

MINUTES

**SENATE COMMERCE & HUMAN RESOURCES COMMITTEE**

**DATE:** Thursday, February 10, 2022

**TIME:** 1:30 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Patrick, Vice Chairman Souza, Senators Martin, Lakey, Guthrie, Agenbroad, Riggs, Ward-Engelking, and Burgoyne

**ABSENT/ EXCUSED:** None

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Patrick** called the meeting of the Senate Commerce and Human Resources Committee (Committee) to order at 1:31 p.m.

**MINUTES APPROVAL:** **Senator Ward-Engelking** moved to approve the Minutes of February 1, 2022. **Vice Chair Souza** seconded the motion. The motion carried by **voice vote**.

**MINUTES APPROVAL:** **Senator Agenbroad** moved to approve the Minutes of February 3, 2022. **Senator Riggs** seconded the motion. The motion carried by **voice vote**.

**GUBERNATORIAL REAPPOINTMENT VOTE:** **Vice Chair Souza** moved to send the gubernatorial reappointment of Stephen Weeg and Hyatt Erstadt to the Idaho Health Insurance Exchange Board (IHIEB) to the floor with the recommendation they be confirmed. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

**GUBERNATORIAL APPOINTMENT VOTE:** **Senator Riggs** moved to send the gubernatorial appointment of Peter Sorensen to the IHIEB to the floor with the recommendation he be confirmed. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

**GUBERNATORIAL REAPPOINTMENT VOTE:** **Senator Burgoyne** moved to send the gubernatorial reappointment of Darin DeAngeli to the Public Employees Retirement System Board to the floor with the recommendation he be confirmed. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

**Chairman Patrick** commented because there were so many RS's before the Committee, he asked if a motion was in order.

**MOTION:** **Senator Guthrie** moved to send **RS 29480, RS 29406, RS 29408, RS 29417, RS 29505, RS 29521, RS 29033, RS 29471, and RS 29522** to print. **Senator Riggs** seconded the motion. There were no objections.

**GUBERNATORIAL REAPPOINTMENT:** **Committee Consideration of the Gubernatorial Reappointment of Margaret Henbest to the Idaho Health Insurance Exchange Board (IHIEB).** **Ms. Henbest** testified remotely. She gave a brief overview of her background. She noted she had been with the IHIEB since the inception. Because she was a former legislator and a nurse practitioner, she stated she had a passion and an interest in health insurance. She said she was proud that over 75,000 people had affordable insurance because of the IHIEB. **Ms. Henbest** emphasized it was her privilege to serve as the Chair of the Governance Committee and to mentor others moving into that position.

**DISCUSSION:** **Senator Burgoyne** commented Ms. Henbest's qualifications were superb and the Committee was very appreciative of her service.

**Chairman Patrick** noted the Committee would vote at the next meeting.

**S 1244**

**OCCUPATIONAL LICENSING - Amends and repeals existing law to authorize the administrator of the Idaho Division of Occupational and Professional Licenses (IDOPL) to establish advisory committees as needed to provide efficient and appropriate services to the various professions, trades, occupations, and programs administered within the IDOPL.** **Tim Frost**, Deputy Administrator, IDOPL, reported this proposal repealed the requirement for the establishment of an advisory committee for advanced practice registered nurses. He indicated there were two letters of support from the nurses (Attachments 1 and 2). The IDOPL administrator would be allowed to continue and refine current advisory committees, establish new volunteer advisory committees, and discontinue advisory committees no longer needed. He noted the creation of any new advisory committees would work in conjunction with the boards and commissions, as well as the sunrise and sunset procedures established by the Idaho Legislature.

**Mr. Frost** indicated there would be no impact on the State's General Fund, any dedicated fund, or federal fund because the establishment of any new advisory committees did not provide honorarium payment impacting the IDOPL dedicated fund. He reported advisory committees would assist the IDOPL administrator on key regulatory issues and assist boards and the Legislature in periodic review of statute and rules to balance public safety and restrictions of professions. This expertise may assist in identifying unnecessary regulatory barriers and reduce the cost to consumers.

**DISCUSSION:** **Vice Chair Souza** remarked that prior to this bill, the advanced practice nurse practitioners had a panel that was not established in statute. **Mr. Frost** noted there was a statute established in 1998 but the committee was no longer needed.

**MOTION:** **Senator Riggs** moved to send **S 1244** to the floor with a **do pass** recommendation. **Senator Martin** seconded the motion. The motion carried by **voice vote**.

**S 1237**

**VETERANS - Amends existing law to authorize the Division of Human Resources (IDHR) to issue certain Rules.** **Mark Tschampl**, Chief Administrator, Idaho Division of Veteran Services (IDVS) provided the background for prior legislation on this matter. He noted Idaho Code governed the action when a public employer failed or refused to give Veterans Preference (VP) but the veteran was equally qualified for the job. He stated this legislation aligned the statute with current practice. IDVS had always referred these cases to the IDHR to work the appeals process with the public employer. This legislation would authorize in code, instead of the IDVS, to issue rules for the enforcement of VP. The IDHR and the IDVS worked together to implement VP protections. They would continue to work together to ensure the rights and privileges of veterans.

**Mr. Tschampl** noted there was no impact to the State's General Fund or any dedicated fund as it only aligned statute with current process. No new funds were necessary to continue to provide the benefits of the statute to veterans.

- MOTION:** **Senator Lakey** moved to send **S 1237** to the floor with a **do pass** recommendation. **Senator Agenbroad** seconded the motion. The motion carried by **voice vote**.
- PRESENTATION:** **American Rescue Plan Act (ARPA) Funds Relating to Commerce and Human Resources.** **Alex Adams**, Chief Financial Officer, Idaho Division of Financial Management (IDFM), gave a report on the status of ARPA funds in Idaho. He gave an overview of relief funds that came into the State of Idaho. **Mr. Adams** noted Idaho received the smallest amount of Coronavirus-19 (COVID) relief funds and referred to the map in the PowerPoint (Attachment 3). He also outlined what the money was used for but the State did have some discretion on how to use the money (Attachment 3A).
- DISCUSSION:** **Vice Chair Souza** and **Mr. Adams** discussed what states took the ARPA funds and how funds were appropriated. **Mr. Adams** noted some states waited to use the ARPA funds as did Idaho.
- PRESENTATION:** **Mr. Adams** pointed out that **H 592** required policy regulation. Over 50 million people had been priced out of the housing market and economic feasibility did not make workforce housing feasible for developers. **Mr. Adams** noted the legislation created an Idaho Workforce Housing Advisory Commission (IWHAC) and established the Idaho Workforce Housing Fund (IWHF). The IWHAC would consist of ten members and would be tasked with developing, implementing, and maintaining a statewide workforce housing plan. The IWHF would be created to accept monies as allocated by the Legislature and distribute funds according to the statewide plan as implemented by the IWHAC (Attachment 4).
- Mr. Adams** outlined the various grants that applied to the Committee. Among those were Workforce Housing - \$50 million; Childcare Expansion Grants - \$50 million; Food Bank Support - \$1 million; Workforce Training - \$50 million, and State Health Insurance Reserves - \$25 million. He noted there was a lack of childcare in the State and the monies allocated focused on the development infrastructure for childcare. There was an application process that would require a 50 percent match from the employer.
- DISCUSSION:** In answer to a question from **Chairman Patrick**, **Mr. Adams** noted the cost for the childcare grant would be maintained over the years with a one-time cost using one-time funds. The employer would sustain and create the program.
- PRESENTATION:** **Mr. Adams** outlined the requirements for the various grants. He stated the State health insurance reserves of \$25 million provided health insurance to State employees, which averaged \$1 million a month for COVID. Premiums were linked to a certain reserve level with a \$12,500 expense per employee. He indicated the State added \$25 million to shore up the reserve. Costs were expected to decrease over time.

**DISCUSSION:**

**Chairman Patrick** remarked the cost per employee increased by \$860. **Mr. Adams** explained, based on current information, the \$12,600 per employee was projected for next year.

**Senator Guthrie** and **Mr. Adams** discussed the possible establishment of a germane committee and the path moving forward through the Joint Finance-Appropriations Committee for funding.

**Senators Riggs, Guthrie, and Vice Chair Souza** discussed the consequences with **Mr. Adams** of not spending the ARPA funds, not meeting deadlines, what would happen to the funds if the funds were not used, not following the federal guidelines, and how the \$8,000 per capita funding was applied. **Mr. Adams** reassured the Committee the deadline was December of 2026 and meeting that deadline was not a concern. He also noted expectations were tied to these dollars in advance, the funds were separate for each program, and it would be hard for the federal government to retroactively take the money back.

**ADJOURNED:**

There being no further business at this time, **Chairman Patrick** adjourned the meeting at 2:25 p.m.

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Senator Patrick  
Chair

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Linda Kambeitz  
Secretary