

MINUTES
HOUSE BUSINESS COMMITTEE

- DATE:** Tuesday, March 17, 2015
- TIME:** 1:30 PM or Upon Adjournment
- PLACE:** Room EW41
- MEMBERS:** Chairman Barbieri, Vice Chairman Clow, Representatives Collins, Crane, Palmer, Thompson, Batt, Hixon, Kauffman, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy, Smith, Rusche, Jordan
- ABSENT/
EXCUSED:** Representative(s) Monks
- GUESTS:** Norm Semanko and Brandt Bullock, Idaho Water Users Association; Mark Zirschky, Pioneer Irrigation District; Mike Brassey, Uniform Law Commission, Jeff Harvey, Office of Secretary of State
- Chairman Barbieri** called the meeting to order at 1:32 p.m.
- H 92:** **Mike Brassey**, Idaho Uniform Law Commission, brought before the committee **H 92** with an amendment for discussion. The amendment added a line that puts the burden of proving that a debtor is solvent on the defendant.
- MOTION:** **Rep. Clow** made a motion to send **H 92** to General Orders with amendments attached. **Motion carried by voice vote.** **Rep. Clow** will sponsor the bill on the floor.
- H 256:** **Norm Semanko**, Executive Director, Idaho Water Users Association, presented **H 256** to the committee. This legislation proposes to eliminate duplicative requirements placed on irrigation ditch and canal maintenance and repair work in Idaho Code 54-1218. They found there is similar provisions in Chapter 12, Title 42, Idaho Code. Mr. Semanko gave a short history of the legislation and pointed out the legislation started out much broader. After meeting with stakeholders, they were able to limit the scope to public works, irrigation ditches and canals. They met with engineers to clarify the language and believes all stakeholders are happy with the result. In answer to questions from the committee, Mr. Semanko turned his time over to **Mark Zirschky**, Manager, Pioneer Irrigation District. Mr. Zirschky explained the \$10,000 limit and how simple repairs can exceed this limit. He gave a few examples of how this legislation would benefit the irrigation district such as replacing head gates, canal lining conservation and irrigation boxes, and piping.
- Rep. DeMordaunt** invoked Rule 38 stating a possible conflict of interest as he owns property that is serviced by the Pioneer Irrigation District, but he will be voting on the legislation.
- In response to further questions, **Mr. Zirschky** stated projects in excess of \$10,000 can happen very quickly. They have worked with engineers and others and are trained to handle these types of simple repairs that have a high cost.
- MOTION:** **Rep. Rusche** made a motion to send **H 256** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moyle** will sponsor the bill on the floor.

H 259: **Jeff Harvey**, Office of the Secretary of State, presented **H 259** which contains three fee changes: for the dissolution of corporations, changing the current fee of \$30 to no fee; for the repeal of a non-typed document fee; and, an increased fee for expedited service for processing business documents. The reasoning behind the proposed changes in fees are, when a company dissolves, there are usually no funds to pay the fee. There is little need for the non-typed document fee as this service is rarely used. The last change is to raise the expedited processing fee to \$50. The Secretary of State's office feels the expedited service is overused and with a fee increase it would reduce the occurrences of the service.

In response to questions from the committee, **Mr. Harvey** stated in Fiscal Year 2014, there were approximately five thousand expedited filings. They feel with the fee increase the number would drop by 60%. He also stated the abuse of service is another reason to increase the fee. He stated in their opinion either they increase the fee or ask for another full-time position in next year's budget request. Members of the committee expressed concern over the reasoning for raising the fee.

MOTION: **Rep. Rusche** made a motion to send **H 259** to the floor with a **DO PASS** recommendation.

In support of the motion, **Rep. Rusche** stated the Secretary of State's office is in between a rock and hard place. Either they raise fees, or next year they will be asking for more funds.

In opposition to the motion, **Rep. Hixon** stated he has concerns with an executive department increasing a fee to slow down traffic when they have the funds coming in to cover the service.

SUBSTITUTE MOTION: **Rep. Hixon** made a substitute motion to **HOLD H 259** in committee. **Motion carried by voice vote. Reps. Rusche, Smith and Jordan** requested to be recorded as voting **NAY**.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:03 p.m.

Representative Barbieri
Chair

Michele Jarvis
Secretary