

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Monday, March 11, 2019

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

**PLACE:** Room EW41

**MEMBERS:** Chairman Dixon, Vice Chairman DeMordaunt, Representatives Collins, Crane, Palmer, Barbieri, Stevenson, Armstrong, Clow, Monks, Andrus, Furniss, Nichols, Raymond, Smith (Nye), Berch, Green(18)

**ABSENT/  
EXCUSED:** None

**GUESTS:** Randy Pipal, IIABI, Woody Richards, Allstate, American Family, Farm Bureau, Jeff Neumeyer, United Heritage, Kent Day, Liberty Mutual, Mike Kane, APCI, Shawn Keough, Association of Loggers Exchange, Dean Cameron, DOI, Thomas Judge, IBPELS, Glenn Bennett, Civil Survey Consultants, Keith Simila, Board of Engineers and Surveyors, Marty Durand, Idaho Building Trades, Jeff Fitzloff, Mark Zaleski, IBEW, Kelly Lamp, Idaho National Electrical Contractors, Bob Scott, Electrical Board, Jeremy Redman, IBEW291, Brody Aston, IDABO, Jason Hudson, Idaho AFL-CIO

**MOTION:** **Rep. Green(18)** made a motion to approve the minutes of March 5, 2019 meeting. **Motion carried by voice vote.**

**H 178:** **Rep. Furniss** returned **H 178** to the committee for consideration, which was held for time certain from the meeting of Thursday, March 7, 2019. After meeting with the Department of Insurance, Rep. Furniss requested to **HOLD H 178** in the committee.

**MOTION:** **Rep. Barbieri** made a motion to **HOLD H 178** in committee. **Motion carried by voice vote.**

**H 247:** **Rep. Furniss** presented **H 247**, legislation eliminating the problem of phantom insurance and reduced payments for benefits paid by others. When a citizen purchases motor vehicle underinsurance coverage, the purchaser receives the stated benefit provided on the declarations page. This prevents an insurance company that receives a premium for underinsured coverage from taking credit for benefits paid by other insurance companies. It further limits the benefits recoverable to the purchaser's actual losses or the amount of coverage purchased, whichever is less. **Reps. Monks** and Furniss invoked rule 38.

**Kelby Monks**, attorney, spoke **in favor** of **H 247**, explaining only one insurance will pay on a claim, even though both parties are covered.

**Randy Pipal, Woody Richards, Chuck Neumeyer, and Mike Kane**, spoke **in opposition** of **H 247**, saying this bill would compel Idahoans to purchase more coverage, and Idahoans currently have the choice to purchase more insurance. Insurance may be priced out of the market for some individuals, and agents would no longer be able to sell their product.

As no motion was made, **H 247** will be held in committee.

**H 229:** **Rep. Crane** presented **H 229**, legislation creating an Idaho Residential Electrical Code, and increasing the journeymen to apprentice ratio to 1:4 for residential electrical contractors. Rep. Crane requested **H 229** be sent to General Orders.

**MOTION:** **Rep. Palmer** made a motion to send **H 229** to General Orders. **Motion carried by voice vote.**

**S 1037aa:** **Rep. Gestrin** presented **S 1037aa**, an amendment expanding the existing authorization to access private lands to include private land surveyors. Licensed professional land surveyors are the only persons authorized by Idaho statute to provide legal surveys of private property boundaries. The authorization to access and locate necessary property corners and evidence related to boundaries enables land surveyors to conduct a proper survey. Surveys supported by all of the required evidence protect real property rights.

**Thomas Judge**, Deputy Director **IBPELS**, spoke **in support** of **S 1037aa**. This bill provides a reliable access to private land for Professional Land Surveyors and subordinates when conducting land surveys, putting the property rights of all owners on a level field. Land surveyors must access private property to correctly determine property boundaries. Under current law, only select surveyors working on limited government surveys have a legal right to enter private property. Private surveyors are required to obtain permission from the owner of every property they enter. That permission can be withheld, is revocable at any time without warning, adds significant cost, and even prevents completion of many projects. Refusal to grant access causes turmoil if boundary determinations are made without access to the required evidence. Owners and businesses suffer loss when surveys are cancelled mid-stream or elevated to the courts.

**MOTION:** **Rep. Clow** made a motion to send **S 1037aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 2:55 p.m.

---

Representative Dixon  
Chair

---

Jayne Feik  
Secretary