to send **S 1232** to the floor with a **DO PASS** recommendation.

Rep. Berch stated he will not support the motion but appreciates the intent and purpose behind the bill.

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

S 1235: **Rep. Green** presented **S 1235**. This legislation relates to the Board of Professional Engineers and Professional Land Surveyors. It aligns several definitions to reduce confusion, provides alternative methods of signing documents, allows new options for a basis of bearings (directions) on surveys, and allows additional options for monuments used as references on plats and surveys. These new options will reduce repetitive work and lend stability to property boundaries.

Tom Judge, Lobbyist for Idaho Land Surveyors, spoke **in support** of **S 1299**. He stated stakeholders and community members gave input and strongly support **S 1235**. Terms of this legislation were negotiated over the past two to three years.

In response to questions, **Mr. Judge** said the engineers and land surveyors will still take the exam but the application process and the exam would now be separated.

MOTION: **Rep. Berch** made a motion to send **S 1235** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Green** will sponsor the bill on the floor.

S 1299: **Rep. Green** presented **S 1299**. This legislation will allow for the Board of Architect Examiners, under the Idaho Division of Occupational and Professional Licenses, to enter into a mutual recognition agreement with another state, territory, jurisdiction, or country. The legislation allows the State of Idaho to enter into a mutual licensure recognition agreement with Canada and have mutual recognition of both Idaho architect licensees working into Canada, and Canada architect licensees working into Idaho.

In response to questions, **Mr. Frost** said there are approximately 50 architects in North Idaho interested in a pathway for them to do work in Canada.

Ben Brocksome representing the American Institute of Architects, spoke **in support** of **S 1299** and said the expanded opportunities will be beneficial to the industry.

MOTION: **Rep. Berch** made a motion to send **S 1299** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Green** will sponsor the bill on the floor.

Chairman Dixon turned the gavel over to **Vice-Chair Furniss**.

H 614: **Rep. Dixon** introduced **H 614**. This legislation adopts the 2018 International Building Code, 2018 International Energy Conservation Code, 2017 National Electrical Code, 2015 Uniform Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, and parts V and VI of the 2018 International Residential Code in Idaho Code. The legislation adds all current adopted codes in Idaho Administrative Rule by the respective regulatory boards into Idaho Code. The bill does not adopt any new provisions of codes and does not change the rulemaking authority for the respective regulatory boards under the Division of Occupational and Professional Licenses (DOPL) to make amendments, revisions or modifications to the code adopted by the Idaho legislature. Similar to the Energy Conservation Code, this bill aligns the Code cycle.

Jonathan Oppenheimer, Idaho Conservation League, **Jason Hudson**, Lobbyist representing American Federation of Labor and Congress of Industrial Organizations, and **Mark Zaleski**, Licensed Journeyman, spoke **in opposition to H 614**. They said technology is changing at a rapid pace and the current system works. It makes sense for experts in the field to make decisions. There would be a higher hurdle to make amendments. They want to move the process forward through the negotiated Rule-making process and hope the industry's input will not be muted. Locking in Codes at the current level will stand in the way of adopting some of the new technologies.

In closing, **Rep. Dixon** said boards have the ability to recommend changes to DOPL through the Temporary Rules process to address industry changes. This legislation sets a floor or ceiling, depending on the view. Wholesale changes to the Rules should be made by the legislature, in a more deliberative process.

MOTION: **Rep. Shepherd** made a motion to send **H 614** to the floor with a **DO PASS** recommendation.

During committee discussion, **Rep. Dixon**, **Rep. Crane** and **Rep. Nichols** declared **Rule 80**.

Rep. Berch spoke to the motion saying he will not support the motion. He looks at the process for change. Nimbleness is required given the pace of technology advancements. He would rather err on the side of trust and flexibility, trusting board members with their knowledge.

VOTE ON MOTION: **Motion carried by voice vote.** **Rep. Armstrong** and **Rep. Berch** requested to be recorded as voting **NAY**. **Rep. Dixon** will sponsor the bill on the floor.

Vice-Chair Furniss turned the gavel over to **Chairman Dixon**.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:11 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 pm or upon adjournment
Room EW41
Thursday, March 03, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
H 579	EMPLOYEE MEDICAL INFORMATION - Amends and adds to existing law to establish provisions regarding an employee's private personal medical information.	Rep. DeMordaunt
S 1295	CREDIT UNIONS - Amends, repeals, and adds to existing law to revise provisions regarding the corporate powers and organization of credit unions.	Rep. Crane

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon
Vice Chairman Furniss
Rep Crane
Rep Palmer
Rep Barbieri
Rep Armstrong

Rep DeMordaunt
Rep Clow
Rep Andrus
Rep Nichols
Rep Adams
Rep Bundy

Rep Ferch
Rep Galloway
Rep Mitchell
Rep Shepherd
Rep Berch
Rep Green

COMMITTEE SECRETARY

Kelly Staskey
Room: EW58
Phone: 332-1139
Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

- DATE:** Thursday, March 03, 2022
- TIME:** 1:30 p.m. or upon adjournment
- PLACE:** Room EW41
- MEMBERS:** Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green
- ABSENT/
EXCUSED:** Rep. Furniss, Barbieri, Armstrong, Adams
- GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.
- Chairman Dixon** called the meeting to order at 3:31 p.m.
- MOTION:** **Rep. Berch** made a motion to approve the minutes of the February 17, 2021 meeting. **Motion carried by voice vote.**
- Chairman Dixon** reordered the agenda.
- H 579:** **Rep. DeMordaunt** presented **H 579**. This legislation protects an employee's medical privacy. An employee does not have to disclose medical information to an employer unless the requested information is identified at or around the time of hire and said information is necessary to determine if the prospective employee can perform the essential functions of the job for which they are being considered. This legislation also provides for specific exemptions.
- Rep. DeMordaunt** said, a disclosure of private information would be required at the time of hire or if an employee is requesting a transfer or change of position. The information may not be requested after a person is hired. If a potential employee is not comfortable with sharing their medical information with a potential employer, they are likely not a good fit for the company.
- In response to questions, **Rep. DeMordaunt** said this is not an expansion law. Employers may currently request medical records, including vaccine status. This legislation is not retroactive and applies to future employees. If a company is sold, **Rep. DeMordaunt** said State laws would still apply.
- MOTION:** **Rep. Ferch** made a motion to send **H 579** to the floor with a **DO PASS** recommendation.
- During committee discussion, **Rep. Ferch** clarified HIPPA Laws require written consent for medical information to be shared. He said people cannot be coerced to give their information away. **Rep. Bundy** said he will support the motion but reserves the right to change his vote. **Rep. Berch** stated he would not support the motion because employers want health information to protect their employees and customers. He said employers also have a responsibility to protect employees' medical information. Medical conditions can change and this bill creates a more dangerous situation. **Rep. Berch** said there has to be a balance between individual rights and the rights of those who could be effected. **Rep. Green** said she would not support the motion because she believes there are already laws in place to protect employees. **Rep. Nichols** said she would support the motion and would like this bill to do more. Her constituents do not feel their medical information is being protected and this is a good first step, taking the burden off the employers.

VOTE ON MOTION:

Motion carried by voice vote. Rep. DeMordaunt will sponsor the bill on the floor.

S 1295:

Rep. Crane presented **S 1295**. This bill updates and modernizes provisions within the Idaho Credit Union Act, providing flexibility and modern provisions to allow Idaho state-chartered credit unions to better serve their members. Rep. Crane introduced **Ryan Fitzgerald**, NW Credit Union to provide more specific information and answer questions.

Mr. Fitzgerald said this legislation will bring the Idaho Credit Union Act into alignment with national standards. It provides additional flexibility for credit unions to establish new branches and use of technology facilities and provides a definition of safety and soundness, which gives credit unions a legal understanding and framework of potential regulatory findings during an examination. It also allows credits unions to hold virtual or remote board meetings and annual member meetings. It updates the member expulsion section to provide credit union leaders with the ability to act quickly to expel a member in order to ensure the safety of employees or other members when a member is acting in a threatening or violent manner. The expelled member is guaranteed an opportunity to appeal and request reinstatement. Mr. Fitzgerald further explained the legislation provides updates to the credit union corporate powers statute that allows flexibility in the financial service product offerings for credit union members. It also reduces outdated regulatory language around real estate occupancy requirement for Idaho state-chartered credit unions and streamlines the process by which credit union bylaws are adopted and approved by the director of the Idaho Department of Finance.

MOTION:

Rep. Palmer made a motion to send **S 1295** to the floor with a **DO PASS** recommendation.

In response to questions, **Mr. Fitzgerald** said non-member banking services include under-served banking processes such as check cashing, financial counseling, insurance services and wire transfers. The Department of Finance wants to get out of the business of giving permission for Credit Unions to open new branches. They are examined annually, and the Department of Finance know the branches are well-run and trust their judgement.

Brody Aston, Lobbyist, representing the Freedom Northwest Credit Union, spoke **in support** of **S 1295**. He said the Credit Unions will be able to advance their services with the new act.

Ken Burgess, Veritas Group, representing Idaho Central Credit Union, spoke **in support** of **S 1295**. He urged the committee to send this bill to the floor.

VOTE ON MOTION:

Motion carried by voice vote. Rep. Crane will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 4:11 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 pm or upon adjournment
Room EW41
Wednesday, March 09, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<u>S 1296</u>	OCCUPATIONAL LICENSING - Amends existing law to replace references to the Bureau of Occupational Licenses with the Division of Occupational and Professional Licenses.	Rep. Andrus Tim Frost, Deputy Administrator, Idaho Division of Occupational and Professional Licenses
<u>S 1282</u>	OCCUPATIONAL LICENSING - Repeals and amends existing law to remove licensing provisions regarding abstracters of title.	Rep. Adams Tim Frost
<u>H 737</u>	STATE GOVERNMENT AND STATE AFFAIRS - Adds to existing law to prohibit contracts and investment practices involving companies that boycott certain production industries.	Rep. Ehardt Rep. DeMordaunt Bette Grande, State Government Relations Manager, The Heartland Institute

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon	Rep DeMordaunt	Rep Ferch
Vice Chairman Furniss	Rep Clow	Rep Galloway
Rep Crane	Rep Andrus	Rep Mitchell
Rep Palmer	Rep Nichols	Rep Shepherd
Rep Barbieri	Rep Adams	Rep Berch
Rep Armstrong	Rep Bundy	Rep Green

COMMITTEE SECRETARY

Kelly Staskey
Room: EW58
Phone: 332-1139
Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, March 09, 2022

TIME: 1:30 p.m. or upon adjournment

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Rep. Palmer

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 Dixon called the meeting to order at 1:34 p.m.

MOTION: **Rep. Berch** made a motion to approve minutes from the meetings of February 21, 2022 and March 3, 2022. **Motion carried by voice vote.**

S 1296: **Rep. Andrus** presented **S 1296**. This bill will continue the reorganization of the Idaho Division of Occupational and Professional Licenses, consistent with the Executive Order 2020-10, aligning reference terms of the former Idaho Bureau of Occupational Licenses into the Idaho Division of Occupational and Professional Licenses. The bill will also align the reference terms of the bureau chief to administrator.

In response to committee questions, **Rep. Andrus** said there will be no fee changes.

MOTION: **Rep. Furniss** made a motion to send **S 1296** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Andrus** will sponsor the bill on the floor.

S 1282: **Rep. Adams** presented **S 1282**. Consistent with the Governor's Red Tape Reduction Act, this bill seeks to eliminate inactive provisions of law. This legislation will repeal Title 54, Chapter 1 of Idaho Code, Abstracters of Title. The statute chapter is no longer in use.

MOTION: **Rep. Furniss** made a motion to send **S 1282** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Adams** will sponsor the bill on the floor.

MOTION: **Rep. Crane** made a motion to **Hold H 737** in committee, at the request of the sponsors and subject to the call of the chair. The intent is for the bill to be heard in committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:41 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #4
HOUSE BUSINESS COMMITTEE
1:30 pm or upon adjournment
Room EW41
Tuesday, March 15, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
H 774	IDAHO PATIENT ACT	Rep. Monks
RS 29827	IDAHO PATIENT ACT	Rep. Monks
S 1354	BARBER AND COSMETOLOGY SERVICES	Rep. Gibbs Senator Harris
S 1355	COMMERCIAL TRANSACTIONS	Rep. Berch Senator Wintrow

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

- DATE:** Tuesday, March 15, 2022
- TIME:** 1:30 pm or upon adjournment
- PLACE:** Room EW41
- MEMBERS:** Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green
- ABSENT/
EXCUSED:** Reps. Dixon, Adams, DeMordaunt
- GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.
- Vice - Chair Furniss** called the meeting to order at 1:33 p.m.
- MOTION:** **Rep. Berch** made a motion to approve meeting minutes from February 1, 2022, February 23, 2022 and March 1, 2022.
- ALTERNATE
MOTION:** **Rep. Galloway** made a substitute motion to approve meeting minutes from February 1, 2022 and February 23, 2022 and hold the minutes from March 9, 2022 for further review. **Motion carried by voice vote.**
- H 774:** **Rep. Monks** presented **H 774**. The legislation modifies the Idaho Patient Act by clarifying pursuit of overdrawn checks for the amount of the overdrawn check is not an extraordinary collection action, providing a faster time line for adverse credit reporting in exchange for giving up the ability to pursue other extraordinary collection action, adjusting the timing and content of certain necessary patient communications, as well as the burden of proof, before engaging in an extraordinary collection action against a patient. The legislation also provides intent language to further clarify the limits on costs, fees, and attorney's fees began with any extraordinary collection action commenced on or after January 1, 2021, regardless of when the goods or services were delivered to the patient.
- Rep. Monks** asked for unanimous consent to also discuss **RS 29827**. Without objections, consent was granted. After drafting and reviewing **H 774**, concerns were addressed by drafting **RS 29827**. Some of the changes made to the RS include eliminating the group number of the consolidated summary and other privacy concerns, bounced checks, bundled fees, claw-backs and an expedited process to produce the consolidated summary. The difference between **H 774** and **RS 29827** is found on Page 4, Line 1. Verbiage was added between the words *patient* and *within*.
- Bryan Zollinger**, representing himself and his clients, and **Troy Ledgerwood**, Owner of a debt collection agency, spoke **in opposition** of **H 774**. They expressed collection agencies were not consulted about this legislation; any litigation must now include personal information and the patient number and other personal information must be redacted if there is a court filing. They agreed it is not constitutional to make this retroactive, prior to January 2021. There are also concerns with time lines and technology requirements.
- In response to committee questions, **Mr. Zollinger** said there are dozens of cases in the supreme court relating to retroactivity. He started to go into detail.
- There was an objection by **Rep. Berch**, suggesting **Mr. Zollinger** was relitigating the legislation.

In response to committee questions, **Mr. Ledgerwood** said, out of 30-40 of his medical clients, only two are able to comply with the Idaho Patient Act because of time-lines, technology, and other reasons. He said the business model has changed. They have renegotiated with insurance companies and are still sending claims in for collections but they are not collecting the full amount due. The collection agencies are reduced to phone calls and letters for collecting unpaid debt. Most people need to enter into a payment arrangement and they can ignore phone calls and letters from collection agencies.

Ken McClure, Lobbyist for several medical associations and the Treasure Valley Hospital, spoke **in support** of **H 774**. He agreed compliance with the Idaho Patient Act, as it exists, has been very challenging and is supportive of the changes.

In response to committee questions, **Mr. McClure** stated it has been problematic because the medical and billing systems don't talk to each other and it creates a major barrier. He proceeded to go through the legislation step by step. He said in order to make corrections, negotiations have been extensive since last April. It is Mr. McClure's opinion the RS provides clarifications and will allow the Idaho Patient Act to work.

MOTION: **Rep. Palmer** made a motion to introduce **RS 29827** and recommend it be sent directly to the second reading calendar. **Motion carried by voice vote.** **Rep. Monks** will sponsor the bill on the floor.

Rep. Ferch stated he will support the motion to provide damage control for the damage done by passage of the original Idaho Patient Act.

MOTION: **Rep. Palmer** made a motion to **HOLD H 774** in Committee. **Motion carried by voice vote.**

S 1354: **Rep. Gibbs** introduced **S 1354**. This legislation allows high school students who have completed two years of high school to enroll in a licensed barber or cosmetology program and begin accruing training hours during their junior year. The legislation clarifies the previous age requirement of sixteen and one-half years old applies to the qualification for licensure at the time of application. A high school student enrolled in a licensed program may be under sixteen and one-half years of age while accruing the course of instruction hours required for licensure. This bill allows students to get credits as juniors and seniors. **Rep. Gibbs** stated this program is available in eastern Idaho and there is interest in the Treasure Valley.

Spencer Barzee, Superintendent of West Side School District, spoke **in support** of **S 1354**. This bill applies to all public schools, including charter schools. His district is in its second year of the program. If a student enrolls in the barber and cosmetology program as a junior, they can complete their first semester of the program by the time they graduate from high school.

MOTION: **Rep. Shepherd** made a motion to send **S 1354** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gibbs** will sponsor the bill on the floor.

S 1355: **Rep. Berch** presented **S 1355**. This legislation establishes the notification process for a credit transaction, secured by a subordinate lien on real property, when the senior mortgage or other senior secured interest on real property comes under foreclosure.

In response to committee questions, **Sen. Wintrow** said if a property owner is unable to make payments and a senior forecloses on the house, the junior lien holder may not know. This bill establishes a process for notification to the junior lien holder. It does not change the statute of limitations. Homeowners would be given a 90-day notice they owe money. Many do not know when loans are attached to the mortgage. The notification letter is sent to the last known address through the US postal service, not certified mail.

Trent Wright, President Idaho Bankers Association, spoke **in support of S 1355**. He indicated the foreclosure process is a very sensitive issue and the Idaho Bankers Association is in full support of this bill.

In closing, **Rep. Berch** asked for the committee's support of **S 1355**.

MOTION: **Rep. Green** made a motion to send **S 1355** to the floor with a **DO PASS** recommendation.

During committee discussion, **Rep. Galloway**, **Rep. Palmer**, **Rep. Crane**, and **Rep. Ferch** declared **Rule 80**.

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

MOTION: **Rep. Galloway** made a motion to approve the minutes from the March 9, 2022 meeting. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:46 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 or upon adjournment
Room EW41
Thursday, March 17, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
S 1298aa	CONSUMER PROTECTION ACT - Adds to existing law to provide certain protections regarding automatic subscription renewals.	Rep. Shepherd Senator Vick
S 1297	OCCUPATIONAL LICENSES - Adds to existing law to provide for the confidentiality of investigation records.	Rep. Adams Senator Souza
S 1381	CORONAVIRUS - Adds to existing law to establish the Coronavirus Pause Act to prohibit certain actions related to coronavirus.	Rep. Adams Senator Winder Senator Lakey

Public Testimony Will Be Taken by Registering Through the Following Link:
[***Register to Testify***](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, March 17, 2022

TIME: 1:30 or upon adjournment

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Rep. DeMordaunt

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

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

MOTION: **Rep. Galloway** made a motion to approve the meeting minutes from March 1, 2022 and March 15, 2022. **Motion carried by voice vote.**

S 1298aa: **Sen. Vick** presented **S 1298aa**. The bill amends the Idaho Consumer Protection Act by adding a new section to provide consumers protection from unfair or deceptive trade practices with respect to cancellation of subscriptions. Often referred to as "Click to Cancel", this legislation provides the consumer must be able to cancel a subscription in the same manner as the consumer used to subscribe.

Sen. Vick said this bill addresses on-line subscription cancellations and outlines methods for free on-line cancellation, including "Click to Cancel". The bill also institutes a reminder about subscription renewal 30-60 days ahead of renewal date.

In response to committee questions, **Sen. Vick** said amendments were made to align with national standards. Stiff fines for non-compliance were intentionally left out of the bill. Consumers may reference the Consumer Protection Act and contact the Attorney General's office to file a complaint if a problem arises. If a business does not have a toll-free number, they should not offer cancellation by phone.

MOTION: **Rep. Berch** made a motion to send **S 1298aa** to the floor with a **DO PASS** recommendation.

Lisa McCabe, Director, State Legislative Affairs, Cellular Telephone Association (CTIA), said the industry is concerned about unintended consequences for wireless customers and stated the definition of "automatic subscription renewal" could inadvertently impact wireless providers which generally offer renewal on a month-to-month basis. She said it is important for wireless providers to be able to speak to customers. Ms. McCabe requested an exemption for wireless services.

In response to questions, **Ms. McCabe** said she has concern with 30 day notification expectations because customers are already paying monthly.

In Closing, **Sen. Vick** said he does not agree with **Ms. McCabe** but is agreeable to a trailer bill to exempt wireless services.

During committee discussion, **Sen. Vick** said the language in the bill was duplicated from other states. It applies to all on-line, auto-renewal subscriptions. He said the term toll-free is not defined in this bill. It was suggested a definition would be helpful and businesses need to know there is a cost to having a toll free number. Transparency is needed.

VOTE ON MOTION:

Motion carried by voice vote. Rep. Shepherd will sponsor the bill on the floor.

S 1297:

Rep. Adams presented **S 1297**. Consistent with the Occupational Licensing Reform Act, the bill allows for the Division of Occupational and Professional Licenses (DOPL) boards or commissions and division staff to share investigatory information regarding licensees with other boards and commissions to create efficiency within division investigations. The bill ensures all complaints, investigations, and informal proceeding records are exempt from disclosure under the Public Records Act.

In response to questions, **Tim Frost**, Deputy Administrator, DOPL, said the bill reiterates complaints and formal proceedings are protected under the Public Records Act. If the accusation is substantiated and pursued by DOPL, it then becomes public information.

Rep. Ferch, and **Rep. Crane** declared **Rule 80**.

MOTION:

Rep. Furniss made a motion to send **S 1297** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Adams** will sponsor the bill on the floor.

S 1381:

Rep. Adams presented **S 1381**. This legislation establishes limitations on the ability of private and public entities to impose a requirement that individuals receive a Coronavirus vaccination.

Rep. Adams said the Coronavirus and its vaccinations are relatively new medical developments and the decision to receive such a vaccination is a personal decision. Individuals should not be discriminated against because they have or have not received a vaccination. The bill defines Coronavirus and Coronavirus vaccination. It is a claw back bill and is the first piece of the puzzle to reclaim personal rights.

In response to committee questions, **Rep. Adams** clarified the bill will expire one year after the Governor ends the emergency for the Coronavirus. The bill only addresses vaccinations. A concern was expressed about identifying vaccines as the only requirement for entry into a foreign country. If an employee is sent to another state who requires the Coronavirus vaccination, the bill would apply to them. **Rep. Adams** said the bill was drafted specifically to address the Coronavirus vaccine.

MOTION:

Rep. Armstrong made a motion to send **S 1381** to the floor with a **DO PASS** recommendation.

Liza Leonard, Ball Ventures, testified **in opposition to S 1381**. She stated the bill is an overreach into businesses. Idaho needs to continue to be a business-friendly state. Ball Ventures always works to keep employees and customers safe. She said government should keep out and allow businesses to stay operational.

In response to committee questions, **Ms. Leonard** said policies at Ball Ventures were put into place allowing for religious and medical exemptions.

Dr. Craig Sjoberg, representing himself, and **Max Brown**, representing himself spoke **in support of S 1381**. They said lives have been ruined because of requirements around Coronavirus and federal mandates have put health businesses in great peril. Companies are firing people who work from home because they are not vaccinated. Many businesses have spent thousands of dollars to comply with HIPAA requirements and now private information can be released. **Mr. Brown** said in trying to keep his child safe, the vaccine caused Myocarditis. He stated there is no reason to have a vaccine that doesn't fully eradicate a disease.

In response to committee questions, **Mr. Brown** said he does not work for a company who offers exemptions.

In closing, **Rep. Adams** said this is an American bill, not a discrimination bill and urged support from the committee.

During committee discussion, **Rep. Nichols** said she would support the motion. She wishes this bill would provide lasting protection and wants to see more next session. She wants people to be able to provide for their families by working. **Rep. Shepherd** said he would support the motion and appreciates all who are moving this bill forward. **Rep. Ferch** stated he would support the motion but believes the legislature is codifying rights its citizens already possess. He is concerned about fundamental overreach. **Rep. Furniss** said he would not support the motion. There needs to be autonomy for people to run their businesses and many have extended medical and religions exemption.

**ROLL CALL
VOTE:**

Roll call vote was requested. **Motion carried by a vote of 14 Aye, 3 NAY and 1 absent/excused. Voting in favor** of the motion: **Reps. Crane, Palmer, Barbieri, Armstrong, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Dixon. Voting in opposition** to the motion: **Reps. Furniss, Berch, Green. Absent/Excused: Rep. DeMordaunt. Rep. Adams** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:46 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AMENDED AGENDA #2
HOUSE BUSINESS COMMITTEE
1:30 pm or upon adjournment
Room EW41
Monday, March 21, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
S 1405	STATE GOVERNMENT AND STATE AFFAIRS - Adds to existing law to establish provisions regarding disfavored state investments.	Rep. Dixon
S 1368	OCCUPATIONAL LICENSING - References to moral character	Rep. DeMordaunt

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Monday, March 21, 2022

TIME: 1:30 p.m. or upon adjournment

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Reps. Dixon, Bundy, Green

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

Vice-Chair Furniss called the meeting to order at 1:31 p.m.

MOTION: **Rep. Galloway** made a motion to approve the meeting minutes from March 17, 2022. **Motion carried by voice vote.**

S 1405: **Sen. Vick** presented **S 1405**. This legislation further clarifies public entity investment activities. It defines disfavored investments and requires notification to the public entity if an investment agent adopts a policy related to disfavored investments. It clarifies proxy votes belong to the public entity, shall be exercised in the best interest of the entity or the beneficiary, and available to the public.

Sen. Vick said this bill effects the Treasurer's office, PERSI, and the Endowment Board, among others. The State of Idaho has over \$11 billion in investments. He stated most votes related to investments are cast by proxy. It is critical for Idaho boards to submit their own proxy votes to insure investments are in line with Idaho values. These votes can greatly change the face of a company. Twenty-five (25) of the largest investment fund companies count for 82% of investor votes. Idaho should not give its votes away to a fund manager from a big investment firm.

In response to committee questions, **Sen. Vick** clarified the terms "could override" versus "would override". He stated there needs to be some flexibility. The bill makes it clear Idaho needs to vote its own proxies.

MOTION: **Rep. Palmer** made a motion to send **S 1405** to the floor with a **DO PASS** recommendation.

During committee discussion, **Rep. Berch** stated he would not support the motion because he does not see a current problem. **Rep. Crane** said he will support the motion because if there is a potential for a problem, the legislature would be derelict for not addressing the issue.

**ROLL CALL
VOTE:** Roll call vote was requested. **Motion carried by a vote of 14 Aye, 1 Nay, 3 absent/excused.** Voting in favor of the motion: **Reps. Furniss, Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Ferch, Galloway, Mitchell, Shepherd.** Voting in opposition of the motion: **Rep. Berch.** **Reps. Dixon, Green, Bundy were Absent/Excused.** **Rep. Dixon** will sponsor the bill on the floor.

S 1368: **Rep. DeMordaunt** presented **S 1368**. This legislation is a terminology clean-up bill consistent with the Occupational Licensing Reform Act passed by the Idaho legislature in 2020. The reform bill created a new process for how licensing boards consider and evaluate an applicant's past criminal conviction in Chapter 94, Title 67, Idaho Code.. The 2020 bill removed licensure denials on the basis of vague or generic terminology related to a criminal conviction, including "moral turpitude" or "moral character." The bill reduces confusion and conflict in law by updating all Idaho Division of Occupational and Professional Licensing (DOPL) boards and commission statute references in alignment with Chapter 94, Title 67, Idaho Code.. The bill will create clear direction for licensing boards when considering applications.

In response to committee questions, **Kate Haas**, Lobbyist representing Opportunities Solutions Project (OSP), said the bill ties language together with the Occupational Licensing Reform Act so terminology is consistent in Title 67 and Title 54. She stated OSP worked with DOPL to ensure criteria is clear and there is no question about intent when there is a review involving criminal conviction. Generally, instead of removing language, clarifying language was added.

In closing, **Rep. DeMordaunt** said **S 1368** will provide needed clarity for boards.

MOTION: **Rep. Shepherd** made a motion to send **S 1368** to the floor with a **DO PASS** Recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:04 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary

AGENDA
HOUSE BUSINESS COMMITTEE
1:30 pm or upon adjournment
Room EW41
Wednesday, March 23, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
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Approval of Final Minutes

COMMITTEE MEMBERS

Chairman Dixon

Vice Chairman Furniss

Rep Crane

Rep Palmer

Rep Barbieri

Rep Armstrong

Rep DeMordaunt

Rep Clow

Rep Andrus

Rep Nichols

Rep Adams

Rep Bundy

Rep Ferch

Rep Galloway

Rep Mitchell

Rep Shepherd

Rep Berch

Rep Green

COMMITTEE SECRETARY

Kelly Staskey

Room: EW58

Phone: 332-1139

Email: hbus@house.idaho.gov

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, March 23, 2022

TIME: 1:30 p.m. or upon adjournment

PLACE: Room EW41

MEMBERS: Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green

**ABSENT/
EXCUSED:** Reps. Furniss, Crane, Palmer, Barbieri, Armstrong

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

MOTION: **Chairman Dixon** called the meeting to order at 3:48 p.m.
Rep. Berch made a motion to approve the committee meeting minutes from March 21, 2022. **Motion carried by voice vote.**
Chairman Dixon thanked the committee for their work during the session and recognized the work of the Page and committee secretary.

ADJOURN: There being no further business to come before the committee the meeting was adjourned at 3:53 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary