

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, January 09, 2014
TIME: 1:30 P.M.
PLACE: Room EW41
MEMBERS: Chairman Henderson (Chambers), Vice Chairman Thompson, Representatives Collins, Crane, Palmer, Barbieri, Batt, Agidius, Clow, Hixon, Kauffman, Monks, Morse, Stevenson, Youngblood, Smith, Rusche, Gannon
**ABSENT/
EXCUSED:** Rep. Barbieri
GUESTS: Tana Cory, Idaho Bureau of Occupational Licenses; Micah Gale, Student; Rich McAllister, DFM; Kendra Knighten, GOV; Amanda Crane, GOV, Tony Smith, Benton Ellis

Vice Chairman Thompson called the meeting to order at 1:32 p.m.

Vice Chairman Thompson welcomed the committee members to the 2014 session. He updated the committee members on **Chairman Henderson's** recovery and plans to return to the House on January 25, 2014. Vice Chairman Thompson introduced **Rep. John Chambers** as Chairman Henderson's temporary replacement.

Vice Chairman Thompson advised the committee members that the first order of business during the session is to review and vote on Administrative Rules. January 27, 2014 will be the target date for reporting back to the Business Committee.

He introduced the Rules Subcommittees as follows. Rules Subcommittee For Rules of the Board of Licensure of Professional Engineers and Professional Land Surveyors, Department of Insurance, Real Estate Commission: **Rep. Morse**, Chairman, **Reps. Clow, Stevenson** and **Gannon**.

Rules Subcommittee for Bureau of Occupational Licenses, Professional Geologists: **Rep. Agidius**, Chairman, **Reps. Kauffman, Monks**, and **Smith**.

Rules Subcommittee for Division of Building Safety: **Rep. Hixon**, Chairman, **Reps. Palmer, Youngblood** and **Rusche**.

RS 22378

Roger Hales, Bureau of Occupational Licenses, presented **RS 22378**. He said it is designed to reduce restrictions and clarify language of the legislation. He said the intent is three fold. The first change is an exemption to allow an unlicensed person to practice cosmetology on a relative, in a relative's home, without compensation. The second change is to clean up a section of law regarding practice of apprentices by clarifying the wording. The third change clarifies qualifications for the Idaho Board of Cosmetology appointees. Mr. Hales introduced **Marilyn Cleveland**, a licensed cosmetology instructor, who will stand for technical questions.

He said that a licensed cosmetology apprentice may practice under the direct supervision of a licensed instructor. He said that Section 54-804 currently allows non-licensed persons to practice in their own home without compensation, and not on the public in general. An exemption is now added allowing persons to practice on a relative in the relative's home without compensation. **Mr. Hales** said this exemption is written in response to specific instances whereby persons can provide service to relatives who may not be capable of travel outside their own homes. He said the word "home" is used, but not defined in the language. He clarified a licensed shop as one which is inspected regularly for compliance with sanitation regulations and the word "home" falls outside those requirements. He said currently one Idaho Cosmetology Board Member must be licensed as a cosmetology instructor and appointed by the Governor. Current language states that Board Members may not be affiliated with a school of cosmetology. The change eliminates this seeming contradiction.

MOTION: **Rep. Rusche** made a motion to **introduce RS 22378**.

SUBSTITUTE MOTION: **Rep. Crane** made a substitute motion to **introduce RS 22378** with the following amendment. Strike out the phrase "in the relative's home in Section 54-804, Section 1, Subsection (4) Persons practicing on a relative in the relative's home without compensation.

ROLL CALL VOTE ON SUBSTITUTE MOTION: A roll call vote was requested on the substitute motion. **Motion carried** by a vote of **10 AYE** and **6 NAY**. **Voting in favor** of the substitute motion: **Reps. Thompson, Crane, Agidius, Hixon, Monks, Stevenson, Youngblood, Smith, Gannon, Chambers**. **Voting in opposition** to the substitute motion: **Reps. Collins, Palmer, Clow, Kauffman, Morse, Rusche**. Absent/Excused: **Reps. Barbieri, Batt**.

RS 22386 **Roger Hales**, Bureau of Occupational Licenses presented **RS 22386**. He said a person can perform work as a landscape architect-in-training upon completion of education and while waiting for completion of examination if under the supervision of a licensed landscape architect.

MOTION: **Rep. Hixon** made a motion to **introduce RS 22386**. **Motion carried by voice vote**.

RS 22398 **Roger Hales**, Bureau of Occupational Licenses, presented **RS 22398**. He said new federal laws require real estate appraiser applicants to undergo a criminal background check. The intent is to comply with those regulations. He said federally backed loans require property appraisals performed by certified appraisers and that Idaho must comply with those regulations or risk decertification of the State loan programs and the ability of consumers to participate in the federally insured lending programs. He said the term "satisfactorily passed" as it pertains to a background check means that it shows no felonies or other crimes involving moral turpitude. He added the Board of Real Estate Appraisers makes the ultimate decision regarding results of background checks. He added that collection of fees from applicants will be handled by the Idaho State Police. **Rep. Morse** invoked Rule 38 disclosing that he is a certified Real Estate Appraiser and that he intends to vote.

MOTION: **Rep. Palmer** made a motion to **introduce RS 22398**. **Motion carried by voice vote**.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:14 p.m.

Representative Thompson
Chair

Catherine Costner
Secretary