

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Thursday, March 17, 2022

TIME: 1:30 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. DeMordaunt

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 1:30 p.m.

MOTION: **Rep. Galloway** made a motion to approve the meeting minutes from March 1, 2022 and March 15, 2022. **Motion carried by voice vote.**

S 1298aa: **Sen. Vick** presented **S 1298aa**. The bill amends the Idaho Consumer Protection Act by adding a new section to provide consumers protection from unfair or deceptive trade practices with respect to cancellation of subscriptions. Often referred to as "Click to Cancel", this legislation provides the consumer must be able to cancel a subscription in the same manner as the consumer used to subscribe.

Sen. Vick said this bill addresses on-line subscription cancellations and outlines methods for free on-line cancellation, including "Click to Cancel". The bill also institutes a reminder about subscription renewal 30-60 days ahead of renewal date.

In response to committee questions, **Sen. Vick** said amendments were made to align with national standards. Stiff fines for non-compliance were intentionally left out of the bill. Consumers may reference the Consumer Protection Act and contact the Attorney General's office to file a complaint if a problem arises. If a business does not have a toll-free number, they should not offer cancellation by phone.

MOTION: **Rep. Berch** made a motion to send **S 1298aa** to the floor with a **DO PASS** recommendation.

Lisa McCabe, Director, State Legislative Affairs, Cellular Telephone Association (CTIA), said the industry is concerned about unintended consequences for wireless customers and stated the definition of "automatic subscription renewal" could inadvertently impact wireless providers which generally offer renewal on a month-to-month basis. She said it is important for wireless providers to be able to speak to customers. Ms. McCabe requested an exemption for wireless services.

In response to questions, **Ms. McCabe** said she has concern with 30 day notification expectations because customers are already paying monthly.

In Closing, **Sen. Vick** said he does not agree with **Ms. McCabe** but is agreeable to a trailer bill to exempt wireless services.

During committee discussion, **Sen. Vick** said the language in the bill was duplicated from other states. It applies to all on-line, auto-renewal subscriptions. He said the term toll-free is not defined in this bill. It was suggested a definition would be helpful and businesses need to know there is a cost to having a toll free number. Transparency is needed.

VOTE ON MOTION:

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

S 1297:

Rep. Adams presented **S 1297**. Consistent with the Occupational Licensing Reform Act, the bill allows for the Division of Occupational and Professional Licenses (DOPL) boards or commissions and division staff to share investigatory information regarding licensees with other boards and commissions to create efficiency within division investigations. The bill ensures all complaints, investigations, and informal proceeding records are exempt from disclosure under the Public Records Act.

In response to questions, **Tim Frost**, Deputy Administrator, DOPL, said the bill reiterates complaints and formal proceedings are protected under the Public Records Act. If the accusation is substantiated and pursued by DOPL, it then becomes public information.

Rep. Ferch, and **Rep. Crane** declared **Rule 80**.

MOTION:

Rep. Furniss made a motion to send **S 1297** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Adams** will sponsor the bill on the floor.

S 1381:

Rep. Adams presented **S 1381**. This legislation establishes limitations on the ability of private and public entities to impose a requirement that individuals receive a Coronavirus vaccination.

Rep. Adams said the Coronavirus and its vaccinations are relatively new medical developments and the decision to receive such a vaccination is a personal decision. Individuals should not be discriminated against because they have or have not received a vaccination. The bill defines Coronavirus and Coronavirus vaccination. It is a claw back bill and is the first piece of the puzzle to reclaim personal rights.

In response to committee questions, **Rep. Adams** clarified the bill will expire one year after the Governor ends the emergency for the Coronavirus. The bill only addresses vaccinations. A concern was expressed about identifying vaccines as the only requirement for entry into a foreign country. If an employee is sent to another state who requires the Coronavirus vaccination, the bill would apply to them. **Rep. Adams** said the bill was drafted specifically to address the Coronavirus vaccine.

MOTION:

Rep. Armstrong made a motion to send **S 1381** to the floor with a **DO PASS** recommendation.

Liza Leonard, Ball Ventures, testified **in opposition to S 1381**. She stated the bill is an overreach into businesses. Idaho needs to continue to be a business-friendly state. Ball Ventures always works to keep employees and customers safe. She said government should keep out and allow businesses to stay operational.

In response to committee questions, **Ms. Leonard** said policies at Ball Ventures were put into place allowing for religious and medical exemptions.

Dr. Craig Sjoberg, representing himself, and **Max Brown**, representing himself spoke **in support of S 1381**. They said lives have been ruined because of requirements around Coronavirus and federal mandates have put health businesses in great peril. Companies are firing people who work from home because they are not vaccinated. Many businesses have spent thousands of dollars to comply with HIPAA requirements and now private information can be released. **Mr. Brown** said in trying to keep his child safe, the vaccine caused Myocarditis. He stated there is no reason to have a vaccine that doesn't fully eradicate a disease.

In response to committee questions, **Mr. Brown** said he does not work for a company who offers exemptions.

In closing, **Rep. Adams** said this is an American bill, not a discrimination bill and urged support from the committee.

During committee discussion, **Rep. Nichols** said she would support the motion. She wishes this bill would provide lasting protection and wants to see more next session. She wants people to be able to provide for their families by working. **Rep. Shepherd** said he would support the motion and appreciates all who are moving this bill forward. **Rep. Ferch** stated he would support the motion but believes the legislature is codifying rights its citizens already possess. He is concerned about fundamental overreach. **Rep. Furniss** said he would not support the motion. There needs to be autonomy for people to run their businesses and many have extended medical and religions exemption.

**ROLL CALL
VOTE:**

Roll call vote was requested. **Motion carried by a vote of 14 Aye, 3 NAY and 1 absent/excused. Voting in favor** of the motion: **Reps. Crane, Palmer, Barbieri, Armstrong, Clow, Andrus, Nichols, Adams, Bundy, Ferch, Galloway, Mitchell, Shepherd, Dixon. Voting in opposition** to the motion: **Reps. Furniss, Berch, Green. Absent/Excused: Rep. DeMordaunt. Rep. Adams** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:46 p.m.

Representative Dixon
Chair

Kelly Staskey
Secretary