

MINUTES
SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, March 02, 2023

TIME: 1:30 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Cook, Vice Chairman Lenney, Senators Lakey, Guthrie, Ricks, Foreman, Hartgen, and Ruchti

ABSENT/ EXCUSED: Senator Ward-Engelking

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 Cook** called the meeting of the Senate Commerce and Human Resources Committee (Committee) to order at 1:30 p.m.

S 1121 **PERSI - Amends existing law to revise provisions regarding police officer member status.** **Representative Erickson** stated the purpose of this legislation was to add Peace Officer Standards and Training (POST) certified juvenile detention supervisors, juvenile probation supervisors, adult misdemeanor supervisors, emergency communications supervisors, and Idaho Department of Juvenile Corrections rehabilitation technicians, rehabilitation supervisors, and rehabilitation specialists to the Rule of 80 retirement plan as currently conducted with their adult counterparts.

Representative Erickson explained this legislation had no impact on the State's General Fund or any dedicated or federal fund. This proposal required each individual employee increase contributions biweekly of 0.016 percent or less than \$1,000 per year, and a contribution by the County of 0.0034 percent of the individual's pay, or approximately \$161.82 per new employee who received the Rule of 80 benefit per year.

TESTIMONY: **Wayne Denny**, Bureau Chief, Emergency Medical Services and Preparedness, Idaho Department of Health and Welfare, Division of Public Health, asked to have the State Communications Centers (COMM) dispatchers included in the Rule of 80. He noted he supported sending this bill to the 14th Order of Business for possible amendment.

DISCUSSION: **Vice Chair Lenney** queried what was the long-term impact by including the dispatchers in the Rule of 80. **Don Drum**, Executive Director, PERSI, stated the long-term effect was the pool was growing and the Rule of 80 had more benefits. Every time more people were added, he estimated there was more cost in the future. **Vice Chair Lenney** stated he thought the fiscal note did not seem to reflect the increase in costs. **Chairman Cook** stated the fiscal note was incorrect and was part of the amendment. **Mr. Drum** stated the Rule of 80 was more than the Rule of 90.

Representative Erickson stated this bill was important to those who were working to make Idaho cities safe.

MOTION: **Senator Hartgen** moved to send **S 1121** to the floor with a **do pass** recommendation. The motion died due to the lack of a second.

SUBSTITUTE MOTION: **Senator Lakey** moved to send **S 1121** to the 14th Order of Business for possible amendment. **Senator Ruchti** seconded the motion.

DISCUSSION: **Senators Ricks, Foreman, Vice Chair Lenney, and Senator Lakey** all expressed concerns about different organizations wanting to join the Rule of 80 that created an early retirement even though a good share was funded by employees. All said they reserved the right to change the vote on the floor of the Senate, but supported sending this bill to the amending order.

VOICE VOTE: The motion to send **S 1121** to the 14th Order of Business for possible amendment carried by **voice vote**.

H 74 **OCCUPATIONAL LICENSING - Amends and adds to existing law to provide for attorney licensure by the Idaho Supreme Court, to prohibit additional methods of demonstrating competency to qualify for universal licensure, to provide for conditional licensure under certain conditions, and to provide for universal work recognition.** **Tim Frost**, Deputy Director, Idaho Division of Occupational and Professional Licenses (IDOPL), stated that consistent with the Governor's Occupational Licensing Reform Act, this legislation created a universal work recognition licensure pathway for individuals with four years of work experience in the military, another state, district, or territory of the United States that did not require a license to regulate that person's profession or occupation, but for which Idaho used a license to regulate a profession or occupation. The bill removed outdated methods of establishing competency for licensure and clarified that a board or commission decision related to a criminal conviction had to be relevant to the occupation and license requested.

Mr. Frost noted this legislation had no impact on the General Fund or any dedicated or federal fund. No fee schedules were added to the IDOPL dedicated fund.

Mr. Frost pointed out an amendment to this bill that the term licensing authority did not include the Board of Commissioners of the Idaho State Bar as established pursuant to Idaho Code, Chapter 4, Title 3, or the Idaho Supreme Court. He outlined two other changes. He said IDOPL worked with the members of the State Bar and of the courts.

DISCUSSION: **Senator Ruchti** remarked it appeared language was added that attorneys had a separate process and anything in the bill did not affect that process. He queried if there were other professions that needed something like this, for example, the medical profession. **Mr. Frost** stated medical professions were licensed in all 50 states. The universal work recognition in the bill did not apply to the medical profession. He stated an exception in the bill was created for attorneys and counselors. The bill did not apply to the State Bar or the Idaho Supreme Court.

Chairman Cook asked for clarification of the requirements for those who moved to Idaho, but worked in another state. **Mr. Frost** explained two optional pathways offered by the State of Idaho. The prospective worker needed four years of experience, prove they completed 576 hours of career technical education and pass the written exam. The other option was a non-education pathway of eight years or 16,000 hours on-the-job experience and pass the exam. This bill would not apply to some applicants.

TESTIMONY: **Scott Ferguson**, Board of Directors, Treasure Valley Plumber's Association, testified in opposition to the bill. He noted he was concerned about the impact on industry by the removal of schooling for out-of-state residents, and in direct conflict with the administrative rules. He stated universal work recognition was different in the Idaho Procedures Act. He noted this bill put plumbers at a disadvantage. He asked the bill be held in Committee.

MOTION: **Vice Chair Lenney** moved to send **H 74** to the 14th Order of Business for possible amendment. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

S 1109 **OCCUPATIONAL AND PROFESSIONAL LICENSES - Amends existing law to remove a provision regarding sunrise review and to revise provisions regarding sunset review.** **Senator Lakey** reported this bill removed a sunset on the ability of the Occupational Licensing Review Committee's (OLRC) ability to function and help reduce the burden of unnecessary government regulation. the existence of the OLRC had been a good deterrent to the pursuit of unnecessary government regulation licensing. It also modified the review period for each existing licensing authority regulations to at least once every ten years.

Senator Lakey stated the fiscal impact of removing the sunset and retraining the OLRC function and staff time to review regulations should be similar to the fiscal impact than previously budgeted. The OLRC only met to review new licensing regulations as needed when a regulation was actually proposed. The modification of the review timeframe for existing regulations from five to ten years reduced the fiscal impact of the OLRC, as the reviews would occur less frequently.

MOTION: **Senator Foreman** moved to send **S 1109** to the floor with a **do pass** recommendation. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Cook** adjourned the meeting at 2:13 p.m.

Senator Cook
Chair

Linda Kambeitz
Secretary