

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 07, 2018

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Hartgen, Vice Chairman Anderson, Representatives Harris, Holtzclaw, Horman, Packer, Redman, Kingsley, Moon, Syme, Scott, King, Chew

**ABSENT/
EXCUSED:** None

GUESTS: Sharon Harrigfeld, Director, Dept. of Juvenile Corretions; Jay Larsen, ITC; Skip Clapp, IACJJA; Nicky Chavez, 5 County Detention and Youth Rehabilitation Center; Steve Jett, Southwest Idaho JDC; Dawn Burns, Ada County Juvenile Court; Steven Dye, Misdemeanor Probation; Alex Larson, IACI; Brian Whitlock, Idaho Hsspital Assn.

Chairman Hartgen called the meeting to order at 1:48PM and announced that the two RS's on the agenda had been moved to the meeting scheduled for Friday, February 9, 2018.

MOTION: **Rep. King** made a motion to approve the minutes from February 7, 2018. **Motion carried by voice vote.**

DOCKET NO. 38-0409-1801: **Mr. Keith Reynolds**, Deputy Director, Department of Administration, explained the temporary rule governing use of the Chinden complex.

In response to questions from the committee, **Mr. Reynolds** explained that the rule had been heavily vetted and checked for compliance with court-set standards, and met the necessary requirements. He also explained that while the buildings were older, they are currently being renovated to meet ADA standards.

MOTION: **Rep. Redman** made a motion to approve **Docket No. 38-0409-1801**. **Motion carried by voice vote.**

H 433: **Mr. Reynolds** explained the bill would clarify existing legislation regarding management of multi-agency facilities by the Department of Administration.

MOTION: **Rep. Holtzclaw** made a motion to send **H 433** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Holtzclaw** will sponsor the bill on the floor.

H 434: **Mr. Barry Miller**, Faculty Planning, Design, and Construction, Department of Administration, explained the existing legislation had not been updated since it's passing in 1991. This bill would update it by adding a clause allowing the rejection of all bids on a project if all of the bids were above the appropriations set out for the project.

MOTION: **Rep. Redman** made a motion to send **H 434** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Redman** will sponsor the bill on the floor.

H 399: **Ms. Sharon Harrigfeld**, Director, Department of Juvenile Corrections, explained the bill would provide the Rule of 80 to Juvenile Corrections Direct Care staff who are currently under the Rule of 90.

In response to questions from the committee, **Ms. Harrigfeld**, further explained that the staff who would fall under this change have to receive POST training as do all other Law Enforcement and Adult Corrections officers, the difference being that the training does specialize in relation to the particular field the employee is going into. She also stated that the direct care staff in Juvenile Corrections face the same level of danger as Law Enforcement and Adult Corrections officers who already receive the Rule of 80.

Mr. Skip Clapp, Representative of Idaho Association of Counties Juvenile Justice Administrators (IACJJA), gave notice to the committee of the support of the IACJJA of the bill and explained that details on their fiscal estimate of the impact of the bill can be provided.

Mr. Nicky Chavez, Administrator, 5 County Detention and Youth Rehabilitation Center, gave testimony that 72% of the juveniles incarcerated have a mental health or addiction diagnosis, and that they are unpredictable and dangerous to work with.

Mr. Steve Jett, Director, Southwest Juvenile Detention Center, gave testimony to the ratio of juvenile detainees to direct care staff at being eight detainees to every one direct care staff member within a facility on average. He gave further testimony to the dangers faced and experiences of injury to direct care staff caused by the juvenile detainees.

Ms. Dawn Burns, Director, Ada County Juvenile Court Services, gave testimony specifically relating to Juvenile Corrections Probation Officers. She gave testimony to the fact that all of the kids the Probation officers are working with are the same ones who were in the Juvenile Corrections Centers, and the dangers of home visits and the family situations of many of the juveniles. She also included that there are only forty-one Juvenile Detention Probation Officer positions for Ada County, and of them only 5 were over the age of fifty, and none of them were over the age sixty.

Mr. Don Drum, Executive Director, PERSI, was called up from the audience by the committee to explain how the bill, if passed, would work if a direct care staff member transferred to an indirect care position later in their career. He explained that, if passed, the bill would have the direct care staff members under the Rule of 80. If they moved to an indirect care position later in their career, the indirect care position would still be under Rule of 90, but when they were looking to retire and begin to collect on their retirement, they would fall under a Mixed Rule, ie a Rule of 81 or 82, depending on how long they were in both positions during their career.

Mr. Steven Dye, Juvenile Probation Director, Department of Juvenile Corrections, gave testimony **in support** of the bill to make the change to Rule of 80 specifically for Juvenile Misdemeanor Probation officers. For Elmore County in particular those officers do dangerous home visits 2 or 3 times a week in many cases, and asked the committee if it was reasonable to expect a sixty-five year-old to be able to keep up with these physical risks and demands. He further explained that currently in hiring for Juvenile Detention direct care positions, they have a hard time because they can't compete with other state Departments in similar fields who do offer Rule of 80 to employees.

Mr. Juan Amaya, Detention Officer, Juvenile Corrections Center Nampa, gave testimony of his time as both a Law Enforcement officer and as a Juvenile Detention officer. He shared that while he was a Law Enforcement officer, his partner was shot and killed by a fourteen-year-old in 1994, and that the risks are more frequent and unpredictable working in the JCCN than they were on the streets of Parma.

MOTION:

Rep. Scott made a motion to send **H 399** to the floor with a **DO PASS** recommendation.

In response to further questions from the committee, **Ms. Harrigfeld** explained that the language used to describe the employees who would fall under this change, that it mirrored the current Department of Correction legislation.

VOTE ON MOTION:

Motion carried by voice vote. Reps. Harris, Anderson, and Moon requested they be recorded as voting **NAY**. **Rep. Redman** will sponsor the bill on the floor.

H 431:

Mr. David Taylor, Deputy Director, Department of Health and Welfare, explained the bill would change the classification of two employees of the Department, the State Hospital Medical Directors, from classified to non-classified.

Mr. Brian Whitlock, President of the Idaho Hospitals Association, gave testimony that the association is in full support of this bill, as having qualified and stable leadership in State Hospitals also helps with the rest of the hospitals around the state with emergency mental health patient housing care and needs.

MOTION:

Rep. Packer made a motion to send **H 431** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Scott and Harris** requested they be recorded as voting **NAY**. **Rep. Packer** will sponsor the bill on the floor.

H 432:

Mr. Mark Warbis, Communications Director and Senior Special Assistant for Economic Development, Office of the Governor, explained the bill would move the workforce development council from the Department of Labor to the Office of the Governor, it would designate the Executive Director of the council as a nonclassified position, with the rest being classified positions, and would clarify and update existing legislation.

Mr. Trent Clark, Chairman of the Workforce Development Council, gave testimony of the Council's goals, purposes, and organization.

Ms. Melinda Smyser, Director, Department of Labor, was called up from the audience by the committee and testified that this change was not to "gut" the Department of its duties, but to empower them. She also explained that the proposed budget for the Council under this bill was absolutely warranted.

In response to questions from the committee, **Mr. Warbis** further explained that this is not a new council, it's been in existence for a while and is just moving to ensure accountability, create checks and balances for spending, tracking needs of employers and ensuring that all the interested parties have a say in working to build the future task force Idaho needs.

MOTION:

Rep. Redman made a motion to send **H 432** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Harris, Scott, and Moon** requested to be recorded as voting **NAY**. **Rep. Packer** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 4:34PM.

Representative Hartgen
Chair

Amie Taylor
Secretary