

AMENDED AGENDA #2
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, January 19, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	
RS 29120	Unemployment Insurance Tax Rates	Rep. Syme

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, January 19, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** Representative(s) Kingsley

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 Holtzclaw called the meeting to order at 1:31pm.

Chairman Holtzclaw introduced **Rep. McCann**, the new member on the committee.

RS 29120: **Vice Chairman Syme** presented **RS 29120** explaining that it would freeze unemployment insurance at the current rates.

Jani Revier, Director of the Idaho Department of Labor, further explained that **RS 29120** would freeze the base unemployment insurance rate at the 2021 level for both 2022 and 2023. This would save a total of 64 million dollars for Idaho businesses without affecting the General Fund as this pertains to the Unemployment Insurance Trust Fund. This Trust Fund would still have enough money to remain solvent with the 64 million dollars of decreased revenue.

In response to questions, **Ms. Revier** explained that unemployment insurance rates are set on an annual basis for an entire year. The Department of Labor sends new tax notifications yearly. They would provide any businesses that had already paid a higher rate with a refund or credit.

MOTION: **Rep. Horman** made a motion to introduce **RS 29120**. **Motion carried by voice vote.**

Chairman Holtzclaw introduced the Committee Secretary, **Emily Huddleston**, and new Page for the first half of the session, **Audrey Payne**.

Chairman Holtzclaw reviewed various committee rules and announced that the Committee will be accepting remote testimony.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:43pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, January 25, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29035	Public Works Projects, Costs	Rep. Syme
RS 29205	COVID-19 Vaccine, Worker's Compensation Idaho State Insurance Fund and Idaho's Workers' Compensation System	Rep. Monks Rick Ferguson, CEO of the State Insurance Fund

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
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Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, January 25, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** Representative(s) McCann

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 Holtzclaw called the meeting to order at 1:29pm.

Chairman Holtzclaw assigned proofreading duties to **Rep. Kingsley** and **Rep. Necochea**.

RS 29035: **Rep. Syme** introduced **RS 29035**, explaining that it would increase the price limit for delegation of public works projects.

Keith Reynolds, Director of the Department of Administration, discussed how the delegation of projects is requested by agencies based on their in-house project management capabilities. Currently any projects costing more than 150,000 dollars have to be overseen by the Permanent Building Fund Advisory Committee. The proposed legislation would increase the limit from 150,000 dollars to 300,000 dollars. The current limit was set in 1996; adjusted for inflation would be 276,000 dollars which was rounded to 300,000 dollars.

In response to questions, **Mr. Reynolds** explained that a similar piece of legislation had been brought before the committee last year, but the previous proposed limit was 500,000 dollars.

MOTION: **Rep. Weber** made a motion to introduce **RS 29035**. **Motion carried by voice vote.**

RS 29205: **Rep. Monks** explained that **RS 29205** would require any injury an employee suffers from an employer mandated COVID-19 vaccine to be compensable under workers compensation. Under the current system, some claims are being paid out while others are not. This legislation would clarify that such injuries would be covered.

In response to questions about whether this would prevent employees from seeking other civil action, **Rep. Monks** said that, like all workers compensation, it is an exclusive remedy but that doesn't necessarily prevent people from pursuing other legal action.

In response to questions about concerns from businesses, **Rep. Monks** explained that he believes this language will not have opposition.

In response to further questions, **Rep. Monks** said he believed that injury would include death.

MOTION: **Rep. Christensen** made a motion to introduce **RS 29205**. **Motion carried by voice vote.**

Rick Ferguson, CEO of the Idaho State Insurance Fund, discussed the Idaho State Insurance Fund's (SIF) role in worker's compensation. Beginning with the industrial revolution, companies began paying for work related injuries. In return, the workers gave up the right to sue. Insurance funds take employer premiums, hold them in trust, and pay out when injuries occur. SIF provides a reliable and competitive source of worker's compensation, and is especially popular among small businesses. SIF underwrites high risk businesses and government organizations. They earn a profit from the investment income from capital held in trust and therefore receive no funds from taxpayer dollars. This is better done by a public agency than by the private sector because private companies would charge higher rates due to the high risk nature of the businesses. To remain viable, SIF needs to modernize and remove statutory language requiring use of government agencies for accounting and payroll.

In response to questions, **Mr. Ferguson** said that SIF's market share is 55%.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:52pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Thursday, January 27, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29056C1	Educational Reimbursement Program	Rep. Holtzclaw
H 450	EMPLOYMENT SECURITY LAW - Amends existing law to provide base tax rates for certain years.	Rep. Syme

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
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Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, January 27, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** None

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 Holtzclaw called the meeting to order at 1:30pm.

MOTION: **Rep. Kingsley** made a motion to approve the minutes January 19, 2022. **Motion carried by voice vote.**

MOTION: **Rep. Kingsley** made a motion to approve the minutes January 25, 2022. **Motion carried by voice vote.**

H 450: **Rep. Syme** explained that **H 450** freezes the base rate of unemployment insurance rates charged to businesses. The base rate is determined by the 3 years with the highest cost in the last 20 years. Freezing the rate at 2021 levels will save businesses 64 million dollars. It will cost the Unemployment Insurance Trust Fund 64 million dollars over the next two years.

In response to questions about the sustainability of the fund, **Rep. Syme** said the Unemployment Insurance Trust Fund has adequate supplies so long as nothing catastrophic happens in the next two years. He further explained that the Department of Labor initiated this legislation to prevent the government from charging businesses more for unemployment insurance was needed.

Jani Revier, Director of the Department of Labor, testified that freezing the unemployment insurance now would prevent businesses from facing an unnecessary increase in the rates. Last year the rates decreased because 200 million dollars was allocated to cover pandemic costs. Without that additional money, this year's rates would increase substantially due to the high cost years. However, because of the way the formula for determining the unemployment insurance rate works, the rates will drop after 2023. Therefore, freezing the rate at the 2021 level would prevent unnecessary costs to businesses.

Salvador Vazquez, Labor Market Information Director for the Idaho Department of Labor, explained the methodology behind the formula which determines the unemployment insurance rate.

MOTION: **Rep. McCann** made a motion to send **H 450** to floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.

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

RS 29056C1: **Chairman Holtzclaw** explained that **RS 29056C1** would allow Idaho government agencies to reimburse hard working agency employees. Any agency employee with 1040 hours or more would be able to be reimbursed for education by the agency.

In response to questions, **Chairman Holtzclaw** clarified that 1040 hours is roughly 6 months of work. Additionally, this legislation would expand a similar program to all agency employees.

Lori Wolff, Administrator for the Division of Human Resources, explained that when an agency enters into an agreement to help an employee pay for education in return for that employee working for the agency for a certain period of time and that agreement is broken by the employee, the clawback provision in this legislation allows that agency to regain the lost funds.

In response to questions, **Ms. Wolff** said that no cost is seen in the fiscal note because agencies must use existing funding or go through the Joint Finance and Appropriations Committee for funding. These would be considered on a case by case basis. The agreement is made with the director of the agency and that agency determines what funding is available for how long the employee must remain.

Ms. Wolff clarified that the current program is limited to specific professions and is a loan repayment program while this would be a reimbursement program for all agencies, allowing for more flexibility.

In response to concerns that this would create growing additional costs, **Ms. Wolff** explained the legislature would have control over all additional funding.

In response to further questions, **Ms. Wolff** said a requirement for consistency of the years of work required for education payment was not included in the legislation because agreements differ on the amount of education they cover and therefore the number of years served must also fluctuate. However, the Division of Human Resources would oversee the agreements to ensure consistency. Additionally, maximum budgetary limits were not included because this would be covered in administrative rules.

Chairman Holtzclaw explained that they are seeking to give agencies another tool to retain employees without causing an excessive drain on the budget.

MOTION: **Rep. Necochea** made a motion to introduce **RS 29056C1**. **Motion carried by voice vote.** **Reps. Hanks, Christensen,** and **Wisniewski** requested to be recorded as voting **NAY**.

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

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:11pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #2
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, January 31, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
H 464	WORKER'S COMPENSATION - Adds to existing law to provide that COVID-19 vaccination-related accidents or injuries shall be compensable.	Rep. Skaug
DOCKET NO.:		
17-0000-2100F	Notice of Omnibus Rulemaking (Fee Rule) - Pending Rule	Sonnet Robinson, Idaho Industrial Commission
21-0000-2100F	Notice of Omnibus Rulemaking (Fee Rule) - Pending Rule	Mark Tschampl, Chief Administrator, Idaho Division of Veterans Services

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, January 31, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** None

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 Holtzclaw called the meeting to order at 1:30pm.

H 464: **Rep. Skaug** said **H 464** would allow anyone injured by the COVID-19 vaccine to receive compensation if it was required by the employer. He explained that, working in worker's compensation, he has seen many such claims. He clarified that this legislation would not codify a vaccine requirement. The goal is simply to make sure those people who do get injured are covered under worker's compensation.

In response to questions about how this is related to a vaccine mandate, **Rep. Skaug** said this would not function as a mandate but would simply provide coverage. In addition, it would lessen litigation because insurance companies would know they have to cover it without going to court.

In response to questions about how this would increase the cost for all companies to provide worker's compensation, whether or not they require vaccine, **Rep. Skaug** said he didn't believe it will increase the cost enough to increase premiums.

Craig Campbell, a Boise resident, spoke against **H 464** saying people have Constitutional rights to equal protections and personal freedom. He argued this legislation violates the Constitution because it allows businesses to require vaccines. He questioned how damages would be determined and who would be qualified to put a price on the loss of someone's quality of life. By legislating how vaccine requirements function it would codify vaccine mandates.

In response to questions, **Mr. Campbell** said **H 464** codifies vaccine mandates because it goes along with the status quo. It presupposes the right of businesses to mandate vaccines.

Sarah Clendenon, a representative of Health Freedom Idaho, spoke against **H 464** explaining there is already a federal program for vaccine injury reporting which refuses to admit vaccine injuries that do occur. Making such injuries compensable will not accomplish anything because no one will ever be able to prove the injury was caused by the vaccine. She argued that the use of the word 'when' in the bill indicates businesses have the right to enforce a vaccine mandate. This bill would take away people's rights under the guise of helping them.

Cece Andrews said businesses and the legislature do not have the right to violate inherent rights like privacy and bodily autonomy.

Miste Karlfeldt, a representative of Health Freedom Idaho, also testified against **H 464** and said the crux of the problem is that individual's medical decisions should not be made by business. She raised concerns about how the cost of the injury would be determined and how, supposing payouts actually occur, this would skyrocket premiums and harm small businesses.

Alex LaBeau, President of the Idaho Association of Commerce and Industry, testified in favor of **H 464** and explaining how this legislation would allow injured employees to get compensation. He said this would be a fair process and requires less evidence than a court and payouts are received much faster.

In response to questions about whether employers or the federal government should be liable, **Rep. Skaug** said the federal government should be the one held responsible but Congress would not follow through with this.

Rep. Skaug closed by saying this legislation is not for or against COVID-19 vaccines. This is just to get compensation for those who are injured. The current system needs clarification because some claims get paid out while others are denied. This bill would ensure those who need it get compensation.

In response to questions about whether this would cover those who have no objection to getting vaccinated, **Rep. Skaug** explained this covers anyone who works for an employer who requires a vaccine whether they are for or against it.

MOTION:

Rep. Toone made a motion to send **H 464** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Hanks, Kingsley, Wisniewski, and Christensen** requested to be recorded as voting **NAY**. **Rep. Skaug** will sponsor the bill on the floor.

Chairman Holtzclaw brought matters regarding ARPA funding to the committees attention and explained that a concurrent resolution will be needed to guide how those funds will be spent. He informed them there will be a presentation on the matter on Thursday.

**DOCKET NO.
17-0000-2100F:**

Sonnet Robinson, Idaho Industrial Commission, Rules Review Officer, said the only changes to the administrative rules were in regards to worker's compensation claims reporting requirements. They received no negative feedback from stakeholders. The other proposed rule has been struck and will be reverted back to the original rule was accepted by legislature last year.

MOTION:

Rep. Harris made a motion to approve **Docket No. 17-0000-2100F**. **Motion carried by voice vote.**

**DOCKET NO.
21-0000-2100F:**

Mark Tschampl, Chief Administrator, Idaho Division of Veterans Services, said there were no changes to the fee rules governing the admission, residency, and maintenance charges in Idaho veterans homes. There is a minor increase in fees for the preparation internment sites. This increased from five to seven hundred dollars due to increased costs. Additionally, changes were made to eligibility requirements for burial as well as rules governing public behavior at the cemetery.

In response to questions, **Mr. Tschampl** said the seven hundred dollar fee is paid for by the families seeking to inter their loved one in the cemetery. Further, the increase from five to seven hundred dollars is due to the increased cost of labor and supplies since it was last increased nine years ago.

MOTION:

Rep. Weber made a motion to approve **Docket No. 21-0000-2100F**. **Motion carried by voice vote.**

MOTION: **Rep. Necochea** made a motion to approve the minutes of the January 27, 2022, meeting. **Motion carried by voice vote.**

ADJOURN There being no further business to come before the committee, the meeting adjourned at 2:08pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, February 01, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29302	Worker's Compensation	Rep. Skaug
DOCKET NO.:		
09-0000-2100	Notice of Omnibus Rulemaking - Pending Rule	Jani Revier, Director, Idaho Department of Labor
59-0000-2100	Notice of Omnibus Rulemaking - Pending Rule	Don Drum, Executive Director, PERSI

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

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COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
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Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, February 01, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** None

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 Holtzclaw called the meeting to order at 1:30pm.

RS 29302: **Rep. Skaug** introduced **RS 29302** explaining it would streamline the worker's compensation process for employers and injured workers who choose to settle claims instead of go to a hearing. This legislation would eliminate the requirement of approval of the Industrial Commission, except for settlements involving minors or legally incompetent persons.

In response to questions about the Industrial Commission's involvement in creating this legislation, **Rep. Skaug** said they put it in front of the Commission but they never voiced an opinion on it.

MOTION: **Rep. Syme** made a motion to introduce **RS 29302**. **Motion carried by voice vote.**

**DOCKET NO.
09-0000-2100:** **Jani Revier**, Director of the Department of Labor, said **Docket No. 09-0000-2100** only makes two rule changes. The first change simplifies the standards for part-time employees to be eligible to receive unemployment benefits. In order to be eligible the claimant must be able to work full-time. The rule change will simplify the process by which claimants prove they worked part-time. The second rule change affects requires self employed claimants to report their gross earnings. These changes seek to make the system less cumbersome.

MOTION: **Rep. Syme** made a motion to approve **Docket No. 09-0000-2100**. **Motion carried by voice vote.**

**DOCKET NO.
59-0000-2100:** **Don Drum**, Executive Director of PERSI, presented **Docket No. 59-0000-2100** explaining the rule changes were to comply with the goal to reduce red tape. The major changes include eliminating administrative procedure rules and duplicate references to contribution rates as well as clarifying the definition of employer, the initiation of a benefit payment is tied to the application to retire, and the qualifications for return work employment.

MOTION: **Rep. McCann** made a motion to approve **Docket No. 59-0000-2100**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:43pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Thursday, February 03, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29325	State Insurance Fund Changes to Banking and Accounting Functions	Rep. Gestrin
DOCKET NO.:		
15-0400-2100	Notice of Omnibus Rulemaking - Pending Rule	Michelle Peugh, Idaho Division of Human Resources
	Workforce Training for In-Demand Professions	Alex Adams, Division of Financial Management
	Childcare Infrastructure Expansion Grants	Alex Adams, Division of Financial Management
	Food Bank Support	Alex Adams, Division of Financial Management
	Workforce Housing Gap Closing Support	Alex Adams, Division of Financial Management
	State Health Insurance Cost Offset to Rebuild Reserves	Alex Adams , Division of Financial Management

Public Testimony Will Be Taken by Registering Through the Following Link:
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COMMITTEE MEMBERS

Chairman Holtzclaw
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Rep Harris
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Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 03, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

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

RS 29325: **Rep. Gestrin**, a member of the board of the Idaho State Insurance Fund (SIF), presented **RS 29325** which would streamline SIF and allow it to provide competitive workers' compensation. This legislation would allow SIF to transition out of state vacation and sick leave programs and adopt Paid Time Off and holidays more consistent with the private sector. Additionally, this legislation would allow SIF to digitize its financial transaction offerings through mobile service applications and online banking, without the need to go through the State Controller's Office and Treasurer's Office. An independent audit and the Department of Insurance provide oversight, making the additional steps of going through the Controller and Treasurer unnecessary.

In response to questions about transparency, **Rep. Gestrin** said SIF keeps its accounting information and payroll on Transparent Idaho to ensure transparency.

MOTION: **Rep. Syme** made a motion to introduce **RS 29325**. **Motion carried by voice vote.**

**DOCKET NO.
15-0400-2100:** **Michelle Peugh**, Strategic Business Partner for Division of Human Resources, came to present **Docket No. 15-0400-2100**. The committee requested a red lined version of the rules.

Chairman Holtzclaw put the meeting at ease at 1:38pm.

Chairman Holtzclaw called the meeting back to order at 1:39pm.

Review of **Docket No. 15-0400-2100** was postponed until Monday, February 7, 2022.

Alex Adams, Administrator of the Division of Financial Management, explained the Governor's recommendations for the use of federally provided ARPA funding. The first recommendation which Mr. Adams presented was fifty million dollars toward workforce housing, twenty percent of which would be designated for rural areas. Traditionally this is paid for through federal credits and private financing, but there is currently a financing gap which could be closed with ARPA funding. This would allow for the development of one thousand new rental units. Secondly, it is proposed to allocate fifty million dollars toward child care expansion grants with the goal to increase childcare spots by two thousand. Thirdly, one million dollars would be allocated towards food bank support to continue to provide meals to those in need. Fourthly, workforce training programs would receive fifty million dollars. These programs would be overseen by the Workforce Development Council with the goal of preparing a workforce for in-demand professions. Finally, twenty five

million dollars would be used to expand the Idaho State Health Insurance Reserves. Due to the high number of claims because of COVID-19, additional funds are needed to cover the costs of state employees. This investment would keep the reserves at the 95th percentile and reduce reliance on the general fund.

In response to questions about how close this places the State Health Insurance Reserves to the federally allowable gap, **Mr. Adams** said this would put Idaho over that limit but it was not a hard and fast limit. However, because of the pandemic, there has been more flexibility in how much is allowed in insurance reserves and this would ensure Idaho has maximum options.

In response to how the funds for expanding childcare could be used to assist entrepreneurial moms who provide childcare from their homes, **Wendy Seacrest**, Executive Director of the Idaho Workforce Development Council, said they were considering designating a portion of the funds to small providers or putting a cap on the number of seats for which any one applicant could apply.

In response to questions about collaboration with colleges, **Ms. Seacrest** said they currently work with career technical colleges, private providers, and anyone who provides needed training.

Chairman Holtzclaw explained that four House Concurrent Resolutions covering these topics would be before the committee next week.

MOTION: **Rep. Necochea** made a motion to approve the minutes of January 31 and February 1, 2022. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:03pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, February 07, 2022

For members of the public to observe the meeting, please click on the following link:
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SUBJECT	DESCRIPTION	PRESENTER
RS 29407	PERSI Board Subpoena Power	Rep. Syme
RS 29057C1	PERSI, Withdrawals, Penalties	Rep. Syme
RS 29058C1	PERSI, Background Checks	Rep. Syme
RS 29066C1	PERSI, Definitions	Rep. Syme
RS 29079C1	PERSI, Reemployment	Rep. Horman
RS 29390	State Health Insurance Reserves (ARPA)	Rep. Holtzclaw
RS 29391	Food Bank Support (ARPA)	Rep. Holtzclaw

COMMITTEE MEMBERS

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

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Room: EW08
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Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

- DATE:** Monday, February 07, 2022
- TIME:** 1:30 P.M.
- PLACE:** Room EW05
- MEMBERS:** Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone
- ABSENT/
EXCUSED:** None
- GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.
- Chairman Holtzclaw** called the meeting to order at 1:31pm.
- RS 29407:** **Rep. Syme** explained **RS 29407** would give the PERSI board subpoena authority. This would allow PERSI to compel production of evidence from financial institutions deemed necessary in connection with a disputed claim or in the exercise of their duties.
- MOTION:** **Rep. McCann** made a motion to introduce **RS 29407**. **Motion carried by voice vote.**
- RS 29057C1:** **Rep. Syme** said **RS 29057C1** would change the word liability to penalty in a certain section of Idaho Code. In bankruptcy proceedings the term penalty provides for better standing during the bankruptcy process.
- MOTION:** **Rep. Horman** made a motion to introduce **RS 29057C1**. **Motion carried by voice vote.**
- RS 29058C1:** **Rep. Syme** said **RS 29058C1** would allow PERSI to perform FBI criminal history checks on employees who will have access to sensitive information.
- MOTION:** **Rep. Toone** made a motion to introduce **RS 29058C1**. **Motion carried by voice vote.**
- RS 29066C1:** **Rep. Syme** introduced **RS 29066C1** to clarify definitions in certain sections of the Idaho Code.
- Don Drum**, Executive Director of PERSI, explained **RS 29066C1** seeks to make the definition of early retirement in Idaho Code consistent with federal code.
- MOTION:** **Rep. Weber** made a motion to introduce **RS 29066C1**. **Motion carried by voice vote.**
- RS 29079C1:** **Rep. Horman** introduced **RS 29079C1** which would adjust the PERSI contribution rate for school employees. These individuals tend to retire two years earlier and die two years later which creates a four year gap that needs to be covered.
- MOTION:** **Rep. Syme** made a motion to introduce **RS 29079C1**. **Motion carried by voice vote.**
- Chairman Holtzclaw** turned the gavel over to **Vice Chairman Syme**.
- RS 29390:** **Rep. Holtclaw** explained **RS 29390** would obligate twenty five million dollars of the American Rescue Plan Act (ARPA) to the State Insurance Fund. He expressed his desire to have the committee aware of how ARPA funding is being spent.

In response to questions about why money would be added in increments, **Rep. Syme** said the goal was to keep the cost to the General Fund down.

Rep. Hanks expressed concerns about the future impact of using ARPA funding.

MOTION: **Rep. Horman** made a motion to introduce **RS 29390**.

ROLL CALL VOTE: Roll call vote was requested. **Motion carried by a vote of 9 AYE and 4 NAY.** **Voting in favor** of the motion: **Reps. Holtzclaw, Syme, Harris, Horman, Weber, McCann, Chew, Necochea, and Toone.** **Voting in opposition** to the motion **Reps. Kingsley, Christensen, Wisniewski, and Hanks.**

RS 29391: **Rep. Holtzclaw** said **RS 29391** would obligate one million dollars of ARPA funding to support the Idaho Food Bank.

MOTION: **Rep. Chew** made a motion to introduce **RS 29391**.

Rep. Horman explained that, while in favor of the appropriations, she has concerns with the process.

ROLL CALL VOTE: Roll call vote was requested. **Motion carried by a vote of 9 AYE and 4 NAY.** **Voting in favor** of the motion: **Reps. Holtzclaw, Syme, Harris, Horman, Weber, McCann, Chew, Necochea, and Toone.** **Voting in opposition** to the motion **Reps. Kingsley, Christensen, Wisniewski, and Hanks.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:53pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #3
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, February 09, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 29124	Wildland Firefighter Pay	Rep. Dixon
RS 29135	Juvenile Detention, Rule of 80	Rep. Erickson
RS 29396	Worker's Compensation	Rep. Skaug
RS 29194	Attorney Representative, Industrial Commission	Rep. Ruchti
RS 29413C1	Idaho Workforce Housing Advisory Commission	Rep. Syme
RS 29489	Worker's Compensation, Vaccines	Rep. Skaug
RS 29453	Personnel Management	Rep. Horman
RS 29473	Changes to Compensation Statutes	Rep. McCann Rep. Syme
RS 29392	Childcare Infrastructure Expansion Grants (ARPA)	Rep. Holtzclaw
RS 29393	Workforce Training for In-Demand Professions (ARPA)	Rep. Holtzclaw
RS 29414	Workers' Comp, PTSI	Rep. Toone
DOCKET NO.:		
15-0400-2100	Notice of Omnibus Rulemaking - Pending Rule	Michelle Puegh, Strategic Business Partner, Idaho Division of Human Resources

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 09, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** Representative(s) Horman

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

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

MOTION: **Rep. Necochea** made a motion to approve the minutes of February 3 and February 7, 2022. **Motion carried by voice vote.**

RS 29124: **Rep. Dixon** said **RS 29124** would create hazard pay for wildland firefighters. It would allow the Idaho Department of Lands to increase the differential pay of wildland firefighters by 25% when in hazardous conditions, making it easier for Idaho to attract employees to this in-demand profession.

MOTION: **Rep. Syme** made a motion to introduce **RS 29124**. **Motion carried by voice vote.**

RS 29135: **Rep. Erickson** explained **RS 29135** would add juvenile detention, juvenile probation, and adult misdemeanor post-certified officers to the Rule of 80 retirement plan as is currently conducted with their adult counterparts. This would help with recruitment efforts for positions that work with high risk youth and is specifically for post-certified positions so not everyone would be able to take advantage of this.

MOTION: **Rep. Weber** made a motion to introduce **RS 29135**. **Motion carried by voice vote.**

RS 29396: **Rep. Skaug** declared Rule 80 before explaining **RS 29396** seeks to streamline workers' compensation settlement process for employers and injured workers who choose to settle their respective claims, rather than go to hearing. It would eliminate the requirement of approval of the Industrial Commissioners, except for settlements involving minors, legally incompetent persons, or when either party is not represented by an attorney.

MOTION: **Rep. Toone** made a motion to introduce **RS 29396**. **Motion carried by voice vote.**

RS 29489: **Rep. Skaug** again declared Rule 80 before introducing **RS 29489** which ensures that COVID-19 vaccine injuries are compensable under workers' compensation. This legislation replaces an RS previously heard by the committee and improves it by explaining this legislation is not for or against COVID-19 vaccine requirements and cannot be used in defense of vaccine mandates.

MOTION: **Rep. McCann** made a motion to introduce **RS 29489**.

**SUBSTITUTE
MOTION:** **Rep. Harris** made a substitute motion to introduce **RS 29489** and recommend it be sent directly to the Second Reading Calendar.

- ROLL CALL VOTE:** Roll call vote was requested. **Motion carried by a vote of 9 AYE, 3 NAY and 1 Absent/Excused. Voting in favor of the motion: Reps. Holtzclaw, Syme, Harris, Wisniewski, Weber, McCann, Chew, Necochea, and Toone. Voting in opposition to the motion: Reps. Kingsley, Christensen, and Hanks. Rep. Horman was absent/excused. Rep. Skaug will sponsor the bill on the floor.**
- RS 29194:** **Rep. Ruchti** explained **RS 29194** would improve the process by which the Governor selects the candidate to be appointed as the attorney representative on the Industrial Commission. Currently, the Governor's office seeks out applicants to apply for this position. This legislation would place responsibility for recruitment of applicants, processing applications and doing initial interviews of applicants with the Judicial Council with assistance from the Idaho State Bar. The Judicial Council would use the same process they currently use with candidates for open district judge and appellate judge positions. At the end of its process, the Judicial Council would present two to four names to the Governor for his consideration for appointment as the attorney representative to the Industrial Commission.
- In response to questions about the opinion of the Governor's office, **Rep. Ruchti** explained that they haven't taken a position though they have been informed. Additionally, he said he was unaware of any other situation in which this process is used to select candidates other than district and appellate court judges.
- MOTION:** **Rep. Necochea** made a motion to introduce **RS 29194. Motion carried by voice vote.**
- RS 29413C1:** **Rep. Syme** said **RS 29413C1** would set up an Idaho Workforce Housing Advisory Commission and establish the Idaho Workforce Housing Fund. It would not authorize additional spending; it would just set up the mechanism to create a fund. The Advisory Commission would consist of 10 members and be tasked with developing, implementing, and maintaining a statewide workforce housing plan. The Idaho Workforce Housing Fund would be created to accept such monies as allocated by the legislature and distribute funds according to the statewide plan as implemented by the Idaho Workforce Housing Commission Distinct shortage of housing for workforce. Rep. Syme also pointed out in paragraph 2 the word 'Association' should be changed to say 'The Idaho Housing and Finance Association'.
- MOTION:** **Rep. McCann** made a motion to introduce **RS 29413C1** with the following changes: on Page 2, Section 2, Paragraph 2, change the word "association" to "The Idaho Housing and Finance Association". **Motion carried by voice vote.**
- RS 29453:** **Rep. McCann** explained **RS 29453** would add clarification on how state law is applied to all state employees, while also clarifying which sections of Idaho's personnel system laws apply to classified employees. Adding inclusive language to include "classified and nonclassified state employees" will help to ensure employee best practice standards are applied across all state employees in the executive department and provide a foundation for decisions and policies. The changes will further clarify that only classified state employees are subject to the merit system and due process.
- MOTION:** **Rep. Weber** made a motion to introduce **RS 29453. Motion carried by voice vote.**
- RS 29473:** **Rep. McCann** explained **RS 29473** would allow for flexibility and clarification within established compensation practices. Currently, all employee compensation increases require a satisfactory performance evaluation on file prior to granting the increase. The requirement of an evaluation restricts an agency from giving salary increases when necessary for internal equity or external market changes.

In response to questions about the increased maximum bonus from two to five thousand dollars, **Rep. McCann** said that they wanted the ability to increase the maximum bonus if it was deserved. There was no change in the fiscal note because these bonuses must still come from the existing budget.

MOTION: **Rep. Toone** made a motion to introduce **RS 29473**. **Motion carried by voice vote.**
Chairman Holtzclaw turned the gavel over to **Vice Chairman Syme**.

RS 29392: **Rep. Holtzclaw** explained **RS 29392** would allocate 49,999,000 dollars from the American Rescue Plan Act (ARPA) to provide childcare infrastructure expansion grants. He said this was an opportunity for the committee to be involved and aware of how ARPA funding is being spent.

MOTION: **Rep. Necochea** made a motion to introduce **RS 29392**.

ROLL CALL VOTE: Roll call vote was requested. **Motion carried by a vote of 8 AYE, 4 NAY and 1 Absent/Excused.** **Voting in favor** of the motion: **Reps. Holtzclaw, Syme, Harris, Weber, McCann, Chew, Necochea, and Toone.** **Voting in opposition** to the motion: **Reps. Kingsley, Christensen, Wisniewski, and Hanks.** **Rep. Horman was absent/excused.**

RS 29393: **Rep. Holtzclaw** explained **RS 29393** would allocate 50 million dollars to workforce training for in demand professions.

In response to questions about how Idaho would be affected if these funds are not spent, **Rep. Holtzclaw** said Idahoans will still pay for it but without receiving any benefits from it.

MOTION: **Rep. McCann** made a motion to introduce **RS 29393**.

ROLL CALL VOTE: Roll call vote was requested. **Motion carried by a vote of 8 AYE, 4 NAY and 1 Absent/Excused.** **Voting in favor** of the motion: **Reps. Holtzclaw, Syme, Harris, Weber, McCann, Chew, Necochea, and Toone.** **Voting in opposition** to the motion: **Reps. Kingsley, Christensen, Wisniewski, and Hanks.** **Rep. Horman was absent/excused.**

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

RS 29414: **Rep. Toone** explained **RS 29414** would identify post traumatic stress injuries as occupational injuries to allow them to be compensable under workers' compensation. PTSD is recognized as a legitimate injury in thirty four other states already. Idaho has a heightened standard of clear and convincing evidence to determine PTSD which would prevent this from being abused. This legislation would seek to ensure our workers are healthy.

In response to questions about whether health means physical or mental, **Rep. Toone** said it means both and that health needs to address the whole body.

MOTION: **Rep. Syme** made a motion to introduce **RS 29414**.

ROLL CALL VOTE: **Rep. Christensen** requested a roll call vote on **RS 29414**. **Motion failed by a vote of 5 AYE, 7 NAY and 1 Absent/Excused.** **Voting in favor** of the motion: **Reps. Syme, McCann, Chew, Necochea, and Toone.** **Voting in opposition** to the motion: **Reps. Holtzclaw, Harris, Kingsley, Christensen, Wisniewski, Hanks, and Weber.** **Rep. Horman was absent/excused.**

DOCKET NO. 15-0400-2100: **Michelle Puegh**, Strategic Business Partner, Idaho Division of Human Resources, said that the rule changes were in line with the goal of red tape reduction. Because the public health districts are no longer state employees, they do not have to comply with the merit system and therefore the rules regarding this were eliminated. Additionally, a rule regarding classified employees was removed as it was redundant.

MOTION: Rep. Harris made a motion to approve **Docket No. 15-0400-2100. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:19pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, February 15, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
	Idaho Industrial Commission Presentation	Aaron White, Chairman of the Idaho Industrial Commission
DOCKET NO.: 17-0000-2100	Notice of Omnibus Rulemaking - Pending Rule	Sonnet Robinson, Referee, Idaho Industrial Commission
H 551	PERSI - Amends existing law to provide board authority to issue subpoenas.	Rep. Syme
H 552	PERSI - Amends existing law to provide for withdrawal penalty payments and to revise a provision regarding partial withdrawal.	Rep. Syme
H 553	PERSI - Adds to existing law to require background checks for certain PERSI employees.	Rep. Syme

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

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COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley

Rep Hanks
Rep Weber
Rep McCann
Rep Chew

COMMITTEE SECRETARY

Emily Huddleston
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Email: hcom@house.idaho.gov

Rep Christensen
Rep Wisniewski
Rep Horman

Rep Necochea
Rep Toone

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, February 15, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** None

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 Holtzclaw called the meeting to order at 1:30pm.

MOTION: **Rep. Kingsley** made a motion to approve the minutes of February 9, 2022. **Motion carried by voice vote.**

Aaron White, Commissioner and Chairman of the Idaho Industrial Commission explained that the Commission began as the Industrial Accident Board because of the alarming rates of workplace injuries after the Industrial Revolution. It now consists of three commissioners: one represents labor, one employers, and the third is an attorney representative. They are funded by a two percent tax on insurance premiums. The Commission administers and regulates the workers' compensation system. They help employers understand workers' compensation law and implement it, resolve informal disputes, approve lump sum settlement agreements, and return injured workers to work. They also have an Advisory Committee which has sixteen members who represent everyone affected by workers' compensation. Finally, the Crime Victims Compensation Program provides financial assistance to innocent victims of crime.

In response to questions, **Mr. White** said that they are able to completely cover the cost of forensic examinations for victims of sexual assault.

In response to questions about the Commission's role in resolving disputes, **Mr. White** said the Commission reviews settlements to ensure that they are in the best interest of all parties. Once a settlement has been reached, the injured worker cannot claim further expenses from the injury in the future. The Commission makes sure the worker is aware of this before accepting settlements.

Thomas Baskin, Commissioner and Attorney Representative of the Idaho Industrial Commission, explained subrogation as a situation where there has been a denial of certain medical care for a work injury so the claimant pays for the care via health insurance. At some point in the future, the workers' compensation pays out and the insurance company wants to be reimbursed for the cost of the medical care. The Industrial Commission must ensure that these situation are thoroughly investigated prior to approving the settlement.

DOCKET NO. 17-0000-2100: **Sonnet Robinson**, Idaho Industrial Commission, Referee, Rules Review Officer, presented **Docket No. 17-0000-2100** explaining that there have been no changes to these rules since they were last reviewed by the committee.

MOTION: **Rep. Syme** made a motion to approve **Docket No. 17-0000-2100**. **Motion carried by voice vote.**

- H 551:** **Rep. Syme** explained **H 551** would allow the PERSI board to have the right to subpoena bank records to discover where the retirement money is being deposited after the intended recipient has died.
- MOTION:** **Rep. McCann** made a motion to send **H 551** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.
- H 552:** **Rep. Syme** said **H 552** increases the time period that a political subdivision can stay on PERSI. Currently, if their average membership decreases by twenty five members or twenty five percent, they have to be removed from PERSI. Due to current staffing shortages, this bill would allow these political subdivisions more time to increase membership before they are removed. **H 552** also changes the word liability to penalty because the term penalty provides for better standing during bankruptcy proceedings.
- MOTION:** **Rep. McCann** made a motion to send **H 552** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.
- H 553:** **Rep. Syme** explained **H 553** authorizes PERSI to have FBI background checks done on employees who have access to sensitive information.
- MOTION:** **Rep. Weber** made a motion to send **H 553** 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 2:23pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #3
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Thursday, February 17, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO.:		
28-0000-2100	Notice of Omnibus Rulemaking - Pending Rule	Ewa Szewczyk
H 589	PERSI - Amends existing law to add juvenile detention officers, juvenile probation officers, and adult misdemeanor probation officers to the list of police officer members eligible for retirement purposes.	Rep. Erickson
H 594	HUMAN RESOURCES DIVISION - Amends and repeals existing law to provide for consistency of terminology with respect to state employees.	Rep. Horman
H 554	PERSI - Adds to existing law to define "early retirement" and "service retirement."	Rep. Syme
H 463	DEPARTMENT OF ADMINISTRATION - Amends existing law to increase the authorized limitation for public works projects.	Rep. Syme
H 595	HUMAN RESOURCES DIVISION - Amends existing law to provide for compensation increases based on performance as well as consideration of certain internal and external factors.	Rep. McCann

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw	Rep Hanks
Vice Chairman Syme	Rep Weber
Rep Harris	Rep McCann
Rep Kingsley	Rep Chew
Rep Christensen	Rep Necochea
Rep Wisniewski	Rep Toone
Rep Horman	

COMMITTEE SECRETARY

Emily Huddleston
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 17, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library

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

DOCKET NO. 28-0000-2100: **Ewa Szewczyk**, Rules Review Officer, Idaho Department of Commerce presented **Docket No. 28-0000-2100** and explained there have been no changes since these rules were last reviewed by the legislature.

MOTION: **Rep. Weber** made a motion to approve **Docket No. 28-0000-2100**. **Motion carried by voice vote.**

H 589: **Rep. Erickson** explained **H 589** would add juvenile detention officers, juvenile probation officers, and adult misdemeanor probation officers to the list of police officer members eligible for Rule of 80 retirement. These officers go through very intense training and are POST-certified. There are currently many positions which qualify for Rule of 80 which do not face extreme risk; these officers are out in the field facing potentially dangerous situations. Additionally, the cost increases would not be prohibitive.

In response to questions about the opinion of the counties, **Rep. Erickson** said that reports from these professionals indicate that the counties are on board.

Don Drum, Executive Director of PERSI, explained this change could have both positive or negative effects on the overall cost of the benefits. It should not cost additional money because the cost is covered by the employees receiving the benefits, however, with more people paying in, it may cost less. There is still the possibility that it will cause an increase in rates over time.

In response to questions about whether there is a buy in when changing from Rule of 90 to Rule of 80, **Director Drum** said there is not as the change is not retroactive. Those who make the change in the middle of their career will be mixed and end up somewhere between Rule of 80 and Rule of 90.

Brian Walker, Director of 3-B Juvenile Detention Center, spoke in support of **H 589** as these are POST-certified officers who go through the same vetting system as other officers. They perform the same tasks those in the adult system do, often dealing with the same types of crimes and facing the same risks. In order to maintain employees, they need to be able to compete by offering similar benefits. In the last year, Mr. Walker said five out of the fourteen employees in his facility left.

MOTION: **Rep. McCann** made a motion to send **H 589** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Erickson** will sponsor the bill on the floor.

H 594: **Rep. Horman** said **H 594** would amend and repeal existing law to provide for consistency of terminology with respect to state employees. Adding inclusive language to include "classified and nonclassified state employees" will help to ensure employee best practice standards are applied across all state employees in the executive department and provide a foundation for decisions and policies. The changes will further clarify that only classified state employees are subject to the merit system and due process.

In response to questions about how this will affect universities, **Rep. Horman** explained there will be specific policies to ensure the board can work with these institutions to conform to state law.

MOTION: **Rep. Weber** made a motion to send **H 594** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Horman** will sponsor the bill on the floor.

H 554: **Rep. Syme** said **H 554** clarifies the definition of early retirement in certain sections of Idaho Code as retirement prior to age sixty for police officers or sixty-five for general members while having fulfilled their Rule of 80. If someone retires early prior to reaching the Rule of 80 then they will experience deductions from their benefits.

In response to questions about a distinction between the different rules, **Director Drum** said police officers operate under service requirements which allows them to retire at age sixty with full benefits regardless of whether they have reached their Rule of 80 requirements.

MOTION: **Rep. Horman** made a motion to send **H 554** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.

H 463: **Rep. Syme** explained **H 463** amends existing law to increase the authorized cost limit for the delegation of public works projects from one hundred fifty thousand dollars to three hundred thousand dollars. If the agency has sufficient capabilities, they can request oversight of the project be delegated to the agency by the Permanent Building Fund Advisory Council.

MOTION: **Rep. McCann** made a motion to send **H 463** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.

H 595: **Rep. McCann** said **H 595** would amend existing law to provide for compensation increases based on performance as well as consideration of certain internal and external factors. Current policy restricts agencies' ability to be competitive when filling positions because employees can't receive raises without a performance evaluation. This legislation would allow them to be raised up to market value even before this evaluation as well as increase the maximum performance bonus from two thousand to five thousand dollars. This would give flexibility to agency directors to allow for better recruitment and retention of employees.

In response to questions about this requiring additional appropriations in the future, **Lori Wolff**, Administrator, Division of Human Resources explained this would simply increase the allowed performance bonus to the same level as the recruitment and retention bonuses. Additionally, agencies must already have room in their existing budget for these bonuses and all of these must be approved by the Division of Human Resources and the Division of Financial Management. This would not be a massive financial commitment because these bonuses will not be given to all employees, just to hard-to-fill positions.

Michelle Peugh, Strategic Business Partner, Division of Human Resources explained equity adjustments would be given when wage compression occurs prior to the employee's first performance evaluation. This legislation would allow them to be brought up to current market values. This would be within the limits of the pay grade and would never be raised above the salaries of the employee's peers.

Ms. Wolff said the funding for these bonuses and equity adjustments would come from salary savings. Agencies are given appropriations based on the number of positions they have. When these positions are not filled, the agency experiences salary savings from not paying wages for these positions. These savings are already within the agency's budget designated to be spent on personnel. This legislation would simply give directors more flexibility on how these funds are spent allowing them to be more competitive in the job market and retain the best employees.

MOTION: **Rep. Weber** made a motion to send **H 595** to the floor with a **DO PASS** recommendation.

Rep. Harris expressed concerns that this would create tremendous pressure for agencies to increase personnel spending. There may not be a major fiscal impact the first year but there will be pressure to increase the budget later on.

Rep. McCann clarified they are not asking to raise budgets but to give the directors the ability to fill necessary positions with money not being spent on salaries.

Rep. Necochea reminded the committee the legislature is still in control of appropriations and this would give agencies a tool to help fill necessary positions.

ROLL CALL VOTE: **Rep. Hanks** requested a roll call vote on **H 595**. **Motion failed by a vote of 6 AYE and 7 NAY. Voting in favor** of the motion: **Reps. Syme, Weber, McCann, Chew, Necochea, and Toone. Voting in opposition** to the motion: **Reps. Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, and Holtzclaw.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:05pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
3:00 P.M.
Room EW05
Monday, February 21, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 555</u>	PERSI - Amends, adds to, and repeals existing law to provide for the contribution rates and reemployment of school members.	Rep. Horman
<u>H 588</u>	WILDLAND FIREFIGHTERS - Amends existing law to provide for wildland firefighter differential pay.	Rep. Dixon
<u>H 592</u>	IDAHO WORKFORCE HOUSING FUND - Adds to existing law to establish the Idaho Workforce Housing Fund and to establish the Idaho Workforce Housing Advisory Commission.	Rep. Syme
ADJOURN	No later than 5:00 p.m.	

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

- DATE:** Monday, February 21, 2022
- TIME:** 3:00 P.M.
- PLACE:** Room EW05
- MEMBERS:** Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone
- ABSENT/
EXCUSED:** Representative(s) Kingsley
- 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 Holtzclaw** called the meeting to order at 3:11pm.
- Chairman Holtzclaw** introduced the new Page for the second half of the session, **Elijah Zeller**.
- H 555:** **Rep. Horman** explained **H 555** would correct an imbalance in the PERSI contribution rate for school employees. This occurs because these individuals usually live longer and retire later. If this legislation is enacted, the PERSI board would consider adjusting the contribution rates so the general members would no longer bear the cost of filling in this gap. Also, this legislation would create a short-term solution for dealing with the workforce shortage by allowing retirees to be rehired in a cost neutral way.
- Don Drum**, Executive Director of PERSI, explained this is different than the current return to work program because it sunsets in 2026 and only allows individuals who retired prior to January, 2021, to take advantage of this program. This would prevent the costs of changing retirement patterns seen in other return to work programs.
- In response to questions about individuals with two relevant occupations, **Director Drum** said that rates would be determined based on their primary job. If their primary job is teaching, then they will be under the new teacher rates.
- MOTION:** **Rep. Toone** made a motion to send **H 555** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Horman** will sponsor the bill on the floor.
- H 588:** **Rep. Dixon** presented **H 588** which would allow for differential pay for wildland firefighters. Firefighter pay in Idaho is currently not competitive with neighbor states which makes retaining employees difficult. Paying these individuals a higher rate when they face extreme hazards will help retain valuable employees.
- Scott Phillips**, Policy and Communications Chief, Idaho Department of Lands, explained employee turnover is not just bad, it is very dangerous. It is vital for everyone's safety that these individuals are experienced and constant turnover leaves these positions vulnerable.
- Murphy Olmstad**, Lobbyist representing The Southern Idaho Timber Protective Association and the Clearwater-Potlatch Timber Protection Association, and **Jeremy Chou**, Lobbyist representing Stella Jones, spoke **in support** of **H 588** because of the need for recruitment and retention of employees.

MOTION: **Rep. Necochea** made a motion to send **H 588** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Dixon** will sponsor the bill on the floor.

H 592: **Rep. Syme** explained **H 592** which would attempt to close the gap in funding that exists in developing affordable housing. This legislation does not spend money but would simply create an Idaho Workforce Housing Fund and a corresponding Idaho Workforce Housing Advisory Commission. The fund would be a mechanism to spend any monies appropriated for workforce housing and the commission would develop a plan for how these monies would be spent.

In response to questions about the use of American Rescue Plan Act (ARPA) funding, **Rep. Syme** stressed that this legislation was not about spending money but about creating a mechanism for it to be spent, regardless of where those funds come from. ARPA funding could be used, but it is not necessary and not mentioned because the legislature would approve any money regardless of where it comes from.

In response to questions about how much setting up the Idaho Workforce Housing Advisory Commission would cost, **Rep. Syme** said they would not receive compensation unless they were required to travel and then there would be a small cost.

In response to questions about the possibility of creating incentives for local communities to spend more money because of a provision for fund matching, **Rep. Syme** said the fund matching is not restricted to money; the match can be in land, waiving of development fees, or other forms.

MOTION: **Rep. Weber** made a motion to send **H 592** to the floor with a **DO PASS** recommendation.

Alex Adams, Administrator for the Division of Financial Management, explained the federal requirements attached to accepting ARPA funding include encouraging contractors to wear seatbelts, encouraging them not to text while drawing, and to direct the money towards individuals at or below eighty percent of the median income.

Jim Foudy, Superintendent Blaine County School District, **Caleb Roope**, President and CEO of The Pacific Companies, **Liza Leonard**, Director of Public Affairs, Ball Ventures, **Ellen Ganz**, Mountain Central Association of Realtors, all spoke **in support** of **H 592** because of the need for housing with a rapidly expanding population. This would assist with solving the employee shortage and boost the economy by creating development jobs.

Fred Birnbaum, Legislative Affairs Director, Idaho Freedom Foundation, spoke **in opposition** to **H 592**. The current affordable housing crisis exists because the federal government policies of injecting trillions of dollars into the economy and suppressing interest rates has driven asset inflation and increased housing costs. Additional government involvement historically has never solved this problem. It is disingenuous to say that this legislation would exist apart from the ARPA funding. In the future, when the ARPA funding has run out, this fund will still need money on an ongoing basis and this will likely come from the General Fund.

In response to questions about previous examples of government involvement in affordable housing, **Mr. Birnbaum** said in 2008 and 2009 a huge inflationary housing bubble was created by federal policies. Specifically, artificially low interest rates led to speculation in the housing market which ultimately set the stage for the crash.

Rep. Syme said **H 592** would help solve a significant problem when no other solutions have been presented.

**ROLL CALL
VOTE:**

Rep. Christensen requested a roll call vote on **H 592**. **Motion carried by a vote of 8 AYE, 4 NAY, and 1 Absent/Excused. Voting in favor of the motion: Reps. Syme, Horman, Weber, McCann, Chew, Necochea, Toone, and Holtzclaw. Voting in opposition to the motion: Reps. Harris, Christensen, Wisniewski, and Hanks. Rep. Kingsley** was absent/excused. **Rep. Syme** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 4:33pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
2:30 P.M.
Room EW05
Wednesday, February 23, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 590</u>	WORKER'S COMPENSATION - Repeals and adds to existing law to provide for settlement agreements.	Rep. Skaug
<u>H 670</u>	EMPLOYMENT SECURITY LAW - Adds to existing law to provide legislative oversight of new federal unemployment insurance programs.	Rep. Skaug
<u>H 667</u>	EMPLOYMENT SECURITY LAW - Adds to existing law to provide for program integrity and cross-matching requirements.	Rep. Mitchell

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

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

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

Rep Horman

MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 23, 2022

TIME: 2:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** Representative(s) Harris

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 Holtzclaw called the meeting to order at 2:45pm.

MOTION: **Rep. Necochea** made a motion to approve the minutes of February 15 and February 17, 2022. **Motion carried by voice vote.**

H 590: **Rep. Skaug** declared Rule 80 before explaining **H 590** which would allow the interested parties to settle agreements without the approval of the Idaho Industrial Commission. As it currently stands, the Industrial Commission must approve every settlement and can choose to reject them if they deem it not in the best interest of all parties. This unnecessarily delays payments to individuals and hospitals. This legislation would still require the Commission's approval in cases involving children, legally incompetent persons, and those not represented by an attorney.

Rep. Ruchti explained they had been unable to reach a consensus with the Industrial Commission but the delays caused by requiring the Commission's approval are harmful and unnecessary when all parties have already agreed to the best solution.

Andrew and Stephanie Mickelsen, Mickelsen Farms, **Chyla Wilson**, Idaho Farm Bureau Federation, and **Matt Andrew, Michael McBride, James Arnold, Michael McPeek**, and **Andy Adams**, attorneys working in workers' compensation, all testified **in support** of **H 590**. They said the current process creates long delays that leave injured workers without compensation during critical periods. Furthermore, the Commission's approval is not needed because the attorneys are responsible for ensuring their clients' best interests. If they fail in this or in adequately sorting out matters of subrogation, then they as attorneys are liable. It is unnecessary to have a government organization mediate private agreements.

In response to questions about the average time to receive approval from the Commission, **Mr. Andrew** said it takes two to six weeks on average but they have seen an increase in the number of cases that take months.

Joe Maloney, President of the American Federation of Labor and Congress of Industrial Organizations, testified **in opposition** to **H 590**, saying this legislation is too drastic and they wished to support the Idaho Industrial Commission.

Chairman Holtzclaw put the committee at ease at 3:40pm.

Chairman Holtzclaw called the committee back to order at 3:41pm.

MOTION: **Rep. Christensen** made a motion to send **H 590** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: Rep. Chew made a substitute motion to **HOLD H 590** in committee.

ROLL CALL ON SUBSTITUTE MOTION: Roll call vote was requested on **H 590**. **Substitute motion failed by a vote of 3 AYE, 9 NAY, and 1 Absent/Excused**. Voting in favor of the motion: **Reps. Syme, Chew, and Necochea**. Voting in opposition to the motion: **Reps. Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Toone, and Holtzclaw**. Rep. Harris was absent/excused.

ROLL CALL ON ORIGINAL MOTION: Roll call vote was requested. **Motion carried by a vote of 8 AYE, 4 NAY, and 1 Absent/Excused**. Voting in favor of the motion: **Reps. Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, Toone, and Holtzclaw**. Voting in opposition to the motion: **Reps. Syme, McCann, Chew, and Necochea**. Rep. Harris was absent/excused. Rep. Skaug will sponsor the bill on the floor.

H 670: Rep. Skaug explained **H 670** which would give the legislature approval power over the acceptance of federal unemployment benefits with certain exceptions.

In response to questions about whether the acceptance of benefits would require the legislature to be in session, **Rep. Skaug** said the governor would be allowed to accept the benefits but that this decision would be able to be reviewed by the legislature when they return to session.

Chairman Holtzclaw put the committee at ease at 4:08pm.

Chairman Holtzclaw called the meeting to order at 4:11pm

After concerns were raised about whether the governor would be allowed to issue special or standing orders in these situations and the effect this legislation would have on the Department of Labor, **Rep. Skaug** requested that the committee hold **H 670** in committee.

MOTION: Rep. McCann made a motion to **HOLD H 670** in committee. **Motion carried by voice vote**.

H 667: Rep. Mitchell introduced **H 667** which would protect the unemployment system by giving guidance to the Department of Labor on how to verify unemployment claims. Most of these actions are already being taken, this would simply codify it for the future. Additionally, this would require a report to be given to the germane committee on what has happened throughout the year.

In response to questions about the legislation's origin, **Rep. Mitchell** said this legislation exists because of the number fraudulent claims, but it would also create trust and ensure that the unemployment system continues to run smoothly.

In response to questions about how this would affect the Department of Labor, **Jani Revier**, Director of the Department of Labor, said the Department takes fraud seriously and has many checks in place to prevent it from happening. Most of the actions required by this legislation are already being completed, however, it could negatively affect the Department's flexibility in dealing with individual situations, their right to waive overpayments, and their ability to remain in conformity with federal requirements. Additionally, this legislation could act as a blueprint of the Department's practices which people could use to create more elaborate fraud schemes.

MOTION: Rep. Horman made a motion to send **H 667** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: Rep. Syme made a substitute motion to **HOLD H 667** in committee.

Rep. Toone expressed reservations about passing **H 667** until it has been fully vetted by the Department of Labor.

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Rep. Hanks requested a roll call vote on **H 667**. **Substitute motion failed by a vote of 5 AYE, 7 NAY, and 1 Absent/Excused. Voting in favor** of the motion: **Reps. Syme, Chew, Necochea, Toone, and Holtzclaw**. **Voting in opposition** to the motion: **Reps. Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, and McCann**. **Rep. Harris** was absent/excused.

**ROLL CALL
VOTE ON
ORIGINAL
MOTION:**

Roll call vote was requested. **Motion carried by a vote of 8 AYE, 4 NAY, and 1 Absent/Excused. Voting in favor** of the motion: **Reps. Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, and Holtzclaw**. **Voting in opposition** to the motion: **Reps. Syme, Chew, Necochea, and Toone**. **Rep. Harris** was absent/excused. **Rep. Mitchell** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 4:42pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 PM or Upon Adjournment
Room EW05
Tuesday, March 01, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 591</u>	WORKER'S COMPENSATION - Amends existing law to provide that the attorney member of the Industrial Commission be appointed through the Judicial Council.	Rep. Ruchti
<u>H 701</u>	IDAHO WORKFORCE HOUSING FUND - Adds to existing law to establish the Idaho Workforce Housing Fund and to provide for the allocation of funds.	Rep. Blanksma
<u>H 698</u>	WORKER'S COMPENSATION - Adds to existing law to provide that coronavirus vaccination-related accidents or injuries shall be compensable.	Rep. Monks

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw

Vice Chairman Syme

Rep Harris

Rep Kingsley (Baldwin)

Rep Christensen (Hubbard)

Rep Hanks

Rep Weber

Rep McCann

Rep Chew

Rep Necochea

COMMITTEE SECRETARY

Emily Huddleston

Room: EW08

Phone: 332-1149

Email: hcom@house.idaho.gov

Rep Wisniewski

Rep Horman

Rep Toone

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, March 01, 2022

TIME: 1:30 PM or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** Representative(s) Kingsley, Harris, Horman

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

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

MOTION: **Rep. Necochea** made a motion to approve the minutes of February 21 and February 23, 2022. **Motion carried by voice vote.**

H 591: **Rep. Ruchti** explained **H 591** would improve the process by which the governor appoints the attorney representative on the Idaho Industrial Commission. Currently, the governor seeks applicants by asking for recommendations and accepting applications. In order to get the best candidates for the position, there needs to be better advertising. This legislation would enact the same process used to appoint judges by going through the Idaho Judicial Council. Notice of the application would be sent out across the entire state, surveys would be taken, and promising candidates would be interviewed thereby collecting more information than the current hiring process. A few candidates would then be selected and their names would be passed on to the governor to make the final decision.

MOTION: **Rep. McCann** made a motion to send **H 591** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Ruchti** will sponsor the bill on the floor.

H 701: **Jeremy Pisca**, lobbyist representing the Idaho Realtors, Northwest Credit Union Association, and the Idaho Housing and Finance Association said **H 701** replaced **H 592**. The changes made to this legislation include removal of the provisions creating the Idaho Workforce Housing Advisory Commission and the addition of a sunset clause which would cause this legislation to expire after the American Rescue Plan Act funds have been expended.

MOTION: **Rep. Toone** made a motion to send **H 701** to the floor with a **DO PASS** recommendation.

Rep. Wisniewski spoke **in opposition** to **H 701** because, while there is a shortage of labor force and housing, this is caused by federal and state policies. Government created these problems and is now trying to fix it by spending more money taken from someone else.

Rep. McCann voiced her support of the motion because as the housing market adjusts to the high rates of growth in Idaho, there are many who need assistance in finding housing.

**ROLL CALL
VOTE:**

Rep. Hanks requested a roll call vote on **H 701**. **Motion carried by a vote of 7 AYE, 3 NAY, and 3 Absent/Excused.** **Voting in support** of the motion: **Reps. Holtzclaw, Syme, Weber, McCann, Chew, Necochea, and Toone.** **Voting in opposition** to the motion: **Reps. Hanks, Christensen, and Wisniewski.** **Reps. Harris, Horman, and Kingsley** were absent/excused. **Rep. Blanksma** will sponsor the bill on the floor.

Chairman Holtzclaw put the committee at ease at 1:49pm.

Chairman Holtzclaw called the meeting back to order at 1:58pm.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 1:58pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 PM or Upon Adjournment
Room EW05
Thursday, March 03, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 698</u>	WORKER'S COMPENSATION - Adds to existing law to provide that coronavirus vaccination-related accidents or injuries shall be compensable.	Rep. Monks
<u>SCR 116</u>	DEPARTMENT OF LABOR - RULE REJECTION - States findings of the Legislature and rejects a certain rule of the Department of Labor relating to Unemployment Insurance Benefits Administration Rules.	Rep. Holtzclaw
<u>S 1236</u>	HEALTH SAVINGS ACCOUNTS - Amends existing law to revise provisions regarding the state contribution to state employees' health savings accounts.	Senator Thayn Rep. Clow
<u>S 1237</u>	VETERANS - Amends existing law to authorize the Division of Human Resources to issue certain rules.	Mark Tschampl, Chief Administrator, Idaho Division of Veterans Services Rep. Syme

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw	Rep Hanks
Vice Chairman Syme	Rep Weber
Rep Harris	Rep McCann (Liedke)
Rep Kingsley	Rep Chew
Rep Christensen	Rep Necochea
Rep Wisniewski	Rep Toone
Rep Horman	

COMMITTEE SECRETARY

Emily Huddleston
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, March 03, 2022

TIME: 1:30 PM or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann (Liedke), Chew, Necochea, Toone

**ABSENT/
EXCUSED:** Vice Chairman Syme, McCann (Liedke), Chew

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 Holtzclaw called the meeting to order at 3:16pm.

H 698: **Rep. Monks** explained **H 698** would ensure that individuals required to receive a COVID-19 vaccine for work and become injured because of it will be covered by workers' compensation.

MOTION: **Rep. Harris** made a motion to send **H 698** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Monks** will sponsor the bill on the floor.

S 1236: **Sen. Thayn** said **S 1236** relates to Health Savings Accounts for state employees. This legislation would make it easier for the Department of Administration to calculate the amount to be deposited in an employee's Health Savings Account.

In response to questions about whether this is a change from the past, **Sen. Thayn** said this is in preparation for the future and the intent is to ensure Health Savings Accounts receive as much funding as possible.

MOTION: **Rep. Harris** made a motion to send **S 1236** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Clow** will sponsor the bill on the floor.

S 1237: **Mark Tschampl**, Chief Administrator, Idaho Division of Veterans Services, said **S 1237** clarifies how veterans preferences protections are implemented and the process by which appeals are settled. Additionally, this would authorize the Division of Human Resources instead of the Division of Veterans Services to create administrative rules regarding this because they have the required expertise.

MOTION: **Rep. Christensen** made a motion to send **S 1237** 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 3:27pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 PM or Upon Adjournment
Room EW05
Monday, March 07, 2022

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
H 728	PERSI - Adds to existing law to provide for the divestment of certain assets related to Russia.	Rep. Gannon

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann (Liedke)
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, March 07, 2022

TIME: 1:30 PM or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** Vice Chairman Syme, Kingsley, Hanks, Weber, McCann

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 5:50pm.

H 728: **Rep. Gannon** said **H 728** would direct PERSI to sell, trade, or otherwise dispose of Russian currency and any assets owned by the Russian Government. Additionally, PERSI would be required to review its investments and to publicly disclose all investments it has in any company domiciled in Russia, any company that significantly uses Russian materials in its products, or any company that markets or promotes Russian products of any kind.

Iryna Stenersen, Alexander Artyukhov, and Igor Solodovnik spoke in support of **H 728**. They said Russia has begun an unprovoked war on, not the Ukrainian army, but their people, civilians, society, and infrastructure. Every dollar counts when seeking to weaken the Russian economy and support Ukraine.

MOTION: **Rep. Christensen** made a motion to send **H 728** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gannon** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 6:02pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, March 23, 2022

1:30 or Upon Adjournment

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
	Minutes Approval	

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Syme
Rep Harris
Rep Kingsley
Rep Christensen
Rep Wisniewski
Rep Horman

Rep Hanks
Rep Weber
Rep McCann
Rep Chew
Rep Necochea
Rep Toone

COMMITTEE SECRETARY

Emily Huddleston
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, March 23, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** Representative(s) Horman, Hanks, McCann, Chew, Toone

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 Holtzclaw called the meeting to order at 10:16am.

MOTION: **Rep. Necochea** made a motion to approve the minutes of March 1, 3, and 7, 2022. **Motion carried by voice vote.**

Chairman Holtzclaw presented gifts from the committee to the page, **Elijah Zeller**, and the secretary, **Emily Huddleston**, and thanked them for their service.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:20am.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary