

MINUTES
HOUSE BUSINESS COMMITTEE

- DATE:** Thursday, March 03, 2022
- TIME:** 1:30 p.m. or upon adjournment
- PLACE:** Room EW41
- MEMBERS:** Chairman Dixon, Vice Chairman Furniss, Representatives Crane, Palmer, Barbieri, Armstrong, DeMordaunt, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Berch, Green
- ABSENT/
EXCUSED:** Rep. Furniss, Barbieri, Armstrong, Adams
- GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.
- Chairman Dixon** called the meeting to order at 3:31 p.m.
- MOTION:** **Rep. Berch** made a motion to approve the minutes of the February 17, 2021 meeting. **Motion carried by voice vote.**
- Chairman Dixon** reordered the agenda.
- H 579:** **Rep. DeMordaunt** presented **H 579**. This legislation protects an employee's medical privacy. An employee does not have to disclose medical information to an employer unless the requested information is identified at or around the time of hire and said information is necessary to determine if the prospective employee can perform the essential functions of the job for which they are being considered. This legislation also provides for specific exemptions.
- Rep. DeMordaunt** said, a disclosure of private information would be required at the time of hire or if an employee is requesting a transfer or change of position. The information may not be requested after a person is hired. If a potential employee is not comfortable with sharing their medical information with a potential employer, they are likely not a good fit for the company.
- In response to questions, **Rep. DeMordaunt** said this is not an expansion law. Employers may currently request medical records, including vaccine status. This legislation is not retroactive and applies to future employees. If a company is sold, **Rep. DeMordaunt** said State laws would still apply.
- MOTION:** **Rep. Ferch** made a motion to send **H 579** to the floor with a **DO PASS** recommendation.
- During committee discussion, **Rep. Ferch** clarified HIPPA Laws require written consent for medical information to be shared. He said people cannot be coerced to give their information away. **Rep. Bundy** said he will support the motion but reserves the right to change his vote. **Rep. Berch** stated he would not support the motion because employers want health information to protect their employees and customers. He said employers also have a responsibility to protect employees' medical information. Medical conditions can change and this bill creates a more dangerous situation. **Rep. Berch** said there has to be a balance between individual rights and the rights of those who could be effected. **Rep. Green** said she would not support the motion because she believes there are already laws in place to protect employees. **Rep. Nichols** said she would support the motion and would like this bill to do more. Her constituents do not feel their medical information is being protected and this is a good first step, taking the burden off the employers.

VOTE ON MOTION:

Motion carried by voice vote. Rep. DeMordaunt will sponsor the bill on the floor.

S 1295:

Rep. Crane presented **S 1295**. This bill updates and modernizes provisions within the Idaho Credit Union Act, providing flexibility and modern provisions to allow Idaho state-chartered credit unions to better serve their members. Rep. Crane introduced **Ryan Fitzgerald**, NW Credit Union to provide more specific information and answer questions.

Mr. Fitzgerald said this legislation will bring the Idaho Credit Union Act into alignment with national standards. It provides additional flexibility for credit unions to establish new branches and use of technology facilities and provides a definition of safety and soundness, which gives credit unions a legal understanding and framework of potential regulatory findings during an examination. It also allows credits unions to hold virtual or remote board meetings and annual member meetings. It updates the member expulsion section to provide credit union leaders with the ability to act quickly to expel a member in order to ensure the safety of employees or other members when a member is acting in a threatening or violent manner. The expelled member is guaranteed an opportunity to appeal and request reinstatement. Mr. Fitzgerald further explained the legislation provides updates to the credit union corporate powers statute that allows flexibility in the financial service product offerings for credit union members. It also reduces outdated regulatory language around real estate occupancy requirement for Idaho state-chartered credit unions and streamlines the process by which credit union bylaws are adopted and approved by the director of the Idaho Department of Finance.

MOTION:

Rep. Palmer made a motion to send **S 1295** to the floor with a **DO PASS** recommendation.

In response to questions, **Mr. Fitzgerald** said non-member banking services include under-served banking processes such as check cashing, financial counseling, insurance services and wire transfers. The Department of Finance wants to get out of the business of giving permission for Credit Unions to open new branches. They are examined annually, and the Department of Finance know the branches are well-run and trust their judgement.

Brody Aston, Lobbyist, representing the Freedom Northwest Credit Union, spoke **in support** of **S 1295**. He said the Credit Unions will be able to advance their services with the new act.

Ken Burgess, Veritas Group, representing Idaho Central Credit Union, spoke **in support** of **S 1295**. He urged the committee to send this bill to the floor.

VOTE ON MOTION:

Motion carried by voice vote. Rep. Crane will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 4:11 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary