

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 11, 2021

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Giddings, Wisniewski, Horman, Hanks, von Ehlinger, Weber, Chew (Colwell), Necochea, Toone

**ABSENT/
EXCUSED:** Representative(s) von Ehlinger, Chew (Colwell)

GUESTS: Brody Aston, Westerberg and Associates

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

MOTION: **Rep. Toone** made a motion to approve the minutes of the February 3, 2021 meeting. **Motion carried by voice vote.**

RS 28552: **Rep. Syme** presented **RS 28552** to the Committee stating it was a re-drafting of **H 76** which had previously been before the Committee. He detailed the changes to bill, including a change in language from "not more than two weeks" to "not more than four weeks." He noted this will still save some money for the Department of Labor but not the previously quoted amount. The new version also retains a section of code which had been deleted in the previous version out of concern for job retention. He additionally stated this is something which could be addressed later in negotiated rule-making.

MOTION: **Rep. Necochea** made a motion to introduce **RS 28552**. **Motion carried by voice vote.**

RS 28111: **Keith Reynolds**, Director, Department of Administration, presented **RS 28111** to the Committee stating it would increase the delegated authority limit for state projects which come under the purview of the Permanent Building Fund Advisory Council. He explained the building fund is used if an agency has a project under \$150,000 and has the ability to handle the project themselves. In this case they can request delegated authority at the council's discretion. The \$150,000 threshold was applied in the 1996, when adjusted for inflation this amount becomes very nearly the \$300,000 stated in this legislation. He stated there have been discussions which favor raising the threshold to become \$500,000 if the Committee felt it appropriate.

MOTION: **Rep. Syme** made a motion to introduce **RS 28111** with the following changes: on line 40 changing the word three to five and on line 41 after the word dollars changing the 3 to 5. **Motion carried by voice vote.**

RS 28067C1: **Mr. Reynolds** presented **RS 28067C1** to the Committee stating it was part of the Red Tape Reduction Act. It would remove three pieces of code which deal with transfers for projects which happened a long time ago. He further stated these pieces of code looked more like session law rather than something which should be in statute.

In response to Committee questions **Mr. Reynolds** clarified no money is currently associated with these pieces of law as any unexpended appropriations from 1946 would have been used up decades ago.

MOTION: **Rep. Syme** made a motion to introduce **RS 28067C1**. **Motion carried by voice vote.**

RS 28120: **Susan Buxton**, Department of Human Resources presented **RS 28120** to the Committee stating it was a simple code modification which would allow state employees to donate accrued sick leave to other qualifying employees. The proposed change does not change the total amount of sick leave which can be accrued by an employee, it simply allows donation of unused leave similar to the current process for donation of vacation time. The measure would not have any fiscal impact nor any impact to the sick leave fund.

MOTION: **Rep. Horman** made a motion to introduce **RS 28120**. **Motion carried by voice vote.**

Chairman Holtzclaw turned the gavel over to **Vice Chairman Syme**.

RS 28457: **Rep. Troy** presented **RS 28457** to the Committee stating the proposed legislation would impact how state agencies interact with institutions of higher education. She explained state agencies currently do not have to put contracts out for bid if they are interagency contracts, this includes state universities. She stated in the 2019-2020 fiscal year there were thirty-two million dollars worth of contracts which had been granted to the state universities. She stated concerns about a lack of competition among universities for these contracts and the negative impact this could have on the ability of employees to gain tenure as well as concerns about transparency with the public in regards to spending. The proposed legislation would require any interagency contracts with institutions of higher education to be put out to bid and would require any requests for exemption to be submitted in writing to the Department of Administration.

The Committee detailed some grammatical concerns with **RS 28457** before being informed this was simply the result of new guidelines for the bill drafters.

MOTION: **Rep. Harris** made a motion to introduce **RS 28457**. **Motion carried by voice vote.**

RS 28308: **Rep. Giddings** presented **RS 28308** to the Committee stating it might be familiar to some as it is a redrafting of legislation from a previous session. She noted some changes had been made based on public input and shared the story of a constituent who's workplace mandated flu vaccines for employees. The constituent had an allergy to an ingredient contained in the vaccine as well as a doctor's note detailing her condition and asking for an exemption which was denied. This constituent was eventually fired due to her inability to receive a flu vaccine. The proposed legislation would address this situation as well as any similar situations. Rep. Giddings cited federal legislation surrounding vaccinations, statistics about childhood vaccines, and went on to detail how the vaccine compensation court is run. She stated vaccine trials do not require reporting of adverse reaction and detailed the ingredients of many approved vaccinations. She cited Idaho code allowing local municipalities to regulate vaccines then stated children are required by schools to be vaccinated and employees in schools are being fired for refusing vaccinations. She stated this legislation would add a chapter to the Idaho code which would keep state agencies as well as any companies which contract with the state from discriminating against employees based on their vaccination status.

MOTION: **Rep. Hanks** made a motion to introduce **RS 28308**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the Committee the meeting adjourned at 2:08 PM.

Representative Holtzclaw
Chair

Emma Wall
Secretary