

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.

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Representative Holtzclaw  
Chair

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Emily Huddleston  
Secretary