AGENDA

HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Tuesday, January 19, 2016

Introductory Meeting

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td></td>
<td>Organizational Meeting</td>
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*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

**COMMITTEE MEMBERS**

<table>
<thead>
<tr>
<th>Chairman Barbieri</th>
<th>Rep Batt</th>
<th>Rep DeMordaunt</th>
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<tbody>
<tr>
<td>Vice Chairman Clow</td>
<td>Rep Hixon</td>
<td>Rep Dixon</td>
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<tr>
<td>Rep Collins</td>
<td>Rep Kauffman</td>
<td>Rep Troy</td>
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<td>Rep Crane</td>
<td>Rep Monks</td>
<td>Rep Smith</td>
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<tr>
<td>Rep Palmer</td>
<td>Rep Anderst</td>
<td>Rep Rusche(Cuddy)</td>
</tr>
<tr>
<td>Rep Thompson</td>
<td>Rep Beyeler</td>
<td>Rep Jordan</td>
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**COMMITTEE SECRETARY**

<table>
<thead>
<tr>
<th>Chairwoman Dorsch</th>
<th>Room: EW58</th>
<th>Phone: 332-1139</th>
<th>Email: <a href="mailto:hbus@house.idaho.gov">hbus@house.idaho.gov</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mary Dorsch</td>
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</table>
DATE: Tuesday, January 19, 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 (Cuddy), Jordan
ABSENT/EXCUSED: Representative Thompson, Troy, Jordan, Crane
GUESTS: None

Chairman Barbieri called the meeting to order at 1:30 P.M.


Vice Chairman Clow introduced three (3) Rules Subcommittees as follows:

**Beyeler Subcommittee**
Rep. Beyeler, Chair
Rep. Monks
Rep. Batt
Rep. Collins
Rep. Rusche (Cuddy)

**Troy Subcommittee**
Rep. Troy, Chair
Rep. Palmer
Rep. DeMordaunt
Rep. Hixon
Rep. Smith

**Dixon Subcommittee**
Rep. Dixon, Chair
Rep. Anderst
Rep. Crane
Rep. Thompson
Rep. Jordan

Vice Chairman Clow suggested the Subcommittee members review the Administrative Rules assigned to their subcommittee.

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

___________________________  ___________________________
Representative Barbieri                                             Mary Dorsch
Chair                                                              Secretary
AMENDED AGENDA #1
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Thursday, January 21, 2016

<table>
<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>RS24046</td>
<td>Architectural Examiners Board</td>
<td>Mitchell Toryanski</td>
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<td></td>
<td></td>
<td>Board of Cosmetology</td>
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<tr>
<td>RS23987</td>
<td>Morticians Resident Training License</td>
<td>Roger Hales,</td>
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<tr>
<td></td>
<td></td>
<td>Occupational Licenses Bureau</td>
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<tr>
<td>RS23994</td>
<td>Real Estate Appraisers</td>
<td>Roger Hales</td>
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<tr>
<td>RS23996</td>
<td>Funeral Establishments</td>
<td>Roger Hales</td>
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<tr>
<td>RS23995</td>
<td>Cosmetician Licensing</td>
<td>Mitchell Toryanski</td>
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<tr>
<td>RS24112</td>
<td>Barber Schools and Colleges</td>
<td>Kris Ellis, Northwest Career College Federation</td>
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<tr>
<td>RS24026</td>
<td>Factory Built Structures, Advisory Board</td>
<td>Steven Keys, Division of Building and Safety</td>
</tr>
<tr>
<td>RS24190</td>
<td>Auxiliary Containers</td>
<td>Rep. Clark Kauffman</td>
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MINUTES

HOUSE BUSINESS COMMITTEE

DATE: Thursday, January 21, 2016
TIME: 1:30 P.M.
PLACE: Room EW41
MEMBERS: Chairman Barbieri, Vice Chairman Clow, Representatives Collins, Crane, Palmer, Thompson, Batt, Hixon, Kaufman, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy, Smith, Rusche (Van Tassel), Jordan

ABSENT/EXCUSED: Rep. Beyeler

GUESTS: Steve Keys, DBS; Don Drum, PERSI; Jack Lyman, Idaho Housing Alliance

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

RS 24046: Mitch Toryanski, legal council for Idaho Bureau of Occupational Licences presented RS 24046 on behalf of the Idaho Board of Architectural Examiners. This bill will remove members of the State Board of Architectural Examiners from the Public Employee Retirement System of Idaho (PERSI). This is done at the request of the board members. Currently the board members receive $75 per day in salary, which they would like to change to $75 per day honorarium. The Board of Architectural Examiners is the last board to still participate in PERSI.

MOTION: Rep. Palmer made a motion to introduce RS 24046 and recommend it be sent directly to the Second Reading Calendar. Motion carried by voice vote. Rep. Crane will sponsor the bill on the floor.

RS 23987: Roger Hales, Idaho Bureau of Occupational Licenses on behalf of the Idaho Board of Morticians presented RS 23987. This bill amends the law to change the total cumulative period in which a person may serve as a resident trainee for either a mortician or funeral director form two years to three. This would allow more time for training.

MOTION: Rep. Anderst made a motion to introduce RS 23987. Motion carried by voice vote.

RS 23994: Roger Hales, Idaho Bureau of Occupational Licenses on behalf of the Idaho Real Estate Appraiser Board presented RS 23994 in which the definition of appraisal would be amended in the Idaho Real Estate Appraisers Act to pertain to an estimate of value of real property rather than opinions regarding the nature, quality or utility of the real property. In response to questions from the committee, Mr. Hales clarified this change only relates to the function of the board, not the job of the appraisers.

MOTION: Rep. DeMordaunt made a motion to introduce RS 23994. Motion carried by voice vote.

RS 23996: Roger Hales, on behalf of the Idaho Board of Morticians presented RS 23996 which would amend the law regarding the sale of pre-need services. Only morticians and funeral directors can sell pre-need services. This change would require them to identify an establishment that would be responsible to provide the services and maintain records. Funeral directors and morticians can move or change locations where they work, but the establishment is a set location where records could be found. In response to questions from the committee Mr. Hales clarified that the bill would make clear to the consumer who is responsible for the pre-arranged contract and should not impact sales of funeral goods outside of those sold by funeral directors or morticians.
MOTION: Rep. DeMordaunt made a motion to introduce RS 23996. Motion carried by voice vote.

RS 23995: Mitch Toryanski, on behalf of the Board of Cosmetology, presented RS 23995 which would bring uniformity of the renewal and reinstatement statute language from the cosmetology board to that of the Bureau of Occupational Licenses' current statute language. In response to questions from the committee, Mr. Toryanski turned the question regarding gender neutral language over to Tana Cory, Director of Idaho Bureau of Occupational Licenses. Mrs. Cory stated they have frequently had this question. The bureau has deferred to the Legislative Services Office (LSO) for drafting language. It was asked of Mrs. Cory that in the future the question of gender neutral language be addressed.

ORIGINAL MOTION: Rep. Smith made a motion to introduce RS 23995 with the following changes: On line 14 change the word "his" to gender neutral language.

SUBSTITUTE MOTION: Rep. Crane made a substitute motion to introduce RS 23995 with the following changes: on line 14 change the word "his" to "their" and following the word reinstate, change "his" to "their."

Due to concerns from the Chairman regarding making changes to anRS 23995 without consulting the sponsor or Legislative Services, he asked for a new motion.

UNANIMOUS CONSENT REQUEST: Chairman Barbieri made a unanimous consent request to withdraw the substitute motion. There being no objection, the request was granted.

UNANIMOUS CONSENT REQUEST: Chairman Barbieri made a unanimous consent request to withdraw the original motion. There being no objection, the request was granted.

MOTION: Rep. Clow made a motion to return RS 23995 to the sponsor to address the terminology. Motion carried by voice vote.

RS 24112: Kris Ellis, on behalf of Northwest Career College Federation, presented RS 24112. This would designate barber schools as a post-secondary schools so that their students are eligible for federal financial aid.

MOTION: Rep. Thompson made a motion to introduce RS 24112. Motion carried by voice vote.

RS 24026: Steven Keys, Deputy Administrator, Division of Building and Safety presented RS 24026. This legislation would merge the manufactured housing and modular building advisory boards into one board to be named the Factory Built Structures Advisory Board.

MOTION: Rep. Monks made a motion to introduce RS 24026. Motion carried by voice vote.

RS 24190: Clark Kauffman, Representative District 25, presented RS 24190 which would ensure the uniform regulation of auxiliary containers. This would require any regulation or taxation of auxiliary containers be done by the legislature. There would not be limits to any recycling program or prevent any food establishment from using any container that it chooses.

MOTION: Rep. Batt made a motion to introduce RS 24190. Motion carried by voice vote.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:19 p.m.

Representative Barbieri
Chair

Michele Jarvis
Secretary

HOUSE BUSINESS COMMITTEE
Thursday, January 21, 2016—Minutes—Page 2
<table>
<thead>
<tr>
<th>DOCKET NO.</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>24-0001-1500</td>
<td>Licensing Boards Served by the Bureau of Occupational Licenses</td>
<td>Mitch Toryanski, Bureau of Occupational Licenses</td>
</tr>
<tr>
<td>24-0801-1501</td>
<td>Rules of the State Board of Morticians</td>
<td>Roger Hales, Bureau of Occupational Licenses</td>
</tr>
<tr>
<td>24-1801-1501</td>
<td>Rules of the Real Estate Appraiser Board</td>
<td>Roger Hales, Bureau of Occupational Licenses</td>
</tr>
<tr>
<td>24-2101-1501</td>
<td>Rules of the Idaho State Contractors Board</td>
<td>Rob Pilote, Idaho State Contractors Board</td>
</tr>
<tr>
<td>24-2501-1501</td>
<td>Rules of the Idaho Driving Businesses Licensure Board</td>
<td>Mitch Toryanski, Bureau of Occupational Licenses</td>
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COMMITTEE MEMBERS
Chairman Dixon
Rep.Crane
Rep.Thompson
Rep.Anderst
Rep.Jordan

COMMITTEE SECRETARY
Mary Dorsch
Room: EW58
Phone: 332-1139
email: hbus@house.idaho.gov
MINUTES
HOUSE BUSINESS COMMITTEE
DIXON SUBCOMMITTEE

DATE: Monday, January 25, 2016
TIME: 1:30 P.M.
PLACE: Room EW41
MEMBERS: Chairman Dixon, Representatives Crane, Thompson, Anderst, Jordan
ABSENT/EXCUSED: Representative Crane

GUESTS: Tyler Mallard, Idaho Building Contractors Association; Robert Pilote, Roy Ellis, Idaho Contractors Board; Tana Cory, Bureau of Occupational Licenses

Chairman Dixon called the meeting to order at 1:33 p.m.

DOCKET NO. 24-0001-1500: Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses, presented Docket No. 24-0001-1500 relating to license renewal and reinstatement fees.

MOTION: Rep. Thompson made a motion to recommend the full committee approve Docket No. 24-0001-1500. Motion carried by voice vote.

DOCKET NO. 24-0801-1501: Roger Hales, Bureau of Occupational Licenses, representing the Idaho Board of Morticians and Funeral Directors presented Docket No. 24-0801-1501. This rule is amended to allow for the termination of an application to the Board upon written notice where there has been no activity for 12 months.

MOTION: Rep. Jordan made a motion to recommend the full committee approve Docket No. 24-0801-1501. Motion carried by voice vote.

DOCKET NO. 24-1801-1501: Roger Hales, Bureau of Occupational Licenses, representing the Idaho Board of Real Estate Appraisers presented Docket No. 24-1801-1501. This Docket minimizes the Board's regulation of personal property and business appraisals.

MOTION: Rep. Anderst made a motion to recommend the full committee approve Docket No. 24-1801-1501. Motion carried by voice vote.

DOCKET NO. 24-2101-1501: Robert Pilote, Chairman, Contractor Registration Board, presented Docket No. 24-2101-1501 relating to fee increases.

MOTION: Rep. Thompson made a motion to recommend the full committee approve Docket No. 24-2101-1501. Motion carried by voice vote.

DOCKET NO. 24-2501-1501: Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses presented Docket No. 24-2501-1501. This Docket extends the period for medical examinations of driving instructors.

MOTION: Rep. Anderst made a motion to recommend the full committee approve Docket No. 24-2501-1501. Motion carried by voice vote.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:59 p.m.

___________________________  __________________________
Representative Dixon              Joyce McKenzie
Chair                             Secretary
AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Wednesday, January 27, 2016

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<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>U.S. Supreme Court Decision re: Regulatory Boards</td>
<td>Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses</td>
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</tr>
<tr>
<td>H 372</td>
<td>Auxiliary Containers</td>
<td>Rep. Kauffman</td>
</tr>
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COMMITTEE MEMBERS
Chairman Barbieri
Vice Chairman Clow
Rep Collins
Rep Crane
Rep Palmer
Rep Thompson
Rep Batt
Rep Hixon
Rep Kauffman
Rep Monks
Rep Anderst
Rep Beyeler
Rep DeMordaunt
Rep Dixon
Rep Troy
Rep Smith
Rep Rusche(Van Tassel)
Rep Jordan

COMMITTEE SECRETARY
Joyce McKenzie
Room: EW58
Phone: 332-1139
e-mail: hbus@house.idaho.gov
MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, January 27, 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 (Van Tassel), Jordan
ABSENT/EXCUSED: Representative(s) Palmer, Hixon
GUESTS: Miguel Legarreta, Ada County Association of Realtors; Sean Armatage, Hilex Poly Company; Teresa Molitor, American Progressive Bag Alliance; Dean Cameron, Kathy McGill, Department of Insurance; Suzanne Budge, Idaho Petroleum Marketers and Convenience Store Association; Pam Eaton, Idaho Retailers Association; Jeremy Pisca, Risch Pisca

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

Mitch Toryanski, Legal Counsel, Board of Occupational Licenses, provided information pertinent to the legal exposure of Idaho's Regulatory Boards to federal antitrust claims. He said if a state uses active market participants as regulators, it must provide active supervision if the board is to qualify for state-action immunity from federal antitrust laws. There must be more than a mere façade of state involvement to ensure political accountability. In answer to a question, he stated Idaho's regulatory boards have functioned with active market participants for years. Although, if any board or commission restraints trade it could be affected.

Vice Chairman Clow turned the gavel over to Chairman Barbieri.

H 372: Rep. Kauffman presented H 372 relating to the regulation of auxiliary containers. The purpose of this legislation is to ensure the uniform and prudent regulation of auxiliary containers. This law would require any regulation or taxation of auxiliary containers be done by the legislature, not by individual political subdivisions of the state. It would not interfere with or limit any municipal or county recycling program, nor would it prevent any retail or food establishment from utilizing any type of auxiliary container it chooses.

Suzanne Budge, IPMCSA, spoke in support of this legislation.

Pam Eaton, Idaho Retailers Association, spoke in support of the bill.

MOTION: Rep. Thompson made a motion to send H 372 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Kauffman will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:05 p.m.

___________________________
Representative Barbieri
Chair

___________________________
Joyce McKenzie
Secretary
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<tr>
<th>DOCKET NO.</th>
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<tbody>
<tr>
<td>14-0101-1501</td>
<td>Rules of Procedure of the Board of Registration for Professional Geologists</td>
<td>Roger Hales, Dept. of Occupational Licenses</td>
</tr>
<tr>
<td>14-0101-1502</td>
<td>Rules of Procedure of the Board of Registration for Professional Geologists</td>
<td>Roger Hales</td>
</tr>
<tr>
<td>18-0127-1501</td>
<td>Self-Funded Employee Health Care Plans Rule</td>
<td>Dean Cameron, Director, Department of Insurance</td>
</tr>
<tr>
<td>18-0144-1501</td>
<td>Schedule of Fees, Licenses, and Miscellaneous Charges</td>
<td>Dean Cameron</td>
</tr>
<tr>
<td>18-0160-1501</td>
<td>Long-Term Care Insurance Minimum Standards</td>
<td>Dean Cameron</td>
</tr>
<tr>
<td>49-0101-1501</td>
<td>Rules of Procedure of the Idaho Certified Shorthand Reporters Board</td>
<td>Mitch Toryanski, Legal Counsel, Department of Occupational Licenses</td>
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**COMMITTEE MEMBERS**
Chairman Beyeler  
Rep.Collins  
Rep.Batt  
Rep.Monks  
Rep.Rusche(Van Tassel)

**COMMITTEE SECRETARY**
Joyce McKenzie  
Room: EW58  
Phone: 332-1139  
email: hbus@house.idaho.gov
MINUTES
HOUSE BUSINESS COMMITTEE
BEYELER SUBCOMMITTEE

DATE: Wednesday, January 27, 2016
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW41
MEMBERS: Chairman Beyeler, Representatives Collins, Batt, Monks, Rusche(Van Tassel)
ABSENT/EXCUSED: None
GUESTS: Dean Cameron, Kally McGill, Department of Insurance

Chairman Beyeler called the meeting to order at 2:13 P.M.


MOTION: Rep. Collins made a motion to recommend the full committee approve Docket No. 14-0101-1501. Motion carried by voice vote.


MOTION: Rep. Batt made a motion to recommend the full committee approve Docket No. 14-0101-1502. Motion carried by voice vote.


MOTION: Rep. Monks made a motion to recommend the full committee approve Docket No. 49-0101-1501. Motion carried by voice vote.

DOCKET NO. 18-0144-1501: Dean Cameron, Department of Insurance presented Docket No. 18-0144-1501. The pending fee rule changes fees, removes from the fee rule a specific enumerated fee paid by applicants to a third party vendor and references the amount by contract. In answer to a question, Mr. Cameron stated the agency does not collect the fee or assign the fee to the examiner. The agency contracts with outside examiners.

MOTION: Rep. Batt made a motion to send Docket No. 18-0144-1501 to the full committee without recommendation for further discussion. Motion carried by voice vote.

DOCKET NO. 18-0160-1501: Dean Cameron, Department of Insurance presented Docket No. 18-0160-1501. The pending rule clarifies that while inflation protection must be provided for long term care partnership policies, no minimum inflation levels are established. The rule also clarifies and standardizes references.

MOTION: Rep. Collins made a motion to recommend the full committee approve Docket No. 18-0160-1501. Motion carried by voice vote.
DOCKET NO. 18-0127-1501: Dean Cameron, Department of Insurance presented Docket No. 18-0127-1501.
The pending rule makes changes consistent with recent code changes, adds clarity and removes duplicative language. It revises language to narrow the scope of required fidelity bond or equivalent coverage.

MOTION: Rep. Collins made a motion to recommend the full committee approve Docket No. 18-0127-1501.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:08 P.M.

____________________________________  _______________________________________
Representative Beyeler                      Joyce McKenzie
Chair                                        Secretary
# AMENDED AGENDA #1
## HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Monday, February 01, 2016

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<tr>
<td>RS24176</td>
<td>Insurance policies, valuation</td>
<td>Sen. Nonini</td>
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<tr>
<td>RS24157C1</td>
<td>Massage students, compensation</td>
<td>Rep. Sims</td>
</tr>
<tr>
<td>H 371</td>
<td>Factory built structures</td>
<td>Steve Keys, Division of Building Safety</td>
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**COMMITTEE MEMBERS**
- Chairman Barbieri
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- Rep Collins
- Rep Crane
- Rep Palmer
- Rep Thompson
- Rep Batt
- Rep Hixon
- Rep Kauffman
- Rep Monks
- Rep Anderst
- Rep Beyeler
- Rep DeMordaunt
- Rep Dixon
- Rep Troy
- Rep Smith
- Rep Rusche(Van Tassel)
- Rep Jordan

**COMMITTEE SECRETARY**
Joyce McKenzie
Room: EW58
Phone: 332-1139
e-mail: hbus@house.idaho.gov
DATE: Monday, February 01, 2016
TIME: 1:30 P.M.
PLACE: Room EW41
MEMBERS: Chairman Barbieri, Vice Chairman Clow, Representatives Collins, Crane, Palmer, Thompson, Batt, Hixon, Kaufman, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy, Smith, Rusche, Jordan
ABSENT/EXCUSED: Chairman Barbieri, Representative(s) Crane, Anderst
GUESTS: Steve Keys, Department of Building Safety; Teri Ottens, Idaho Housing Alliance; Woody Richards, Allstate Insurance and American Family Insurance; Jason Blair, City of Boise; Russell Westerberg, Westerberg and Associates; John Mackey, United Heritage Insurance; Juli Hart, American Council for Life Insurance

Vice Chairman Clow called the meeting to order at 1:30 P.M.

MOTION: Rep. Jordan made a motion to approve the minutes of the January 19, 2016 meeting. Motion carried by voice vote.

MOTION: Rep. Jordan made a motion to approve the minutes of the January 21, 2016 meeting. Motion carried by voice vote.

MOTION: Rep. Jordan made a motion to approve the minutes of the January 25, 2016 Dixon Subcommittee Meeting. Motion carried by voice vote of the subcommittee.

RS 24176: Senator Nonini presented RS 24176. This legislation will update the current valuation method used for life insurance premiums to Principle Based Reserves. Principle Based Reserves ensures consumers pay the appropriate premiums so reserve levels more accurately reflect risk assumed.

MOTION: Rep. Hixon made a motion to introduce RS 24176. Motion carried by voice vote.

RS 24157C1: Rep. Sims introduced RS 24157C1. This legislation relating to the licensure of massage therapists would allow for compensation of massage therapy students as part of a tuition work-off program where such program has been established by the institution teaching students massage therapy.

MOTION: Rep. Thompson made a motion to introduce RS 24157C1. Motion carried by voice vote.

H 371: Steve Keys, Department of Building Safety presented H 371. This legislation would merge the manufactured housing and modular building advisory boards into a single governing board to be named the Factory Built Structures Advisory Board. In answer to a question, Mr. Keys stated no positions for public members of either board were eliminated.
MOTION: Rep. Thompson made a motion to send H 371 to the floor with a Do Pass recommendation. Motion carried by voice vote.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:45 P.M.

____________________________________  ______________________________________
Representative Clow                Joyce McKenzie
Chair                               Secretary

HOUSE BUSINESS COMMITTEE
Monday, February 01, 2016—Minutes—Page 2
AGENDA
HOUSE BUSINESS COMMITTEE
TROY SUBCOMMITTEE
Upon Adjournment of the Full Committee
Room EW41
Monday, February 01, 2016

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<tr>
<td>10-0101-1501</td>
<td>Rules of Procedure</td>
<td>Keith Simila, Board of Professional Engineers and Professional Land Surveyors</td>
</tr>
<tr>
<td>10-0104-1501</td>
<td>Rules of Continuing Professional Development</td>
<td>Keith Simila</td>
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<tr>
<td>07-0203-1501</td>
<td>Rules Governing Permit Fee Schedule - Fee Rule, Proposed Rule</td>
<td>Steve Keys, Division of Building Safety</td>
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<tr>
<td>07-0301-1502</td>
<td>Rules of Building Safety - Fee Rule, Proposed Rule</td>
<td>Steve Keys</td>
</tr>
<tr>
<td>07-0301-1501</td>
<td>Rules of Building Safety</td>
<td>Steve Keys</td>
</tr>
<tr>
<td>12-0110-1501</td>
<td>Rules Pursuant to the Idaho Residential Mortgage Practices Act</td>
<td>Mike Larsen, Department of finance</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Troy
Rep.Kauffman
Rep.Palmer
Rep.DeMordaunt
Rep.Hixon
Rep.Smith

COMMITTEE SECRETARY
Joyce McKenzie
Room: EW58
Phone: 332-1139
e-mail: hbus@house.idaho.gov
DATE: Monday, February 01, 2016
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW41
MEMBERS: Chairman Troy, Representatives Kauffman, DeMordaunt, Hixon, Smith
ABSENT/EXCUSED: Palmer
GUESTS: Steve Keys, DPS; Jason Blais, City of Boise; Michael Larsen, Dept. of Finance; Knute Sandahl, State Fire Marshall; Dennis Stevensen, Rules Coordinator; Teri Ottens, ID Assoc. of Mortgage Professionals

Chairman Troy called the meeting to order at 1:52 p.m.

DOCKET NO. 10-0101-1501: Keith Simila, Executive Director, Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors presented Docket No. 10-0101-1501 regarding the Board's Rules of Procedure. Mr. Simila stated one of the changes allows engineering and surveying students easier access to the first examination needed for licensure. A student can now take the exam before applying to the Board. A technical correction was made to clarify the rule and reflect the removal of examination and reexamination fees as well as clarification of the fees for reinstatement of licenses and related late fees.

The rule will also update the definition of land surveying. The definition now includes all types of surveying where the previous definition was limited to property boundary surveying. The rule change reduces the boundary experience to two years and allows other surveying experience to count towards the four year total. The National Council of Examiners for Engineering and Surveying (NCEES) changed the engineering educational requirements to align with the national accrediting standards. A new section was added to bring clarity to the requirements for reinstating a retired or expired license. In response to questions from the committee, Mr. Simila acknowledged that the number of people going into the field of surveying is declining. With the rule changes, boundaries to education and employment will be reduced.

MOTION: Rep. DeMordaunt made a motion to recommend approval of Docket No. 10-0101-1501 to the full committee. Motion carried by voice vote.

DOCKET NO. 10-0104-1501: Keith Simila, Executive Director, Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors presented Docket No. 10-0104-1501 relating to the Board's Rules of Continuing Professional Development (CPD). The purpose of the rule is to remove obsolete language, improve readability, clarify CPD requirements related to licensure reinstatement, and to allow the use of a national register to make it easier for licensees in multiple states to keep track of CPD requirements and records.

MOTION: Rep. Kauffman made a motion to recommend approval of Docket No. 10-0104-1501 to the full committee. Motion carried by voice vote.
Steve Keys, Deputy Administrator of Operations, Division of Building Safety, presented Docket No. 07-0203-1501 regarding a fee change from $38 to $65 for circumstances where only a sewer or water line installation is being inspected. The $38 fee was well below the cost of providing the inspection in virtually all areas of Idaho. In response to questions from the committee, Mr. Keys stated most costs of the inspection are from travel expenses to and from the inspection site. He also stated about 65-70% of inspections are for both sewer and water lines. The person responsible for the fee is the person who takes out the permit. The cost of the inspection is 95% travel and 5% inspection time and it does not take much more time to inspect both the water and sewer lines. Mr. Keys turned the time over to John Nielson, Plumbing Program Manager, Division of Building Safety to answer a question regarding the fees. There is a standard fee of $65 for most inspections in other areas. For the last seven years they had $38 for water line and $38 for sewer line inspection or $65 for both. They were losing money with travel costs. There is no jurisdiction for a plumbing inspector, therefore travel is a large cost.

MOTION: Rep. DeMordaunt made a motion to recommend approval of Docket No. 07-0203-1501 to the full committee. Rep. Hixon invoked Rule 38 stating a possible conflict of interest due to his real estate company hiring inspections, but will vote on the motion. Motion carried by voice vote. Rep. Hixon requested to be recorded as voting NAY.

Steve Keys, Deputy Administrator of Operations, Division of Building Safety, presented Docket No. 07-0301-1502 regarding a Pending Fee Rule brought forward in response to requests from state universities and colleges that allows the institution to purchase one annual building permit which would cover all the minor alteration projects conducted by the staff during the year. The fees for inspection work are calculated on an hourly basis. In response to questions from the committee, Mr. Keys confirmed the definition of minor alteration is standard. Some examples are changing a door or window. This change allows the institution and inspector to streamline the process and reduce paperwork.

MOTION: Rep. Smith made a motion to recommend approval of Docket No. 07-0301-1502 to the full committee. Motion carried by voice vote.

Steve Keys, Deputy Administrator of Operations, Division of Building Safety, presented Docket No. 07-0301-1501 regarding Idaho Building Code Board and changes to the building code. These changes include fire alarm requirements in educational facilities, requirements for fire-resistance walls separating townhouse units and amending the Energy Code to make buildings that are heated or cooled exclusively to maintain operating temperature of equipment to be exempt from the Energy Code. Time was turned over to Jason Blais, City of Boise, regarding questions about townhouse walls. He clarified which situations that would differentiate wall thicknesses. These changes were made in collaboration with the Idaho Building Code Board.

MOTION: Rep. Kauffman made a motion to recommend approval of Docket No. 07-0301-1501 to the full committee. Motion carried by voice vote.

Michael Larsen, Consumer Finance Bureau Chief, Idaho Dept. of Finance, presented Docket No. 12-0110-1501 regarding the Idaho Residential Mortgage Practices Act. This rule would promote consistent, uniform and familiar industry standards in the marketplace by updating references to federal law and regulations (Truth-in-Lending Act and Regulation Z and X.) It reduces redundant disclosures and paperwork and streamlines forms. Teri Ottens, Idaho Assoc. of Mortgage Professionals, stood in support the docket.

MOTION: Rep. Smith made a motion to recommend approval of Docket No. 12-0110-1501 to the full committee. Motion carried by voice vote.
ADJOURN: There being no further business to come before the subcommittee, the meeting was adjourned at 2:33 p.m.

___________________________  _________________________
Representative Troy            Michele Jarvis
Chair                           Secretary
### AMENDED AGENDA #1
### HOUSE BUSINESS COMMITTEE
### 1:30 P.M.
### Room EW41
### Wednesday, February 03, 2016

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>RS24127</td>
<td>Insurance, principle place</td>
<td>John Mackey, United Heritage Insurance</td>
</tr>
<tr>
<td>RS24294</td>
<td>Cosmeticians, license renewal</td>
<td>Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses</td>
</tr>
<tr>
<td>H 367</td>
<td>Morticians, resident training license</td>
<td>Roger Hales, Bureau of Occupational Licenses</td>
</tr>
<tr>
<td>H 368</td>
<td>Real estate appraisers</td>
<td>Roger Hales</td>
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<tr>
<td>H 369</td>
<td>Funeral establishments</td>
<td>Roger Hales</td>
</tr>
<tr>
<td>H 370</td>
<td>Barbers, schools and colleges</td>
<td>Kris Ellis, Northwest Career College Federation</td>
</tr>
</tbody>
</table>

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

<table>
<thead>
<tr>
<th>COMMITTEE MEMBERS</th>
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<tbody>
<tr>
<td>Chairman Barbieri</td>
<td>Joyce McKenzie</td>
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<tr>
<td>Vice Chairman Clow</td>
<td>Room: EW58</td>
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<tr>
<td>Rep Collins</td>
<td>Phone: 332-1139</td>
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<tr>
<td>Rep Crane</td>
<td>email: <a href="mailto:hbus@house.idaho.gov">hbus@house.idaho.gov</a></td>
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<td>Rep Palmer</td>
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<td>Rep DeMordaunt</td>
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<td>Rep Kauffman</td>
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<td>Rep Anderst</td>
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<td>Rep Beyeler</td>
<td>Rep Rusche(Van Tassel)</td>
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<td>Rep Jordan</td>
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MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Wednesday, February 03, 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/GUESTS: None

GUESTS: Ken Mallea, Idaho Funeral Directors; John Mackey, Dennis Johnson, United Heritage Insurance; James Opdahl, Board of Morticians; Brad Janoush, Real Estate Appraisal Board; Kris Ellis, Northwest Career College Federation; Gail Comer, Paul Mitchell the School; Dean Cameron, Department of Insurance; Nikki Martin, Sandra Ammann, Boise Barber College

Chairman Barbieri called the meeting to order at 1:33 P.M.

RS 24127: John Mackey, United Heritage Insurance, presented RS 24127. Dennis Johnson, President, United Heritage Insurance, explained this legislation deals with current Idaho Code requiring domestic insurers to have and maintain their principal place of business, home office and assets in Idaho. This act establishes certain conditions which, if met, provide an exception to these requirements for stock insurers that redomesticate to Idaho. He explained further, United Heritage Insurance is headquartered in Idaho. It is a holding company in Idaho started by Idaho farmers for Idaho farmers. By making this exception, United Heritage will be able to acquire more insurance companies and bring more jobs to Idaho.

MOTION: Rep. Rusche made a motion to introduce RS 24127. Motion carried by voice vote.

RS 24294: Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses, presented RS 24294. The proposed legislation amends the Idaho Board of Cosmetology's renewal and reinstatement of license statute.

MOTION: Rep. Smith made a motion to introduce RS 24294. Motion carried by voice vote.

H 367: Roger Hales, Bureau of Occupational Licenses, presented H 367. In this legislation, the Idaho Board of Morticians is amending its law to change the total cumulative period in which a person may serve as a resident trainee for either a mortician or funeral director. The change will allow applicants up to three years to fulfill requirements.

MOTION: Rep. Clow made a motion to send H 367 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Clow will sponsor the bill on the floor.

H 368: Roger Hales presented H 368. The Idaho Real Estate Appraiser Board is amending its definition of appraisal. The change will establish that the Board's regulation only pertains to an estimate of value of real property rather than opinions regarding the nature, quality or utility of the real property.

MOTION: Rep. Anderst made a motion to send H 368 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Anderst will sponsor the bill on the floor.
H 369: Roger Hales presented H 369. The Idaho Board of Morticians is amending its law to require morticians or funeral directors to identify which funeral establishment is responsible to provide funeral goods or services and to maintain all documentation associated with pre-arrangement sales made by or sold by morticians or funeral directors. In answer to a question, Mr. Hales stated this amendment to the law will go into effect July 1, 2016.

MOTION: Rep. Clow made a motion to send H 369 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Clow will sponsor the bill on the floor.

H 370: Kris Ellis, Northwest Career College Federation, presented H 370. The purpose of this legislation is to clarify licensed Barber schools as postsecondary institutions. The language in this bill will ensure Barber schools in Idaho are in compliance with U.S. Department of Education regulations for schools with students that are eligible for federal financial aid.

MOTION: Rep. Thompson made a motion to send H 370 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Thompson will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:53 P.M.
AGENDA
HOUSE BUSINESS COMMITTEE
Upon Adjournment
Room EW41
Friday, February 05, 2016

<table>
<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>H 432</td>
<td>Insurance policies, valuation</td>
<td>Julie Hart, American Council of Life Insurers</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

**COMMITTEE MEMBERS**
- Chairman Barbieri
- Vice Chairman Clow
- Rep Collins
- Rep Crane
- Rep Palmer
- Rep Thompson
- Rep Batt
- Rep Hixon
- Rep Kauffman
- Rep Monks
- Rep Anderst
- Rep Beyeler

**COMMITTEE SECRETARY**
Joyce McKenzie
Room: EW58
Phone: 332-1139
e-mail: hbus@house.idaho.gov
DATE: Friday, February 05, 2016
TIME: 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) Crane, Batt, Rusche
GUESTS: Julie Hart, Dave Leroy, American Council of Life Insurers.

Chairman Barbieri called the meeting to order at 11:50 A.M.

H 432 Julie Hart, American Council of Life Insurers presented H 432 on behalf of ACLI. The legislation will update the current valuation method used for life insurance premiums to Principle Based Reserves. Principle Based Reserves ensures consumers pay the appropriate premiums so reserve levels more accurately reflect risk assumed. Ms. Hart stated all life insurance companies are required to hold financial reserves in order to support payment of policy owner claims. The principle-based reserving method modernizes reserving to ensure the reserve and premiums match the risk being assumed by the insurance company. In answer to a question, Dave Leroy, ACLI, responded there is an inconsistency in wording relative to rule vs regulation, but an amendment is not required.

MOTION: Rep. Thompson made a motion to send H 432 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Clow will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 12:05 P.M.

___________________________  ____________________________
Representative Barbieri  Joyce McKenzie
Chair  Secretary
# AGENDA
## HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Tuesday, February 09, 2016

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<td>Report of Dixon Subcommittee</td>
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<td>Report of Beyeler Subcommittee</td>
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<td>Report of Troy Subcommittee</td>
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<tr>
<td>RS24304</td>
<td>Motor vehicles, limits on damages</td>
<td>Bob Compan, Farmers Insurance Group</td>
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<tr>
<td>RS24329</td>
<td>Minimum wage</td>
<td>Pam Eaton, Idaho Retailers Association</td>
</tr>
<tr>
<td>H 440</td>
<td>Insurance, principle place</td>
<td>John Mackey, United Heritage Insurance</td>
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<tr>
<td>H 433</td>
<td>Massage students</td>
<td>Rep. Sims</td>
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<tr>
<td>Joyce McKenzie</td>
<td>Room: EW58</td>
</tr>
<tr>
<td>Phone: 332-1139</td>
<td>email: <a href="mailto:hbus@house.idaho.gov">hbus@house.idaho.gov</a></td>
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</tbody>
</table>
MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, February 09, 2016
TIME: 1:30 P.M.
PLACE: Room EW41

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

ABSENT/EXCUSED: None

GUESTS: Tom Donovan, Department of Insurance; Woody Richards, Allstate & American Family Insurance; Bob Compan, Farmers Insurance; Phil Barber, American Insurance Association; Mike Kane, Property Casualty Insurers Association; Kent Day, Liberty Mutual Insurance; John Mackey, United Heritage Insurance; Kris Ellis, Barb DeHaan, Northwest Career College Federation; Robert Pilote, Contractors Board; Jonathan Parker, Holland & Hart, LLP; Suzanne Budge, National Federation of Independent Business; Lydia Benson, American Institute of Clinical Massage; Linda Chatburn, Board of Massage Therapy.

Chairman Barbieri called the meeting to order at 1:31 P.M.

MOTION: Rep. Collins made a motion to approve the minutes of the January 27, 2016, Beyeler Subcommittee meeting. Motion carried by voice vote of the subcommittee.

MOTION: Rep. Hixon made a motion to approve the minutes of the February 1, 2016, Troy Subcommittee meeting. Motion carried by voice vote of the subcommittee.

MOTION: Rep. Dixon made a motion to accept the report of the Dixon Subcommittee on pending rules and fee rules from the Bureau of Occupational Licenses. Motion carried by voice vote.

MOTION: Rep. Beyeler made a motion to accept the report of the Beyeler Subcommittee on pending rules and fee rules from the Board of Registration for Professional Geologists, the Idaho Department of Insurance, and the Certified Shorthand Reporters Board. Motion carried by voice vote.

MOTION: Rep. Troy made a motion to accept the report of the Troy Subcommittee on pending rules and fee rules from the Division of Building Safety, the Board of Professional Engineers and Professional Land Surveyors, the Department of Finance and the Division of Building Safety. Reps. Hixon and Crane invoked Rule 38 stating a possible conflict of interest and they would not be voting on the motion. Motion carried by voice vote.

RS 24304: Bob Compan, Farmers Insurance Group, presented RS 24304. The purpose of this code section is to establish the amount of civil damages awards permitted when a plaintiff/claimant at the time of an accident is not in compliance with the requirements of Idaho Code, which mandates basic coverages of automobile insurance. The legislation affords certain protections against DUI’s, intentional acts, accidents while in the course of a felony by the insured driver, students drivers, and those who have had a lapse in coverage as well as other protections.

MOTION: Rep. Thompson made a motion to introduce RS 24304.

SUBSTITUTE MOTION: Rep. Palmer made a substitute motion to return RS 24304 to sponsor.
ROLL CALL:  
Roll call vote was requested on the substitute motion.  **Motion carried by a vote of 15 AYE, 3 NAY. Voting in favor of the motion: Reps.Clow, Collins, Crane, Palmer, Batt, Hixon, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy, Smith, Jordan and Chairman Barbieri. Voting in opposition to the motion: Reps. Thompson, Kauffman, Rusche.**

RS 24329: Pam Eaton, Idaho Retailers Association, presented RS 24329. The purpose of the proposed legislation is to clarify Idaho law to ensure the minimum wage in Idaho is decided by the legislature and applied uniformly across the state.

MOTION: Rep. Rusche made a motion to return RS 24329 to the sponsor.

SUBSTITUTE MOTION: Rep. Crane made a substitute motion to introduce RS 24329.  **Motion carried by voice vote. Reps. Rusche, Jordan and Smith requested to be recorded as voting NAY.**

H 440: John Mackey presented H 440 on behalf of United Heritage Insurance. He stated current Idaho Code requires domestic insurers to have and maintain their principal place of business home office and assets in Idaho. This act establishes certain conditions which, if met, provide an exception to these requirements for stock insurers who redomesticate to Idaho. Mr. Mackey described H 440 as a free enterprise piece of legislation adapting an old code to a more suitable statute given the business climate that exists today.

MOTION: Rep. Palmer made a motion to send H 440 to the floor with a DO PASS recommendation.  **Motion carried by voice vote. Rep. Crane will sponsor the bill on the floor.**

H 433: Rep. Sims presented H 433 relating to licensure of massage therapists. The bill would allow for compensation given to massage therapy students for tuition work-off programs where such a program has been established by the institution teaching massage therapy.

Lydia Benson, American Institute of Clinical Massage, spoke in support of H 433. She stated AiCM caters to a large network of clients who come to the school to receive student massages. Prior to a moratorium being placed on their financial structure, patrons tipped the students well, knowing the money was going toward the student's tuition. This tuition payment option is called the "Work-off" program. The students do not receive any fees, or other remuneration for performing massages. All massage fees and tips are received exclusively by AiCM, and AiCM reports these fees and tips as income on its federal and state tax returns.

MOTION: Rep. Hixon made a motion to send H 433 to the floor with a DO PASS recommendation.
Maurie Ellsworth, Gen. Counsel, Bureau of Occupational Licenses, Tana Cory, Bureau Chief, Bureau of Occupational Licenses, Kris Ellis and Linda Chatburn spoke in opposition to the bill stating there could be unintended consequences resulting from this legislation. They would like an opportunity to meet with the sponsor.

**SUBSTITUTE MOTION:** Rep. Smith made a substitute motion to HOLD H 433 for time certain, February 17, 2016.

**ROLL CALL VOTE:** Roll call vote was requested on the substitute motion. Motion carried by a vote of 13 AYE, 3 NAY and 2 ABSENT/EXCUSED. Voting in favor of the motion: Reps. Clow, Collins, Thompson, Kauffman, Monks, Anderst, Beyeler, DeMordaunt, Troy, Smith, Rusche, Jordan and Chairman Barbieri. Voting in opposition to the motion: Reps. Crane, Batt and Hixon. Reps. Palmer and Dixon were ABSENT/EXCUSED.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 3:35 P.M.

________________________________________  ______________________________________________
Representative Barbieri                              Joyce McKenzie
Chair                                   Secretary
AGENDA
HOUSE BUSINESS COMMITTEE
1:30 P.M.
Room EW41
Thursday, February 11, 2016

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<thead>
<tr>
<th>SUBJECT</th>
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<tr>
<td>H 441</td>
<td>Cosmeticians, license renewal</td>
<td>Mitch Toryanski, Legal Counsel, Board of Occupational Licenses</td>
</tr>
<tr>
<td>RS24451</td>
<td>Barber schools, additional requirements</td>
<td>Kris Ellis, Northwest Career College Federation</td>
</tr>
<tr>
<td>RS24385C2</td>
<td>Agreement/covenants/employee breach</td>
<td>Rep. McDonald</td>
</tr>
</tbody>
</table>

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COMMITTEE MEMBERS
Chairman Barbieri  Rep Batt  Rep DeMordaunt
Vice Chairman Clow Rep Hixon  Rep Dixon
Rep Collins  Rep Kauffman  Rep Troy
Rep Crane  Rep Monks  Rep Smith
Rep Palmer  Rep Anderst  Rep Rusche
Rep Thompson  Rep Beyeler  Rep Jordan

COMMITTEE SECRETARY
Joyce McKenzie
Room: EW58
Phone: 332-1139
e-mail: hbus@house.idaho.gov
MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, February 11, 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/GUESTS: None
GUESTS: Kris Ellis, Lance Giles, Northwest Career Colleges Federation; Lou Starita, Paul Mitchell the School

Chairman Barbieri called the meeting to order at 1:33 P.M.

MOTION: Rep. Jordan made a motion to approve the minutes of the January 27, 2016, meeting. Motion carried by voice vote.

MOTION: Rep. Jordan made a motion to approve the minutes of the February 1, 2016, meeting. Motion carried by voice vote.

MOTION: Rep. Jordan made a motion to approve the minutes of the February 3, 2016, meeting. Motion carried by voice vote.

H 441: Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses, presented H 441. This legislation amends the Idaho Board of Cosmetology’s renewal and reinstatement of license statute. The bill will simplify and standardize reinstatement of expired licenses.

MOTION: Rep. Hixon made a motion to send H 441 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Smith will sponsor the bill on the floor.

RS 24451: Kris Ellis, Northwest Career Colleges Federation, presented RS 24451. The purpose of this proposed legislation is to clarify licensed barber schools as postsecondary institutions, in order to align with federal regulations.


SUBSTITUTE MOTION: Rep Thompson made a substitute motion to introduce RS 24451 and recommend it be sent directly to the Second Reading Calendar.


RS 24385C2: Rep. McDonald presented RS 24385C2. He stated in the event of a civil action by an employer, this amendment identifies the court as having the authority to determine if a key employee or independent contractor has breached an agreement or covenant resulting in harm to the employer.

Cody Galloway, LeapFox Learning, testified in support of RS 24385C2.
MOTION: Rep. Monks made a motion to introduce RS 24385C2. Rep Palmer invoked Rule 38 stating a possible conflict of interest and that he would not be voting on the motion. Motion carried by voice vote.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:56 P.M.
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<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>RS24431</td>
<td>Homeowner's association, prohibit conduct</td>
<td>Rep. Gestrin</td>
</tr>
<tr>
<td>H 463</td>
<td>Minimum wage</td>
<td>Pam Eaton, Idaho Retailers Association</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

**COMMITTEE MEMBERS**

Chairman Barbieri  
Vice Chairman Clow  
Rep Collins  
Rep Crane  
Rep Palmer  
Rep Thompson  
Rep Batt  
Rep Hixon  
Rep Kauffman  
Rep Monks  
Rep Anderst  
Rep Beyeler  
Rep DeMordaunt  
Rep Dixon  
Rep Troy  
Rep Smith  
Rep Rusche  
Rep Jordan

**COMMITTEE SECRETARY**

Joyce McKenzie  
Room: EW58  
Phone: 332-1139  
email: hbus@house.idaho.gov
MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Monday, February 15, 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) Thompson
GUESTS: Karleen Davis, landlord; Jonathan Frost, FrostCabins, Inc.; Marty Durand, Building Trades; Wayne Hoffman, Idaho Freedom Foundation; Peter Thomas, FrostCabins; Kelli Brassfield, IAC; Caz Marquart, Transform Idaho; John Watts, NW Grocers; Gayle Wilde, Jane Gheen Post, AAUW; Barbara Kemp

RS 24431: Rep. Gestrin presented RS 24431. Rep. Gestrin stated the proposed legislation protects the private property rights of Idaho homeowners by ensuring their right to rent their property is preserved. If a homeowner bought a home at a time when renting the home was allowed by a Homeowner's Association (HOA), the HOA may not create new Covenants, Conditions, and Restrictions (CCR'S) that change the existing right to rent without written consent of the homeowner. This would not impact CCR'S that were in place prior to the time a homeowner purchased the property.

MOTION: Rep. Hixon made a motion to introduce RS 24431. Motion carried by voice vote.

H 463: Pam Eaton, presented H 463 on behalf of the Idaho Retailers Association and the Idaho Lodging and Restaurant Association. Ms. Eaton stated the purpose of the legislation is to clarify Idaho Law to ensure the minimum wage in Idaho is decided by the legislature and applied uniformly across the state. In answer to a question, she said she can provide copies of similar legislation 29 states have passed. In response to another question, she stated she can furnish polling figures to support the bill.

Speaking in opposition to H 463: Karleen Davis, Marty Durand, Kay Marquart.
Speaking in support of H 463: John Watts and Wayne Hoffman.

MOTION: Rep. Palmer made a motion to send H 463 to the floor with a DO PASS recommendation.

SUBSTITUTE MOTION: Rep. Jordan made a substitute motion to HOLD H 463 in committee.


VOTE ON SUBSTITUTE MOTION: Chairman Barbieri called for a vote on the substitute motion to HOLD H 463 in committee. Motion failed by voice vote.

VOTE ON ORIGINAL MOTION: Chairman Barbieri called for a vote on the motion to send H 463 to the floor with a DO PASS recommendation. Motion carried by voice vote. Reps. Rusche, Smith and Jordan requested to be recorded as voting NAY. Rep. Malek will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:10 P.M.
### AMENDED AGENDA #1

**HOUSE BUSINESS COMMITTEE**

1:30 P.M.  
Room EW41  
Wednesday, February 17, 2016

<table>
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<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>Docket No. 18-0144-1501</td>
<td>Schedule of fees, licenses and miscellaneous charges</td>
<td>Dean Cameron, Director, Department of Insurance</td>
</tr>
<tr>
<td>RS24556</td>
<td>Massage students, compensation</td>
<td>Rep. Sims</td>
</tr>
<tr>
<td>RS24542</td>
<td>Contracts, design professionals</td>
<td>Jeremy Chou, Givens Pursley, LLP</td>
</tr>
</tbody>
</table>

**If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.**

**COMMITTEE MEMBERS**

| Chairman Barbieri | Rep Batt | Rep DeMordaunt |
| Vice Chairman Clow | Rep Hixon | Rep Dixon |
| Rep Collins | Rep Kauffman | Rep Troy |
| Rep Crane | Rep Monks | Rep Smith |
| Rep Palmer | Rep Anderst | Rep Rusche |
| Rep Thompson | Rep Beyeler | Rep Jordan |

**COMMITTEE SECRETARY**

Joyce McKenzie  
Room: EW58  
Phone: 332-1139  
email: hbus@house.idaho.gov
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, Kaufman, 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.

___________________________  ___________________________
Representative Barbieri       Joyce McKenzie
Chair                         Secretary
### AGENDA

**HOUSE BUSINESS COMMITTEE**  
1:30 P.M.  
Room EW41  
Tuesday, February 23, 2016

<table>
<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>S 1219</td>
<td>Public works contracts</td>
<td>Wayne Hammon, CEO, Idaho Associated General Contractors</td>
</tr>
<tr>
<td>H 511</td>
<td>Homeowner’s association, prohibit conduct</td>
<td>Rep. Gestrin</td>
</tr>
<tr>
<td>H 519</td>
<td>Massage therapy, student tuition credit</td>
<td>Rep. Sims</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

**COMMITTEE MEMBERS**

- Chairman Barbieri  
- Vice Chairman Clow  
- Rep Collins  
- Rep Crane  
- Rep Palmer  
- Rep Thompson  
- Rep Batt  
- Rep Hixon  
- Rep Kauffman  
- Rep Monks  
- Rep Anderst  
- Rep Beyeler

**COMMITTEE SECRETARY**

- Joyce McKenzie  
- Room: EW58  
- Phone: 332-1139  
- email: hbus@house.idaho.gov
MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, February 23, 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: Rep. Crane
GUESTS: Jonathan Frost, FrostCabins; Marta Frost, Mona Frost, Linda Trout, Amber Pence, City of Boise; Evan Mortimer, Peter Thomas, Mortimer, Thomas PLLC; Matt Reiber, Intern; Barb DeHaan, NWCCF; Lydia Benson, AiCM; Kathleen Lewis, SICOG; David Doran, SICOG; Serena Minesian, John Eaton, Realtors; Kris Ellis, NWCCF

Chairman Barbieri called the meeting to order at 1:32 P.M.

MOTION: Rep. Anderst made a motion to approve the minutes of the February 11, 2016 meeting.

MOTION: Rep. Anderst made a motion to approve the minutes of the February 15, 2016 meeting.

Chairman Barbieri welcomed the new Business Committee Page, Katherine Nelson. Katherine is a home school student from Boise, Idaho. Her parents are Richard and Rachelle Nelson.

S 1219: Wayne Hammon, CEO, Idaho Associated General Contractors, presented S 1219. Mr. Hammon stated this legislation adds guidelines to the Construction Managers and General Contractors (CM/GC) law approved by the Legislature during its 2014 session. Experience since the law was enacted has identified areas where additional clarification may be needed. This bill mandates the solicitation of bids from multiple contractors and limits CM/GC self-performance. The bill also requires written agreements for all fees and compensation, makes all bids public record and clarifies that the bidding can be done in phases.

MOTION: Rep. Kauffman made a motion to send S 1219 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Thompson will sponsor the bill on the floor.

H 511: Rep. Gestrin presented H 511. He stated the legislation protects the private property rights of Idaho homeowners by ensuring their right to rent their property is preserved. The bill states if a homeowner bought a home at a time when renting the home was allowed by a Homeowner's Association (HOA), the HOA may not create new Covenants and Restrictions (CCR's) that change the existing right to rent without written consent of the homeowner. This would not impact CCR's that were in place prior to the time a homeowner purchased the property.
Speaking in support of H 511: Jonathan Frost, vacation rental owner, his attorney Evan Mortimer and John Eaton, Idaho Association of Realtors. Mr. Frost stated, currently, Idaho Home Owners Associations (HOA’s) have the right to change their CC&Rs to restrict or eliminate rentals of any length of time in the area of their jurisdiction, even though those restrictions did not exist at the time the owner purchased the property. Owners should have the reasonable expectation that if a rental is allowed at the time of purchase, he/she will be able to continue renting the property throughout the time he/she owns the property. Speaking in opposition to H 511: Linda Trout, private property owner.

MOTION: Rep. Thompson made a motion to send H 511 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Gestrin will sponsor the bill on the floor.

H 519: Rep. Sims presented H 519. This legislation provides an exemption from the definition of "compensation" and authorizes the Board of Massage Therapy to establish requirements for a student tuition credit program.

MOTION: Rep. Hixon made a motion to send H 519 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Sims will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:28 P.M.
**AGENDA**
**HOUSE BUSINESS COMMITTEE**
1:30 P.M.
Room EW41
Thursday, March 03, 2016

<table>
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<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>S 1221</td>
<td>Insurance producer licensing</td>
<td>Dean Cameron, Director, Department of Insurance</td>
</tr>
<tr>
<td>S 1286</td>
<td>Engineers, surveyors, term defined</td>
<td>Mike Kane, Board of Engineers &amp; Land Surveyors</td>
</tr>
<tr>
<td>S 1287</td>
<td>Engineers, surveyors, civil penalty</td>
<td>Mike Kane, Board of Engineers &amp; Land Surveyors</td>
</tr>
</tbody>
</table>

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

**COMMITTEE MEMBERS**

Chairman Barbieri  
Vice Chairman Clow  
Rep Collins  
Rep Crane  
Rep Palmer  
Rep Thompson  
Rep Batt  
Rep Hixon  
Rep Kauffman  
Rep Monks  
Rep Anderst  
Rep Beyeler  
Rep DeMordaunt  
Rep Dixon  
Rep Troy  
Rep Smith  
Rep Rusche  
Rep Jordan

**COMMITTEE SECRETARY**

Joyce McKenzie  
Room: EW58  
Phone: 332-1139  
email: hbus@house.idaho.gov
MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, March 03, 2016
TIME: 1:30 P.M.
PLACE: Room EW41
MEMBERS: Chairman Barbieri, Vice Chairman Clow, Representatives Collins, Crane, Palmer, Thompson, Batt, Hixon, Kaufman, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy, Smith, Rusche, Jordan
ABSENT/EXCUSED: Representative(s) Palmer, DeMordaunt
GUESTS: Mike Kane, Engineers Board; Dean Cameron, Tom Donovan, Dept. of Insurance; Colby Cameron, Sullivan Reberger/IAHU; John Duvall, PBAI

Chairman Barbieri called the meeting to order at 1:32 P.M.

MOTION: Rep. Jordan made a motion to approve the minutes of the February 9, 2016 meeting. Motion carried by voice vote.

MOTION: Rep. Anderst made a motion to approve the minutes of the February 17, 2016 meeting. Motion carried by voice vote.

MOTION: Rep. Jordan made a motion to approve the minutes of the February 23, 2016 meeting. Motion carried by voice vote.

S 1221: Dean Cameron, Director, Idaho Department of Insurance presented S 1221. Director Cameron noted DOI's licensing division is nationally recognized and award nominated for their efficiency and customer service. S 1221 is a bill to help the DOI be more efficient in licensing processes. The legislation relates to producer/agent/surplus lines broker licensing in Idaho. Circumstances for terminating a nonresident Idaho license are defined, where the resident license in another state has been voluntarily surrendered or lapsed. The process for terminating the license of a nonresident producer who no longer meets a prerequisite for holding a license has been streamlined. A person whose license has been revoked may not reapply for a license until not less than one year and up to five years have passed rather than the current one year waiting period.

MOTION: Rep. Thompson made a motion to send S 1221 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Thompson will sponsor the bill on the floor.

S 1286: Mike Kane, representing the Board of Engineers and Land Surveyors, presented S 1286. Mr. Kane stated the objective of the bill is to add a definition for a retired licensee as it relates to professional engineers and land surveyors. The bill will ensure licensees clearly understand that practicing professional engineering or professional land surveying on a retired license is prohibited.

MOTION: Rep. Hixon made a motion to send S 1286 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Hixon will sponsor the bill on the floor.

S 1287: Mike Kane presented S 1287. He stated this legislation clarifies the unlicensed practice of engineering or land surveying is a violation of the law. It adds a civil penalty of up to $1,500.00 as an enforcement provision which is a better option than pursuing a criminal complaint. In answer to questions, Mr. Kane responded the fines go to the State's General Fund. The intent of the legislation is to encourage people to get licensed.
MOTION: Rep. Rusche made a motion to send S 1287 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Rusche will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:05 P.M.
AMENDED AGENDA #2
HOUSE BUSINESS COMMITTEE
1:30 P. M. or Upon Adjournment
Room EW41
Wednesday, March 09, 2016

<table>
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<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>S 1345</td>
<td>Insurance producer license/dept. director</td>
<td>Mark Estess, Eiguren and Ellis Public Policy Firm</td>
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<tr>
<td>S 1285 aa</td>
<td>Engineers, surveyors, exams</td>
<td>Keith Simila, Board of Engineers and Land Surveyors</td>
</tr>
<tr>
<td>H 487</td>
<td>Agreement/covenants, employee breach</td>
<td>Rep. McDonald</td>
</tr>
</tbody>
</table>

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

COMMITTEE MEMBERS
- Chairman Barbieri
- Rep Batt
- Vice Chairman Clow
- Rep Hixon
- Rep Collins
- Rep Kauffman
- Rep Crane
- Rep Monks
- Rep Palmer
- Rep Anderst
- Rep Thompson
- Rep Beyeler

COMMITTEE SECRETARY
- Joyce McKenzie
- Room: EW58
- Phone: 332-1139
- email: hbus@house.idaho.gov
**MINUTES**

**HOUSE BUSINESS COMMITTEE**

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<tr>
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<tbody>
<tr>
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<td>1:30 P. M. or Upon Adjournment</td>
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<tr>
<td>PLACE:</td>
<td>Room EW41</td>
</tr>
<tr>
<td>MEMBERS:</td>
<td>Chairman Barbieri, Vice Chairman Clow, Representatives Collins, Crane, Palmer, Thompson, Batt, Hixon, Kauffman, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy, Smith, Rusche, Jordan</td>
</tr>
<tr>
<td>ABSENT/EXCUSED:</td>
<td>None</td>
</tr>
<tr>
<td>GUESTS:</td>
<td>Doug Loertscher, Starr Family Behavioral Health; Scott Galloway, Codi Galloway, Ken Coulter, LeapFox Learning; Quinn Perez, Guy Hallam, Barbara Jorden, Marcia Jedry, ITLA; Mark Estess, Idaho Bail Coalition; Jody Sedrick, Zenware; Tom Donovan, Elaine Mellon, DOI; Jeremy Chou, Givens Pursley; Jason Ronk, Micron; Suzanne Budge, SBS Assoc. LLC; William Monk, Renee Karel, Lindsey Tyler, William Locke, Attny</td>
</tr>
</tbody>
</table>

Chairman Barbieri called the meeting to order at 1:33 P.M.

**S 1345:**

Mark Estess, Eiguren Ellis Public Policy Firm, spoke on behalf of the Idaho Bail Coalition. He presented S 1345, stating the purpose of the legislation is to address a problem relating to bail agent solicitation of incarcerated inmates and reportedly paying the inmates referral fees. The legislation allows the Director of the Idaho Department of Insurance to impose a fine, suspend or revoke a bail agent's license if the bail agent, his employees, contractors or agents acting under his supervision compensate, employ, or solicit any person incarcerated in any courthouse, jail, or prison for the purpose of the incarcerated person referring business to the licensed bail agent. In answer to questions, Mr. Estess deferred to Tom Donovan, Dept of Insurance, who stated this regulation would prevent bail agents from soliciting. As far as inmates receiving referral fees, he said he's not aware of other classes who are prohibited from receiving referral fees. The harm done by inmates receiving kickbacks is it disturbs the general order of the jail and could place an inmate in authority or power over fellow inmates.

**MOTION:**

Rep. Rusche made a motion to send S 1345 to the floor with a DO PASS recommendation.

**ROLL CALL VOTE:**

**S 1285aa:** Keith Simila, Board of Engineers and Land Surveyors presented S 1285aa. He stated the legislation authorizes the Board to issue a professional engineering license to engineering faculty with an earned Ph.D. and employed at any Idaho university without a written technical examination. The requirements of professional examinations are clarified. The conditions concerning reexamination for those failing on prior attempts are also clarified. Fees for reexamination are removed with this legislation. In answer to questions, Mr. Simila responded faculty who teach upper division engineering courses are required by law to be licensed professional engineers. At some universities, faculty may receive specialized education relating to technical fields for which no technical examinations are available. A restricted license process will allow a waiver of the technical examination, in lieu of other requirements such as a written examination on laws, rules and ethical responsibilities. The license would be restricted to certain requirements such as remaining employed by the university and teaching upper division engineering courses.

Roger Brown, Director of Community Relations, Boise State University, spoke in support of S 1285aa.

**MOTION:** Rep. Troy made a motion to send S 1285aa to the floor with a DO PASS recommendation. Motion carried by voice vote. Reps. Batt and Monks requested to be recorded as voting NAY. Rep. Troy will sponsor the bill on the floor.

**H 487:** Rep. McDonald presented H 487. This legislation relates to agreements and covenants protecting legitimate business interests and provides that a rebuttable presumption of irreparable harm by a key employee is established under certain circumstances. In answer to a question, Rep. McDonald responded in a manner to which Rep. Rusche objected. An apology was proffered and graciously accepted.

Doug Loertscher spoke in opposition to the bill saying he had been sued for hiring employees from competing companies.

Scott Galloway, LeapFox Learning; Lindsey Tyler, on behalf of Brody Tyler, Inbound Systems; Jody Sedrick, Jeremy Chou, on behalf of himself, spoke in support of the bill.

Codi Galloway, stated the bill uses clear, concise language and the focus should be on the term "Key Employee".

**MOTION:** Rep. DeMordaunt made a motion to send H 487 to the floor with a DO PASS recommendation.

Guy Hallam, William Locke and Renae Carroll spoke in opposition to the bill. They agreed that a presumption of irreparable harm is inappropriate. The legislation could lead to frivolous lawsuits. Mr. Locke stated resolution of these conflicts can't be legislated and the bill changes how cases are tried.

Aaron Coulter and Jason Ronk spoke in support of the bill. Mr. Ronk said the Micron legal team had reviewed the issue and determined the legislation would benefit employers.

Rep. McDonald was called upon to give his closing remarks. He thanked those who testified and apologized once again for what he termed his uncivil behavior earlier.

Rep. Crane invoked Rule 38 stating a possible conflict of interest.

Reps. Clow, Anderst, Beyeler, and Rusche spoke in opposition to the motion citing concerns relative to the terms key employee and presumption of irreparable harm. Proving a negative is difficult to do.

Reps. DeMordaunt, Troy, and Monks spoke in support of the motion.
A clarification was called for, Rep. Crane objected to the clarification because the chairman had already asked for a closing statement from the sponsor.

**ROLL CALL VOTE:** Roll call vote was requested. *Motion carried by a vote of 13 AYE, 3 NAY, 2 Absent/excused. Voting in favor of the motion: Vice Chairman Clow, Reps. Collins, Crane, Palmer, Batt, Hixon, Monks, Anderst, Beyeler, DeMordaunt, Dixon, Troy and Chairman Barbieri. Voting in opposition to the motion: Reps. Smith, Rusche and Jordan. Reps. Thompson and Kauffman were Absent/excused. Rep. McDonald will sponsor the bill on the floor.*

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 4:04 P.M.

_________________________________  ______________________________________
Representative Barbieri                Joyce McKenzie
Chair                                   Secretary
AGENDA
HOUSE BUSINESS COMMITTEE
1:30 PM or Upon Adjournment
Room EW41
Tuesday, March 15, 2016

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>S 1359</td>
<td>Farm implements/equip, repurchase</td>
<td>Roger Batt, Western Equipment Dealers</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Barbieri
Vice Chairman Clow
Rep Collins
Rep Crane
Rep Palmer
Rep Thompson
Rep Batt
Rep Hixon
Rep Kauffman
Rep Monks
Rep Anderst
Rep Beyeler
Rep DeMordaunt
Rep Dixon
Rep Troy
Rep Smith
Rep Rusche
Rep Jordan(Memmott)

COMMITTEE SECRETARY
Joyce McKenzie
Room: EW58
Phone: 332-1139
e-mail: hbus@house.idaho.gov
MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Tuesday, March 15, 2016
TIME: 1:30 P.M. 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 (Memmott)
ABSENT/EXCUSED: Rep. Rusche
GUESTS: Roger Batt, Western Equipment Dealers Assoc.; Suzanne Budge, SBS Assoc. LLC/John Deere; Matt Reiber, Intern

Chairman Barbieri called the meeting to order at 1:31 P.M.

MOTION: Rep. Anderst made a motion to approve the minutes of the March 3, 2016 meeting. Motion carried by voice vote.

S 1359: Roger Batt, Western Equipment Dealers Assoc., presented S 1359. The bill clarifies rental and demonstration equipment that has not been retailed to an end user shall be eligible for repurchase within the 36 months immediately proceeding notification of intent to cancel or discontinue the contract. The legislation also clarifies that specialized repair tools that are repurchased by a supplier and are not in new, unused condition shall be repurchased as repair tools in complete and usable condition. A new depreciation schedule to determine the value of demonstration and rental equipment is included.

Suzanne Budge, SBS Assoc., representing John Deere, spoke in support of S 1359.

Rep. DeMordaunt spoke in opposition to the bill. He stated this bill is an attempt to micromanage business and the effort does Idaho businesses a disservice.

In answer to questions, Chairman Barbieri said the contracts referred to in the bill are contracts of adhesion and are treated differently in the law.

Rep. Batt invoked Rule 38 stating a possible conflict of interest, but she will be voting on the legislation.

MOTION: Rep. Hixon made a motion to send S 1359 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. DeMordaunt requested to be recorded as voting NAY. Rep. Crane will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:49 P.M.

___________________________  ___________________________
Representative Barbieri       Joyce McKenzie
Chair                        Secretary
AGENDA

HOUSE BUSINESS COMMITTEE
1:30 PM or Upon Adjournment
Room EW41
Monday, March 21, 2016

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
<th>PRESENDER</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1315 aa</td>
<td>Trustee's sale, property disposal</td>
<td>Trent Wright, Idaho Bankers Association</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Barbieri  
Vice Chairman Clow  
Rep Collins  
Rep Crane  
Rep Palmer  
Rep Thompson  
Rep Batt  
Rep Hixon  
Rep Kauffman  
Rep Monks  
Rep Anderst  
Rep Beyeler  
Rep DeMordaunt  
Rep Dixon  
Rep Troy  
Rep Smith  
Rep Rusche  
Rep Jordan  

COMMITTEE SECRETARY
Joyce McKenzie  
Room: EW58  
Phone: 332-1139  
email: hbus@house.idaho.gov
Chairman Barbieri called the meeting to order at 4:04 P.M.

MOTION: Rep. Anderst made a motion to approve the minutes of the March 9, 2016 and March 15, 2016 meetings. **Motion carried by voice vote.**

S 1315aa: Trent Wright, President & CEO, Idaho Bankers Assoc., presented **S 1315aa.** He stated this legislation clarifies following the 10th day of a trustee’s sale the purchaser may remove any non-titled personal property remaining in the unoccupied premises. The property can be placed in suitable storage for a period of 90 days. Prior to disposing of the personal property, the purchaser shall provide both a written notice to the last known occupant and a posted notice to the premises. If the owner fails to claim the property within 90 days, the purchaser may dispose of the property and shall have no further liability for it. In answer to a question, Mr. Wright responded the purchaser of the home is responsible for payment of storage fees. Participants in the banking and foreclosure realm have been thoroughly vetted so they will be aware of the regulation.

MOTION: Rep. Beyeler made a motion to send **S 1315aa** to the floor with a DO PASS recommendation.

Rep. Beyeler asked if it would be appropriate to request the bill be sent directly to the Second Reading Calendar. Rep. Crane called for a point of order. He said bills automatically go to the Second Reading Calendar so a motion to that effect is not necessary.

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

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:14 P.M.
AGENDA
HOUSE BUSINESS COMMITTEE
1:30 PM or Upon Adjournment
Room EW41
Wednesday, March 23, 2016

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
<th>PRESENTER</th>
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<tr>
<td>S 1317aa</td>
<td>Homeowner's assoc., attorney's fees</td>
<td>Sen. Lakey</td>
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</table>

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COMMITTEE MEMBERS
Chairman Barbieri
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Rep Anderst
Rep Beyeler
Rep DeMordaunt
Rep Dixon
Rep Troy
Rep Smith
Rep Rusche
Rep Jordan

COMMITTEE SECRETARY
Joyce McKenzie
Room: EW58
Phone: 332-1139
e-mail: hbus@house.idaho.gov
DATE: Wednesday, March 23, 2016
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: Reps. Palmer, Kauffman, Anderst
GUESTS: Andrew Mitzel, Realtors

Chairman Barbieri called the meeting to order at 3:53 P.M.

MOTION: Rep. Jordan made a motion to approve the minutes of the March 21, 2016 meeting. Motion carried by voice vote.

S 1317aa: Senator Lakey presented S 1317aa. He stated this legislation clarifies Home Owners’ Associations may only seek attorney’s fees and costs from a property owner after the property owner has had the opportunity to cure any violation. A court may determine the attorney's fees assessed by an association are reasonable. The prevailing party in a dispute may be awarded attorney's fees and costs. In answer to a committee question, he stated it is common practice for HOA's to send a homeowner notice of an infraction on attorney letterhead and pass the attorney fees on to the homeowner before he/she has had an opportunity to correct the infraction.

MOTION: Rep. Hixon made a motion to send S 1317aa to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Anderst will sponsor the bill on the floor.

Chairman Barbieri and the committee thanked Page, Katherine Nelson and secretary, Joyce McKenzie for their work this session.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 4:20 P.M.