

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