

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Wednesday, February 17, 2016

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

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

**ABSENT/  
EXCUSED:** Representative(s) Crane

**GUESTS:** Barb DeHaan, NWCCF; Lydia Benson, AiCM; Suzie Lindberg, Becky Olinger, Nancy Bingham, AMTA-ID; Sean Bingham, Mountain Breeze Massage; Dean Cameron, Mitch Toryanski, Tom Donovan, DOI; Brad Hunt, O.A.R.C.  
**Chairman Barbieri** called the meeting to order at 1:31 P.M.

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

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

**MOTION:** **Rep. Hixon** made a motion to approve **Docket No. 18-0144-1501** with the exception of Section 02.a.  
**Tom Donovan**, Deputy Director, Department of Insurance, stated the Department is reluctant to issue a temporary rule with the omission.

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

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

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

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

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

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

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

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Representative Barbieri  
Chair

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Joyce McKenzie  
Secretary