

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, January 07, 2020

SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Anderson
Rep Harris
Rep Kingsley
Rep Syme
Rep Christensen

Rep Giddings
Rep Green(2)
Rep Wisniewski
Rep Chew
Rep Abernathy
Rep Ellis

COMMITTEE SECRETARY

Karen Westen
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, January 07, 2020
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representative(s) Harris, Kingsley, Syme, Christensen, Giddings, Green (Kastning)(2), Wisniewski, Chew, Abernathy, Ellis
ABSENT/EXCUSED: Representative(s) Harris, Syme, Giddings
GUESTS: Brad Hunt, Department of Financial Management; Murphy Olmstead, Risch Pisca; Colby Cameron, Office of Financial Management
Chairman Holtzclaw called the meeting to order at 1:30 p.m.
Chairman Holtzclaw assigned proof reading duties to **Reps. Ellis and Syme.**
Chairman Holtzclaw stated the committee would hear agency presentations of Administrative Rules beginning next week. He explained the Rules were available on-line then encouraged members to read all rules and be prepared to discuss and vote on them after agency presentations. He stated the committee would not use sub-committee's for Administrative Rule Review.
Brad Hunt, Department of Financial Management, provided an overview of Administrative Rule Review procedures and answered committee member questions.
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:55 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AMENDED AGENDA #5
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, January 13, 2020

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO:		
<u>28-0000-1900</u>	Rules of the Department of Commerce, Notice of Omnibus Rulemaking	Ewa Szewczyk, Grants and Contract Manager, Idaho Department of Commerce
<u>15-0400-1900</u>	Rules of the Office of the Governor, Division of Human Resources and Personnel Commission, Omnibus Rulemaking	Susan Buxton, Administrator, Idaho Division of Human Resources
<u>17-0000-1900</u>	Rules of the Idaho Industrial Commission, Notice of Omnibus Rulemaking	Kamerron Monroe, Commission Secretary, Idaho Industrial Commission
<u>17-0000-1900F</u>	Rules of the Idaho Industrial Commission, Pending Fee Rules	Sonnet Robinson, Referee, Idaho Industrial Commission
<u>09-0000-1900</u>	Rules of the Idaho Department of Labor, Omnibus Rulemaking	Jani Revier, Director, Idaho Department of Labor
<u>09-0130-1902</u>	Unemployment Insurance Benefits Administration Rules	Josh McKenna, UI Benefits Bureau Chief, Idaho Department of Labor UI Division
<u>09-0130-1903</u>	Unemployment Insurance Benefits Administration Rules	Josh McKenna, UI Benefits Bureau Chief, Idaho Department of Labor UI Division

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 Holtzclaw
 Vice Chairman Anderson
 Rep Harris
 Rep Kingsley
 Rep Syme

Rep Giddings
 Rep Green(2)(Kastning)
 Rep Wisniewski
 Rep Chew
 Rep Abernathy

COMMITTEE SECRETARY

Karen Westen
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Rep Christensen

Rep Ellis

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, January 13, 2020

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Green(2), Wisniewski, Chew, Abernathy, Ellis

**ABSENT/
EXCUSED:** None

GUESTS: Jason Hudson, AFL-CIO; Steve Kramer, Carpenters; Tom Limbaugh, IIC; Gil Arouret, Carpenters; Antonio Garibay, Carpenters; Josh McKenna, Idaho Department of Labor; Jani Revier, Idaho Department of Lands

Chairman Holtzclaw called the meeting to order at 1:31 p.m.

DOCKET NO. 28-0000-1900: **Ewa Szewczyk**, Idaho Department of Commerce Grants and Contract Manager, presented the Department of Commerce Omnibus Reauthorization Rule **Docket No. 28-0000-1900** to the committee. She indicated that the agency approach was in line with the Red Tape Reduction Act to eliminated rules that were obsolete, outdated, or redundant.

MOTION: **Rep. Chew** made a motion to approve Omnibus **Docket No. 28-0000-1900**. **Motion carried by voice vote.**

DOCKET NO. 15-0400-1900: **Susan Buxton**, Idaho Division of Human Resources Administrator, presented the Idaho Division of Human Resources Omnibus Reauthorization Rule **Docket No. 15-0400-1900** to the committee. She indicated that the agency approach was in line with the Red Tape Reduction to eliminate rules that were obsolete, redundant or outdated. Additionally, the agency streamlined Rule 75, the process for employees to be granted the Employee Suggestion Award where savings of tax payer dollars are realized because of an employee's idea.

MOTION: **Rep. Harris** made a motion to approve Omnibus **Docket No. 15-0400-1900**. **Motion carried by voice vote.**

DOCKET NO. 17-0000-1900: **Kamerron Monroe** presented the Idaho Industrial Commission Omnibus Reauthorization Rule **Docket No. 17-0000-1900** to the committee. She indicated that the agency approach was in line with the Red Tape Reduction Act to eliminate rules that were obsolete, redundant or obsolete. Additionally, the agency reorganized the IDAPA chapters to correlate to their authorizing chapter within Idaho Code 72, Clarified Chapter 17.10.01 finality provisions, and created a separate chapter pertaining to Peace Officer and Detention Officer Disability Fund.

MOTION: **Rep. Ellis** made a motion to approve Omnibus **Docket No. 17-0000-1900**. **Motion carried by voice vote.**

DOCKET NO. 17-0000-1900F: **Sonnet Robinson** presented the Idaho Industrial Commission Omnibus Reauthorization Rule **Docket No. 17-0000-1900F** to the committee. She indicated that the agency approach was in line with the Red Tape Reauthorization Act to eliminate rules that were obsolete, outdated or redundant. Additionally, rules related to workers compensation were combined into one chapter, insurance carrier rules with self-insured employers where combined, and clarified bank card contract language requirements.

MOTION: **Rep. Harris** made a motion to approve Omnibus **Docket No. 17-0000-1900F**. **Motion carried by voice vote.**

DOCKET NO. 09-0000-1900: **Jani Revier**, Director of the Idaho Department of Labor, presented Omnibus Reauthorization Rule **Docket No. 09-0000-1900** to the committee. She indicated that the agency approach was in line with the Red Tape Reduction Act to eliminate rules that were obsolete, redundant or outdated.

MOTION: **Rep. Kastning** made a motion to approve **Docket No. 09-0000-1900**. **Motion carried by voice vote.**

DOCKET NO. 09-0130-1902: **Josh McKenna**, Unemployment Insurance Benefits Bureau Chief, presented **Docket No. 09-0130-1902**. He stated provisions within the docket allow individuals leaving the area to receive advanced training not available in Idaho to receive unemployment benefits while in training.

MOTION: **Rep. Abernathy** made a motion to approve **Docket No. 09-0130-1902**. **Motion carried by voice vote.**

DOCKET NO. 09-0130-1903: **Josh McKenna**, Unemployment Insurance Benefits Bureau Chief, presented **Docket No. 09-0130-1903**. He stated provisions within the docket require disabled individuals receiving unemployment benefits to provide proof they are disabled.

MOTION: **Rep. Chew** made a motion to approve **Docket No. 09-0130-1903**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:26 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, January 15, 2020

SUBJECT	DESCRIPTION	PRESENTER
DOCKET:		
<u>38-0000-1900</u>	Department of Administration Omnibus Rulemaking- Rules of the Division of Purchasing, Chapter 38.05.01	Keith Reynolds
<u>59-0000-1900</u>	Public Employees Retirement System of Idaho Omnibus Rulemaking	Mike Hampton, Deputy Director, Public Employees Retirement System of Idaho
<u>21-0000-1900</u>	Idaho Division of Veterans Services Omnibus Rulemaking	Kevin Wallior, Idaho Division of Veterans Services
<u>21-0000-1900F</u>	Idaho Division of Veterans Services Fee Rules: Chapters 21.01.01 and 21.01.04	Kevin Wallior, Idaho Division of Veterans Services

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 Holtzclaw
 Vice Chairman Anderson
 Rep Harris
 Rep Kingsley
 Rep Syme
 Rep Christensen

Rep Giddings
 Rep Green(2)(Kastning)
 Rep Wisniewski
 Rep Chew
 Rep Abernathy
 Rep Ellis

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, January 15, 2020
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Chew, Abernathy, Ellis
**ABSENT/
EXCUSED:** Representative(s) Giddings, Wisniewski
GUESTS: Mike Hampton, PERSI; Valerie Bollinger, DOP; Steve Bailey, DOP; Gina Cabrera, DOP; Colby Cameron, DFM

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

Chairman Holtzclaw re-assigned proof reading duties to **Reps. Ellis and Kingsley**.

DOCKET NO. 38-0000-1900: CHAPTER 38.05.01 **Keith Reynolds**, Department of Administration Deputy Director presented **Docket No. 38-0000-1900 Chapter 38.05.01** indicating that since the conclusion of the previous session the department has fulfilled personnel functions covered in the chapter by hiring a purchasing administrator and a state security administrator. In both recruitments, members of the legislature were involved in the final selection.

MOTION: **Rep. Kastning** made a motion to approve **Docket No. 38-0000-1900 Chapter 38.05.01. Motion carried by voice vote.**

DOCKET NO. 59-0000-1900: **Mike Hampton**, Public Employee Retirement System of Idaho Deputy Director, presented Omnibus Reauthorization Rule **Docket No. 59-0000-1900** to the committee. He indicated this rule making adopts and re-publishes existing and previously approved chapters with numerous modifications in the nature of clean-up with no substantive changes noted.

MOTION: **Rep. Ellis** made a motion to approve **Docket No. 59-0000-1900. Motion carried by voice vote.**

DOCKET NO. 21-0000-1900: **Kevin Wallior** from the Idaho Division of Veterans Services presented Omnibus Reauthorization Rule **Docket No. 21-0000-1900** to the committee. He indicated that the agency followed the Red Tape Reduction Act eliminating redundant, obsolete and outdated rules.

MOTION: **Rep. Chew** made a motion to approve **Docket No. 21-0000-1900. Motion carried by voice vote.**

DOCKET NO. 21-0000-1900F: **Kevin Wallior** from the Idaho Division of Veterans Services presented Omnibus Reauthorization Rule **Docket No. 21-0000-1900F** to the committee. He stated the agency followed the Red Tape Reduction Act eliminating redundant, obsolete and outdated rules. He indicated significant reduction in redundancy and unnecessary requirements related to rules governing State Veterans Homes and maintaining consistency with Federal Regulations governing State Veterans Homes. Additionally, the agency corrected the appeals process and clarified the difference in charges between Domiciliary and Nursing.

MOTION: **Rep. Chew** made a motion to approve **Docket No. 21-0000-1900F. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:47 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, January 21, 2020

SUBJECT	DESCRIPTION	PRESENTER
<u>RS27208</u>	Management of Capitol Mall Parking	Keith Reynolds, Department of Administration
<u>RS27224</u>	Requirement of Plans and Specification Approval by Permanent Building Fund Advisory Council	Keith Reynolds, Department of Administration

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 Holtzclaw
Vice Chairman Anderson
Rep Harris
Rep Kingsley
Rep Syme
Rep Christensen

Rep Giddings
Rep Wisniewski
Rep Chew
Rep Abernathy
Rep Ellis

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, January 21, 2020
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Chew, Abernathy, Ellis
**ABSENT/
EXCUSED:** Vice Chairman Anderson
GUESTS: None
Chairman Holtzclaw called the meeting to order at 1:30 p.m.
MOTION: **Rep. Harris** made a motion to approve the minutes of the January 7, 2020 meeting. **Motion carried by voice vote.**
MOTION: **Rep. Kingsley** made a motion to approve the minutes of the January 13, 2020 meeting. **Motion carried by voice vote.**
MOTION: **Rep. Kingsley** made a motion to approve the minutes of the January 15, 2020 meeting. **Motion carried by voice vote.**
RS 27208: **Keith Reynolds**, Idaho Department of Administration Deputy Director, presented **RS 27208**. He explained **RS 27208** gives the Administrator of the Division of Public Works control of Capitol Mall parking facilities outside of regular State of Idaho business hours. He explained **RS 27208** allows the Administrator of the Division of Public Works to contract with public or private entities, rental of Capitol Mall parking facilities for special events. In response to committee questions, Mr. Reynolds stated Capitol Mall parking facilities were currently being used free of charge outside regulars State of Idaho business hours by non-paying customers.
MOTION: **Rep. Ellis** made a motion to introduce **RS 27208**. **Motion carried by voice vote.**
RS 27224: **Keith Reynolds**, Idaho Department of Administration Deputy Director, explained **RS 27224** relates to efficient build-out of the Chinden Campus facility by designating which positions qualify for private office space and which positions qualify for placement in open-space office accommodations.
MOTION: **Rep. Wisniewski** made a motion to introduce **RS 27224** as written, amending the word "or" in line 31 to "and". **Motion carried by voice vote.**
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:50 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, January 27, 2020

SUBJECT	DESCRIPTION	PRESENTER
<u>H 350</u>	Management of Capitol Mall Parking	Rep. Anderst
<u>H 357</u>	Plans and Specification Approval Requirements by Permanent Building Fund Advisory Council	Rep. Anderst
<u>RS27267</u>	Public Employee Retirement System; To Provide a Correct Code Reference linking Sections 59-1352 and 59-1352A	Mike Hampton, Public Employee Retirement System of Idaho
<u>RS27282</u>	Public Employee Retirement System; Additional Definitions for Police Officer Status, or Rule of 80 for Retirement Purposes	Mike Hampton, Public Employee Retirement System of Idaho
<u>RS27285</u>	Public Employee Retirement System: Amends 59-1311 to Exempt Actuarial Management Personnel from the Provisions of Chapter 53, Title 67 and Section 67-3519, Idaho Code	Mike Hampton, Public Employee Retirement System of Idaho

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 Holtzclaw	Rep Giddings
Vice Chairman Anderson	Rep Wisniewski
Rep Harris	Rep Chew
Rep Kingsley	Rep Abernathy
Rep Syme	Rep Ellis
Rep Christensen	

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, January 27, 2020

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Chew, Abernathy, Ellis

**ABSENT/
EXCUSED:** None

GUESTS: Don Drum, Public Employee Retirement System of Idaho (PERSI); Cheryl Georg, PERSI; Mike Hampton, PERSI; Stephen Phillips, The Car Park; Barry Miller, DPW; Andrew Pallin, Segner Contractors; Andy Snook, AGO; Keith Reynolds, Deputy Director, Idaho Department of Administration

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

H 350: **Keith Reynolds**, Idaho Department of Administration, Deputy Director, presented **H 350**. He explained this legislation adds a section to the Code to allow a parking vendor contract for after-hours parking in the State Capitol mall. State parking lots are currently maintained by rental fees charged to state property occupants. Increased property values and rising rates of out-of-town visitors parking unlawfully in State permit-only lots evenings and weekends has increased cost escalation. The solution, Mr. Reynolds stated, based on the input of impacted parties, would be to charge for evening and weekend parking instead of simply citing violators. The underlying theme of this bill is opportunity to provide parking to visitors, to use state assets to their highest value, and provide revenue to upkeep the mall. In response to questions, Mr. Reynolds responded a conservative estimate for 206 parking spaces would be \$200,000 net gain. He admitted working out daytime visitor parking and communicating the policy change will be critical to the initiative's success. Employees will still have parking in the evenings and on weekends.

MOTION: **Rep. Ellis** made a motion to send **H 350** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Anderst** will sponsor the bill on the floor.

H 357: **Keith Reynolds**, Idaho Department of Administration Deputy Director, explained **H 357** amends the Code to provide plans and specific approval requirements by the Permanent Building Fund Advisory Council. This legislation would be a definitive document for proposed office space. Mr. Reynolds referred to the concerns at the Chinden campus. Moving forward, this bill would support efficiently designed space and lowering costs. He mentioned **Barry Miller** from the Division of Public Works would be available for questions. In response to questions, Mr. Reynolds stated environmental building standards are outside the Department of Administration's purview of enforcement.

MOTION: **Rep. Ellis** made a motion to send **H 357** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Anderst** will sponsor the bill on the floor.

RS 27267: **Mike Hampton**, Public Employee Retirement System of Idaho (PERSI), presented **RS 27267**. He stated it would provide a correct code reference linking sections 59-1352 and 59-1352A to enforce the original intent of the Code. A member would have to qualify for disability to be eligible for the additional disability available.

MOTION: **Rep. Harris** made a motion to introduce **RS 27267**. **Motion carried by voice vote.**

RS 27282: **Mike Hampton**, Public Employee Retirement System of Idaho (PERSI), explained **RS 27282** clarifies qualifying classes for the Rule of 80 for retirement purposes. The intent is to clarify by rule of law, remove subjectivity, and clear a path to new approvals. In response to questions, Mr. Hampton stated PERSI drafted the legislation after meeting with stakeholders to clearly define who fits the rule. He explained that the adjustment deleted excess language and focused on titles the legislature had approved in the past without deleting or adding positions. Those who are currently in the pool will stay there, but in the future the pool will be reduced for those who aren't explicitly stated in the legislation. Some phrases were omitted to help clarify the intent of the legislation to bring changes to the rule to the legislature instead of the board. **Director Don Drum**, Public Employee Retirement System of Idaho (PERSI), clarified in response to questions, PERSI's intent is to balance the growth that has happened in the state since the Great Recession.

MOTION: **Rep. Anderson** made a motion to introduce **RS 27282**. **Motion carried by voice vote.**

RS 27285: **Mike Hampton**, Public Employee Retirement System of Idaho (PERSI), introduced **RS 27285**. He explained it would amend section 59-1311 to exempt actuarial management personnel from the provisions of Chapter 53, Title 67 and Section 67-3519 of the Idaho Code. He stated that DFM and DHR were both involved in the decision.

MOTION: **Rep. Ellis** made a motion to introduce **RS 27285**. **Motion carried by voice vote.**

MOTION: **Rep. Harris** made a motion to approve the minutes of the January 21, 2020 meeting. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:29 p.m.

Representative Holtzclaw
Chair

Emilee Pugh Bell
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, February 03, 2020

SUBJECT	DESCRIPTION	PRESENTER
<u>H 370</u>	Relating to Public Employee Retirement System; Public Safety Officer Permanent Disability Benefit.	Don Drum, Public Employee Retirement System of Idaho Director
<u>H 371</u>	Relating to Public Employee Retirement System; To Clearly Define Who Is To Receive "Police Officer Status", or "Rule of 80" for Retirement Purposes.	Don Drum, Public Employee Retirement System of Idaho Director
<u>H 372</u>	Relating to Public Employee Retirement System; To Provide for Actuarial Advisory Services.	Don Drum, Public Employee Retirement System of Idaho Director

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 Holtzclaw
 Vice Chairman Anderson
 Rep Harris
 Rep Kingsley
 Rep Syme
 Rep Christensen

Rep Giddings
 Rep Wisniewski
 Rep Remington
 Rep Chew
 Rep Abernathy
 Rep Ellis

COMMITTEE SECRETARY

Karen Westen
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 Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, February 03, 2020
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Remington, Chew, Abernathy, Ellis
**ABSENT/
EXCUSED:** Representative(s) Remington
GUESTS: Mike Hampton, PERSI; Cheryl George, PERSI; Don Drum, PERSI; Janelle White, DHR; Don Drum, AG
Chairman Holtzclaw called the meeting to order at 1:30 p.m.
H 370: **Director Don Drum**, PERSI, presented **H 370** relating to Public Safety Officer Permanent Disability Benefits. The legislation links the benefit of 59-1352 to 59-1352A.
MOTION: **Rep. Harris** made a motion to send **H 370** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.
H 371: **Don Drum**, PERSI, presented **H 371** indicating the legislation clearly defines who is to receive "Police Officer Status" or "Rule of 80" for retirement purposes.
MOTION: **Rep. Syme** made a motion to send **H 371** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.
H 372: **Don Drum**, PERSI, explained **H 372** allows PERSI to hire an internal actuarial position.
MOTION: **Rep. Ellis** made a motion to send **H 372** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:52 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, February 05, 2020

SUBJECT	DESCRIPTION	PRESENTER
<u>RS27502</u>	To specify that employers or companies contracting with the state shall not engage in discrimination against unvaccinated persons	Rep. Giddings
<u>RS27559</u>	Amending PERSI December 2019 Cost of Living Adjustment recommendation	Rep. Harris
<u>RS27608</u>	To ensure architects and engineers, who are called upon to volunteer during a declared emergency, are able to do so with limited liability for their volunteer services	Rep. Ellis
<u>RS27570</u>	Solicitation of bids must follow public notice requirements	Rep. Young
<u>RS27571</u>	Revise provisions relating to certain professional services	Rep. Young
<u>RS27572</u>	To increase procurement cost estimate limits to be consistent in Idaho Code	Rep. Young
<u>RS27565</u>	PERSI Cost of Living Increase/ Adjustments	Rep. Harris

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 Holtzclaw
Vice Chairman Anderson
Rep Harris
Rep Kingsley
Rep Syme
Rep Christensen

Rep Giddings
Rep Wisniewski
Rep Remington
Rep Chew
Rep Abernathy
Rep Ellis

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 05, 2020

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Remington, Chew, Abernathy, Ellis

**ABSENT/
EXCUSED:** Vice Chairman Anderson, Representative(s) Christensen, Chew

GUESTS: Jim Haddock; Ken Beidler; Leah McMillan, AIA; Keith Watts, IPPA-QBS; Don Drum, PERSI; Millie Arrington, PERSI; Tom Lovell, PFFI; Shaun Laughlin, PFFI; Bob Perkins, IPPA; Toni Lawson, IHA

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

RS 27502: **Rep. Giddings** presented **RS 27502** and indicated the proposed legislation specifies employers or companies contracting with the state shall not discriminate against unvaccinated persons.

MOTION: **Rep. Kingsley** made a motion to introduce **RS 27502. Motion carried by voice vote.**

RS 27559: **Rep. Harris** presented **RS 27559** indicating Cost of Living Adjustments approved in PERSI December 2019 meeting were not-mandatory adjustments. He stated, by statute, the Idaho Legislature may adjust the Board's direction.

MOTION: **Rep. Kingsley** made a motion to introduce **RS 27559. Motion carried by voice vote.**

RS 27608: **Rep. Ellis** presented **RS 27608** indicating the proposed legislation ensures architects and engineers called upon to volunteer during a declared emergency are able to do so with limited liability for their volunteer services.

MOTION: **Rep. Abernathy** made a motion to introduce **RS 27608. Motion carried by voice vote.**

RS 27570: **Rep. Young** presented **RS 27570** stating the proposed legislation clarifies processes for solicitation of bids.

MOTION: **Rep. Harris** made a motion to introduce **RS 27570. Motion carried by voice vote.**

RS 27572: **Rep. Young** explained **RS 27572** increases procurement cost estimate limits to be consistent with other sections of Idaho Code.

MOTION: **Rep. Abernathy** made a motion to introduce **RS 27572. Motion carried by voice vote.**

RS 27571: **Rep. Young** explained **RS 27571** clarifies that a public agency or political subdivision is not limited to maintaining a list of 3 persons or entities when engaging in a selection process. The proposed legislation requires disclosure of fees, costs and rates negotiated for professional services.

MOTION: **Rep. Harris** made a motion to introduce **RS 27571. Motion carried by voice vote.**

RS 27565: **Rep. Harris** presented **RS 27565** indicating the purpose of the proposed legislation strengthens PERSI by judiciously extending cost of living increases to retirees only when the fund is 100% funded.

MOTION: **Rep. Wisniewski** made a motion to introduce **RS 27565**. **Rep. Ellis** declared Rule 80 stating a potential conflict of interest but that he would be voting on **RS 27565**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:45 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AMENDED AGENDA #2
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Thursday, February 13, 2020

SUBJECT	DESCRIPTION	PRESENTER
	Page recognition	

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 Holtzclaw
Vice Chairman Anderson
Rep Harris
Rep Kingsley
Rep Syme
Rep Christensen

Rep Giddings
Rep Wisniewski
Rep Remington
Rep Chew
Rep Abernathy
Rep Ellis

COMMITTEE SECRETARY

Karen Westen
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Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 13, 2020
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Remington, Chew, Abernathy, Ellis
**ABSENT/
EXCUSED:** None
GUESTS: None

Chairman Holtzclaw called the meeting to order at 1:30 p.m.
Chairman Holtzclaw recognized the committee Page, **Peter Andrew**, for his service to the committee.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:35 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, February 19, 2020

SUBJECT	DESCRIPTION	PRESENTER
S 1263	Relating to Sunset Provisions and Worker's Compensation	Rep. Crane

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 Holtzclaw
Vice Chairman Anderson
Rep Harris
Rep Kingsley
Rep Syme
Rep Christensen

Rep Giddings
Rep Wisniewski
Rep Remington
Rep Chew
Rep Abernathy
Rep Ellis

COMMITTEE SECRETARY

Karen Westen
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 19, 2020
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representative(s) Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Remington, Chew, Abernathy, Ellis
**ABSENT/
EXCUSED:** Representative(s) Harris, Chew
GUESTS: Rob Shoplock, PFFI
Chairman Holtzclaw called the meeting to order at 1:30 p.m.
S 1263: **Rob Shoplock**, Professional Fire Fighters of Idaho, explained **S 1263** removes the sunset clause in Idaho Code relating to workers compensation premiums and the decrease in cancer claims.
MOTION: **Rep. Ellis** made a motion to send **S 1263** to the floor with a **DO PASS** recommendation with the understanding that an adjustment will be made in the fiscal note. **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 adjourned at 1:42 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AMENDED AGENDA #5
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, February 25, 2020

SUBJECT	DESCRIPTION	PRESENTER
<u>SJM 107</u>	Recognizing Trade Relations with Taiwan	Rep. Marshall
<u>H 529</u>	Relating to Limited Liability for architects, engineers, and contractors	Rep. Ellis
	<u>Public Employees Retirement System of Idaho</u> Cost of Living Adjustment Presentation	Don Drum, Director PERSI

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 Holtzclaw
Vice Chairman Anderson
Rep Harris
Rep Kingsley
Rep Syme
Rep Christensen

Rep Giddings
Rep Wisniewski
Rep Remington
Rep Chew
Rep Abernathy
Rep Ellis

COMMITTEE SECRETARY

Karen Westen
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Email: hcom@house.idaho.gov

MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, February 25, 2020

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Remington, Chew, Abernathy, Ellis

**ABSENT/
EXCUSED:** None

GUESTS: Mike Hampton, PERSI; Conie Bund, PERSI; Keith Lee; Jeremy Chou; Sean Schupask, Idaho AGC; Françoise Cleveland, AARP-Idaho; Andy Erstad, AIA-Idaho

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

SJM 107: **Senator Marshall** stated **SJM 107** recognizes special trading relationship with Taiwan.

MOTION: **Rep. Anderson** made a motion to send **SJM 107** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Marshall** will sponsor the bill on the floor.

H 529: **Rep. Ellis** explained the purpose of **H 529** is to ensure architects, engineers, and contractors called upon to volunteer during a declared emergency are able to do so with limited liability for their volunteer services.

Andy Ernsted, AIA, AGC, BCA; spoke in support of **H 529**. Mr. Erstead clarified the parameters in which this legislation would be used.

MOTION: **Rep. Abernathy** made a motion to send **H 529** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Ellis** will sponsor the bill on the floor.

Director Don Drum, PERSI, presented the PERSI FY 2020 Cost of Living Allowances History. He explained, during the 1990's, the legislature and PERSI leadership developed guidelines regarding COLAs along with protecting retirees' purchasing power. This resulted in the PERSI Board being instructed to safeguard the purchasing power of retirees while protecting the fund. Guidelines recognize that the Board must have flexibility to maintain a well-funded system and to provide the benefits outlined in Idaho Statute Title 59 Chapter 13. Guidelines rank the goals of the Board in order of importance: 1) maintain a well-funded status, 2) maintain stable contribution rates, 3) maintain purchasing power of retiree benefits, 4) If all above conditions are met, consider reducing contribution rates. Each employer shall contribute to the cost of the system. The amount of the employer contributions shall consist of the sum of a percentage of the salaries of members to be known as the 'normal cost' and a percentage of salaries to be known as the 'amortization payment'. The rates of such contributions shall be determined by the Board on the basis of assets and liabilities as shown by actuarial valuation, and shall remain effective until next determined by the board. The minimum amortization payment rate shall be that percentage, calculated as of the valuation date, of the then actuarial present value of the projected salaries from the effective date to the end date which is equivalent to the excess of the unfunded actuarial liability over the scheduled amortization amount. According to Idaho Code, the Board must act if the amortization period for the Fund's unfunded actuarial liability exceeds 25 years. Idaho Statute Post Retirement Adjustments provides for cost-of-living adjustments to retirement benefits based on consumer price index for urban workers for the 12

months ending August of the current year. The intention is to keep retirement payments equal with inflation and maintain 100% purchasing power. At the end of fiscal year 2019, the fund was funded at 92.2% with a 10.6 year amortization period. At close of business November 20, 2019 the funded status had improved to 94%. The 0.7 discretionary COLA has a cost of \$73.2 million and raises the amortization period to 11.3 years. The retroactive COLAs for 2011, 2012, 2013 and 2018 have a total cost of \$301.2 million. The estimated amortization period for granting all the COLAs is 14.2 years. The fund is currently at a 4.03% return for fiscal year 2020. The fund can drop to a 1% return and still maintain an amortization period below 25 years. If the amortization reaches or exceeds 25 years at any point, statutory requirements (59-1322(3)) and historical practice has allowed for a 20 month or more delay before rates are implemented by PERSI. The market has the ability and time to correct. Considerations impacting fund include: fund return, internal confidence level (based upon current market conditions), projected amortization period at 7/1/2020 after payment of mandatory COLA only, projected amortization period at 7/1/2020 after payment of full COLA and ROPP, current assumption, tipping point with mandatory COLA. COLAS are expensive and getting more expensive every year. With rising costs of COLAs, the PERSI Board is reevaluating how COLAs will be handled moving forward. The Board is currently updating the PERSI funding guidelines with the same goals in mind regarding COLA: maintain a well-funded status; maintain stable contribution rates; and, maintain purchasing power of retiree benefits.

Mr. Cilek, Chairman of the PERSI Board, explained parameters for a well funded program include an amortization below 25 years and 90% funded. He then explained a well qualified program has amortization of less than 25 years and over 90% funded. He indicated the PERSI fund is a well funded program with stable rates. In response to committee questions, Mr. Cilek explained fund requirements are determined by PERSI and an internal committee. Recommendations are offered as guidelines, not statute.

Rep. Harris asked what effect a 1000 point or 2% drop in the Dow would have on the funding rate. **Mr. Cilek** responded that he would need to get back with an answer. **Director Drum** remarked that the process of the Board is to look at the most recent valuation. He then remarked that things are good now. If we can't do this now then when can it be done?"

During discussion committee members voiced concern about the PERSI sick leave fund. **Mr. Cilek and Director Drum** indicated the sick leave fund, which is managed by PERSI, is made up of multiple trust funds including the stratified fund which includes contributions for state employees and the school fund which includes contributions for school employees. The fund is currently over-funded. Committee members asked procedural question related to requirements to inform and how to use the additional money. Director Drum explained the PERSI Board can't take money out of the fund. The legislature must pass legislation to take money from the trust. Mr. Cilek and Director Drum agreed to return before the committee next week to answer committee questions related to the sick leave fund.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:38 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, March 03, 2020

SUBJECT	DESCRIPTION	PRESENTER
<u>S 1262</u>	Idaho Department of Labor	Rep. Syme
<u>S 1264</u>	Relating to Self-Service Storage	Rep. Vander Woude

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 Holtzclaw
Vice Chairman Anderson
Rep Harris
Rep Kingsley
Rep Syme
Rep Christensen

Rep Giddings
Rep Wisniewski
Rep Remington
Rep Chew
Rep Abernathy
Rep Ellis

COMMITTEE SECRETARY

Karen Westen
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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, March 03, 2020

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Remington, Chew, Abernathy, Ellis

**ABSENT/
EXCUSED:** Representative(s) Kingsley, Chew, Abernathy

GUESTS: Erin King, Idaho Self-storage Association; Celeste Lete, Kings Gate Storage; Ron Osborne, Keylock Storage

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

S 1264: **Rep. Vander Woude** indicated **S 1264** updates and amends sections of Idaho Code relating to self-storage facilities, lessee default, access restrictions, definition updates, reasonable rates for late charges, clarifying endorsement of lien language and definition updates.

Those speaking in support were **Erin King**, Idaho Self-Storage Association; **Celeste Lete**, Kings Gate Storage and **Ron Osborne**, Keylock Storage.

MOTION: **Rep. Abernathy** made a motion to send **S 1264** to the floor with a **DO PASS** recommendation.

During discussion on the motion, **Reps. Syme and Anderson** invoked Rule 80 stating a possible conflict of interest but that they would be voting on the legislation.

VOTE ON MOTION: **Chairman Holtzclaw** called for a vote on the motion to send **S 1264** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wisniewski** requested to be recorded as voting **NAY.** **Rep. Vander Woude** will sponsor the bill on the floor.

S 1262: **Jani Revier**, Idaho Department of Labor Director, indicated **S 1262** amends three different sections of Chapter 72, Title 13, Idaho Code: 72-135 relieves charges to an employer's unemployment insurance account when an employee leaves employment based on a personal choice and still qualifies for benefits; 72-1333 removes a reference to an official seal of the Department; and 72-1352A removes expired dates and changes to the election submission deadline.

MOTION: **Rep. Ellis** made a motion to send **S 1262** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.

Chairman Holtzclaw continued committee discussion related to PERSI's sick leave fund which began on February 25, 2020.

During discussion it was revealed the balance in the sick leave fund had grown substantially to approximately \$631 million. To slow growth of the sick leave fund, a premium vacation had been in place the last 18 months. Currently, annual cost of the fund is \$24 million compared to the annual build of the asset which is \$40 million. Committee members commented with concern that the Legislature had not been notified earlier. **Rep. Ellis** stated he felt PERSI was requesting guidance from the Legislature and recommended establishing a sub-committee to work on the solution with PERSI.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 4:00 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 pm or upon adjournment
Room EW05
Wednesday, March 11, 2020

SUBJECT	DESCRIPTION	PRESENTER
<u>S 1321</u>	Relating to Workers Compensation	Rep. Crane

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 Holtzclaw
Vice Chairman Anderson
Rep Harris
Rep Kingsley
Rep Syme
Rep Christensen

Rep Giddings
Rep Wisniewski
Rep Remington
Rep Chew
Rep Abernathy
Rep Ellis

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, March 11, 2020
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Anderson, Representatives Harris, Kingsley, Syme, Christensen, Giddings, Wisniewski, Remington, Chew, Abernathy, Ellis
**ABSENT/
EXCUSED:** Representative(s) Kingsley, Chew, Abernathy
GUESTS: None

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

S 1321: **Rep. Crane** explained **S 1321** adds language clarifying the intent of the Idaho Legislature with respect to the "exclusive remedy" in worker's compensation and specifically defines the term "willful or unprovoked physical aggression". Previously it was understood that only those claims that could demonstrate an intention to commit harm to an employee were exempt from the exclusive remedy in the worker's compensation system.

MOTION: **Rep. Harris** made a motion to send **S 1321** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Crane** will sponsor the bill on the floor.

MOTION: **Rep. Ellis** made a motion to approve the minutes of February 3, 2020; February 5, 2020; February 13, 2020; and February 19, 2020. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:33 p.m.

Representative Holtzclaw
Chair

Karen Westen
Secretary