

MINUTES

SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 29, 2024

TIME: 1:30 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Cook, Senators Lakey, Guthrie, Ricks (Ricks), Foreman, Hartgen, Lenney, Ward-Engelking, and Ruchti

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 Cook** called the meeting of the Senate Commerce and Human Resources Committee to order at 1:32 p.m.

MINUTES APPROVAL: The Minutes approval for February 22, 2024 was not heard until later in the meeting.

S 1296 **BITCOIN - Adds to existing law to establish the Bitcoin Protection Act to provide for certain rights regarding the mining and use of bitcoin.** **Chairman Cook** stated the discussion for this bill was continued from the last meeting.

DISCUSSION: **Senator Lakey** noted that Bitcoin was new and worthy of a discussion. However, he reserved the right to change his vote on the floor. He explained amendments to this bill deserved examination. **Senator Hartgen** stated more protection was needed and she reserved the right to change her vote on the floor. **Senator Ward-Engelking** commented she agreed with Senator Hartgen.

MOTION: **Senator Foreman** moved to send **S 1296** to the 14th Order of business for possible amendment. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

H 478 **ELECTRICAL CODE AND PLUMBING CODE - Amends existing law to provide for local enforcement of the Idaho electrical code and the Idaho plumbing code.** **Senator Harris** stated this legislation gave counties the option to engage with a qualified licensed inspector in the State to provide inspections on electrical and plumbing projects. Current law already gave cities the ability to perform these inspections. He explained this bill did not change inspection standards, but helped counties complete inspections in a timely manner. This legislation supported local control and provided for more timely and efficient inspections. **Senator Harris** explained the fiscal impact to State and local government was solely based on the number of counties that opted out of using inspection services from the Department of Occupational and Professional Licenses and the number of electrical and plumbing inspections conducted by counties. **Senator Harris** turned his time over to Bret Stoddard from Madison County.

TESTIMONY: **Bret Stoddard**, City of Rexburg, Building Inspector, testified in support of the bill. He reported this bill was a local opportunity, and not a requirement for local governments to perform their own electrical and plumbing inspections. Local inspectors were still required to have at least the same qualifications or higher than that of currently employed inspectors. He explained local government could perform inspections for a lower fee and more efficiently and effectively. He cited that for over 20 years Madison County contracted with the City of Rexburg for mechanical and building inspections. This arrangement was very effective.

Steven Zollinger, City of Rexburg Legal Counsel, testified in support of the bill. He remarked this bill gave counties options that they did not currently have. He explained State inspectors did not have liability because the liability was with the responsible party for the design and implementation of the work.

DISCUSSION: In response to a question posed by **Senator Ricks**, **Mr. Zollinger** indicated this bill did not require an increase in personnel.

TESTIMONY: **Sara Westbrook**, Idaho Association of Counties, testified in support of the legislation. She noted this bill provided different opportunities for counties to have their own inspectors.

MOTION: **Senator Lakey** moved to send **H 478** to the floor with a **do pass** recommendation. **Senator Ricks** seconded the motion. The motion carried by **voice vote**.

S 1315 **PERSI - Amends existing law to provide for the reemployment of certain retired members under certain circumstances.** **Senator Guthrie** noted this bill was held from the meeting of February 22, 2024 in order to allow gathering of more information.

DISCUSSION: **Senator Guthrie** gave a recap from S 1054 passed last year for a return to work for those members who retired. He examined the actuarial data from the Public Employee Retirement System of Idaho (PERSI) that caused the rates to increase and he stated that data needed closer scrutiny. **Chairman Cook** remarked this legislation did not affect those who were currently rehired and serving under the new law.

Senator Foreman reported he talked to numerous law enforcement officials and there was an absolute need to rehire retirees. It was difficult to find police officers. It took years for a police officer to develop into a fully functioning officer. There were workable sideboards that could be applied. . He urged that stakeholders meet and come up with a solution rather than terminating the whole program.

Senator Ward-Engelking agreed with Senator Foreman. She indicated it took time and information needed to be gathered from the actuaries. She stated the best course was to repeal S 1054 and craft a new bill. She remarked officers should not be allowed to take advantage of the situation. This situation cost new hires \$300 to \$800 in PERSI payments.

Senator Lenney stated S 1054 was passed eight months ago. He remarked Nampa Police were in support of the old bill. He queried why would an experienced retiree be placed back into a patrol car. He wanted to fix this bill and not eliminate it.

MOTION: **Senator Ruchti** moved to send **S 1315** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion.

SUBSTITUTE MOTION: **Senator Lenney** moved to hold **S 1315** in Committee. **Senator Lakey** seconded the motion.

DISCUSSION: **Senator Foreman** remarked that a retired officer who returned to work still paid into PERSI. This program was valuable. He stated he did not support the original motion, but supported the substitute motion.

Senator Lakey reported this bill was held for a week, but the bill sponsor declined any changes. He stated last year's legislation was needed. Officers opposed the repeal. He wanted to work on amendments and did not want to kill the bill. He stated that was why the five-year sunset clause was added to monitor the situation. He stated he supported the substitute motion.

Senator Guthrie commented the intent of the bill was that if a law enforcement employee retired, they could be reemployed after 30 days and work in a different capacity. Firemen were in support of the repeal. Those who retired and became reemployed were still collecting PERSI retirement and had to pay into PERSI as well with no further benefit. PERSI rates were adjusted which cost the rank-and-file members more. He stated he was in support of the original motion.

Senator Foreman stated this was a safety concern for the people of Idaho. PERSI was not the issue. He stated he thought the solution would not take very long.

Senator Hartgen stated she agreed with Senator Foreman and also with Senator Guthrie. She was concerned about others having to pay into PERSI. She queried if the actuarial information could be done sooner.

Senator Ricks pointed out the issues that were brought up were good. He indicated the Committee needed to put a pause on this situation. He supported the original motion.

Senator Ruchti remarked the repeal of this bill was important because more data needed to be gathered.

ROLL CALL VOTE: **Senator Foreman** requested a roll call vote on the substitute motion to hold **S 1315** in Committee. **Senators Lakey, Foreman, and Lenney** voted aye. **Senators Guthrie, Ricks, Hartgen, Ward-Engelking, Ruchti, and Chairman Cook** voted nay. The motion failed.

VOICE VOTE: **Chairman Cook** requested a voice vote. The original motion to send **S 1315** to the floor with a **do pass** recommendation carried by **voice vote**.

H 433 HUMAN RESOURCES DIVISION - Amends existing law to provide for qualification equivalency for certain degree requirements through skills, capabilities, work, or relevant experience. **Senator Guthrie** stated this bill promoted skills-based hiring for State employees. It prevented the State from using a degree as an arbitrary screening tool and required that the State evaluate job applicants based on skills and relevant experience. He noted with this bill, applicants may demonstrate the value created by apprenticeships, certificate programs, microcredentials, formal education, prior work experience, and life experiences. **Senator Guthrie** explained the State had already started implementing a skills-based approach and this bill codified that practice. There was no fiscal impact to the State or local governments. This was a policy change the Division of Human Resources implemented with existing staff.

Senator Guthrie reported over 70 million Americans had valuable work experience, but not a college degree. In Idaho, that translated to 58 percent of high school graduates, who chose paths other than going to college. Almost twice as many public sector jobs required postsecondary education than in the private sector. Filling State jobs had become increasingly difficult. **Senator Guthrie** remarked 19 other states had already taken the skills-based step and the private sector was

moving in this direction. Maryland was among the first and they saw a 41 percent increase in state hires without degrees within the first four months.

DISCUSSION: **Senator Lakey** and **Senator Guthrie** discussed the array of beneficial and equivalent skills that prospective employees brought to the job market. A prospective employee could still have a degree, but it was not a requirement.

MOTION: **Senator Lakey** moved to send **H 433** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.
Chairman Cook noted he neglected to hear the Minutes Approval until now.

MINUTES APPROVAL: **Senator Ruchti** moved to approve the Minutes of February 22, 2024. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

H 508 **PERSI - Amends existing law to revise provisions regarding police officer member status.** **Representative Cheatum** explained 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 to the Rule of 80 retirement plan as was currently conducted with adult counterparts. **Representative Cheatum** stated this legislation had no impact on the State's General Fund or any dedicated or federal fund. This proposal demanded an increase in the contribution by each individual employee biweekly of 3.65 percent per year, and a contribution by the County of 2.69 percent per year. This was based on an average Public Employees Retirement System of Idaho (PERSI) member's salary of \$50,000.

Representative Erickson stated the language did not match since the word, "supervisor" was omitted in the bill from last year and that the PERSI Executive Director spoke with the Governor's office regarding this issue. Pressure and stress were a day-to-day occurrence for emergency dispatchers. Many viewed the role of a dispatcher as a clerical job, but the job had daily trauma and stress from taking emergency calls from the public. Many dispatchers connected a caller to an officer but never heard the outcome of the emergency call. They were the first connection to help the public. He cited several examples.

Representative Erickson remarked passage of this legislation incentivized Idaho's dispatchers and helped aging dispatchers retire before their skills declined.

DISCUSSION: **Senator Ruchti** queried how many individuals did this omission affect. **Representative Cheatum** reported there were approximately 30 to 40 full-time supervisors across the State. Additionally, approximately 50 to 70 dispatch supervisors and 40 communication officers were affected.

TESTIMONY: **Kelli Brassfield**, Idaho Association of Counties, testified in support of this bill.

DISCUSSION: **Chairman Cook** asked for an example of a typical day for a 911 supervisor.

TESTIMONY: **Sheriff Kieran Donahue**, Canyon County Sheriff's Association, addressed Chairman Cook's question relating to a typical 911 day. He cited several examples of calls. The positions were hard to fill because of the stressful nature of the job. He stated he had only two dispatchers who may make the Rule of 80. Dispatch supervisors did the same work as dispatchers, but did not qualify for the Rule of 80.

Cortney Lyskoski, Ada County Sheriff's office dispatcher and supervisor, testified in support of the bill. She stated she covered calls when a dispatcher had to leave. It was hard to retain and hire dispatchers. Less than 1 percent of the population could do this job due to the trauma of the phone calls. A dispatcher needed exceptional eyesight and dexterity.

- DISCUSSION:** **Representative Cheatum** urged all to go to a communications center and watch the response of the team. These members deserved the help of the Legislature.
- MOTION:** **Senator Hartgen** moved to send **H 508** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion.
- DISCUSSION:** **Senator Lenney** remarked he was in support of the bill. **Senator Foreman** stated he was in support of the bill. He was a dispatcher at one time and commented dispatchers were unsung heroes.
- VOICE VOTE:** The motion to send **H 508** to the floor with a **do pass** recommendation carried by **voice vote**.
- ADJOURNED:** There being no further business at this time, **Chairman Cook** adjourned the meeting at 2:37 p.m.

Senator Cook
Chair

Linda Kambeitz
Secretary