

MINUTES
JOINT MEETING
SENATE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, January 31, 2023
TIME: 3:00 P.M.
PLACE: Room WW54
MEMBERS PRESENT: Chairman VanOrden, Vice Chairman Zuiderveld, Senators Lee, Harris, Bjerke, Wintrow, and Taylor
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 VanOrden** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:03 p.m.

S 1013 **BUNKER HILL - Adds to existing law to establish the Institutional Controls Program (ICP) . Michael McCurdy**, Department of Environmental Quality (DEQ) Waste and Remediation Division Administrator introduced himself and Dana Swift, DEQ Remediation Bureau Chief to the Committee. **Mr. McCurdy** explained the purpose of ICP was to protect public health by ensuring that exposures to contaminated soil were minimized and provide disposal options for the residents and community as they excavate and need disposal of contaminated soil.

He further explained **S 1013** codified the existing ICP for the Bunker Hill Superfund Site by adding a new proposed Idaho Code, Chapter 68, Title 39. By moving the Health District Rule, **IDAPA 41.01.01** into Statute, the DEQ would delegate implementation to the Panhandle Health District through a formal agreement that's provided for in Idaho Code § 6804(3).

He stated the differences between the Health District Rule and the Statute was through consolidation activities that removed duplicative, outdated or unnecessary language. It would also change any kind of enforcement action would be under the DEQ and not the Panhandle Health District, pursuant section 606, subparagraph 18. They also received and included in the presentation, which contained accurate information and links to resources that were available for public view (see Attachment 1).

DISCUSSION: **Senator Taylor** asked what RAO stood for on slide 11. **Mr. McCurdy** replied remedial action objectives related to blood lead levels.

Senator Zuiderveld inquired where the contaminated soil was disposed of after removal. **Mr. McCurdy** replied in various repository areas throughout the Basin and the Box.

Senator Bjerke asked where the Dedicated Funds came from. **Mr. McCurdy** replied there were several funds that came from the ICP, the Environmental Protections Agency, settlements from Asarco, Hecla, two different state funds, and a cost recovery account for the Union Pacific Railroad. **Senator Bjerke** asked if the funding was tied to the ICP under any authority of Idaho rule or statute. **Mr. McCurdy** replied no, it was not.

MOTION: **Senator Harris** moved to send **S 1013** to the floor with a do pass recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

S 1014 **ENVIRONMENTAL QUALITY - Amends existing law to authorize the Director of the Department of Environmental Quality to enter into certain voluntary contracts and agreements.** **Jess Byrne**, Director, Department of Environmental Quality (DEQ), stated the legislation would modify Idaho Code § 39-105 by adding a new subsection (5)(c) that would allow the DEQ to enter into voluntary funding or cost recovery agreements with public agencies, municipal corporations, and private parties. It was anticipated that primarily private parties would utilize this option, and those agreements would be limited to five years before renewal.

DISCUSSION: **Senator Lee** asked if there was a similar set up where a private party could provide money for a regulatory action. **Mr. Byrne** replied yes, there were agreements where private parties provide cost recovery funding for government services provided.

TESTIMONY: **Terry Geis**, U.S. Ecology, a Republic Services Company (Republic) introduced himself to the Committee, in support of the bill. He stated Republic supported environmental rules and policies that were protective of human health and the environment, and as one of the private entities who would take advantage of the language as described by the Director. Currently in Republic's situation, the DEQ does not have adequate funding or in-house expertise to meet the needs of the constituents.

MOTION: **Senator Harris** moved to send **S 1014** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**. **Vice Chairman Zuiderveld** requested she be recorded as voting nay.

RS 30069 **A Concurrent Resolution stating findings of the Legislature and requesting that the Department of Health and Welfare develop draft legislation establishing a statewide planning, coordination, and funding system for Emergency Medical Services (EMS).** **Senator Harris** explained that **RS 30069**, a concurrent resolution, was to request the Department of Health and Welfare continue to assist the development of draft legislation to create statewide planning, coordination and finding funding systems for EMS. He stated the Office of Performance Evaluation (OPE) completed a study of EMS in Idaho. EMS across the state were severely understaffed and underfunded. Only 18% of EMS directors reported their agency could maintain a sufficient staff. The OPE study discovered that seven out of ten EMS personnel were volunteers, and Idaho does not designate EMS as an essential service.

MOTION: **Senator Lee** moved to send **RS 30069** to print. **Senator Bjerke** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman VanOrden** adjourned the meeting at 3:53 p.m.

Senator VanOrden
Chair

Michelle Tierney
Secretary