

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, January 15, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw

Vice Chairman Wisniewski

Rep Weber

Rep McCann

Rep Cheatum

Rep Healey

Rep Beiswenger

Rep Bruce

Rep Burgoyne

Rep Cayler

Rep Fuhriman

Rep Leavitt

Rep Tanner (13)

Rep Egbert

Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert

Room: EW08

Phone: 332-1149

Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, January 15, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** Representatives Beiswenger, Bruce

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

Chairman Holtzclaw welcomed the committee and **Lincoln Hendricks**, committee page; and **Wendy Carver-Herbert**, committee secretary, introduced themselves.

Chairman Holtzclaw thanked **Rep. Egbert** and **Rep. Bruce** for agreeing to serve as the committee proofreaders. He proceeded to explain norms and expectations for the committee. As a general practice, the committee will not meet on Friday; will accept remote testimony; and will allow two minutes per testifier. He further explained the committee will review Administrative Rules as a whole, and he expects to take them up along with pending legislation in the next week or two.

Chairman Holtzclaw reiterated the confidentiality of RSs until they are presented in committee. Committee members are welcome to ask questions during RS introductions and are not obligated to introduce any RS, regardless of who the sponsor may be. He also covered important dates on the Legislative calendar, including the last date RSs and House bills can be heard in committee.

Committee members introduced themselves.

ADJOURN: There being no further business to come before the committee the meeting adjourned 1:46 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, January 21, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31786	Higher Education, Agency Contracts	Rep. Cheatum
H 4	Cybersecurity, Multifactor Authentication	Rep. Raybould
RS 31950	Cybersecurity, Multifactor Authentication	Rep. Raybould

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw

Vice Chairman Wisniewski

Rep Weber

Rep McCann

Rep Cheatum

Rep Healey

Rep Beiswenger

Rep Bruce

Rep Burgoyne

Rep Cayler

Rep Fuhriman

Rep Leavitt

Rep Tanner (13)

Rep Egbert

Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert

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Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, January 21, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** Representative Cayler

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

MOTION: **Rep. Egbert** made a motion to approve the minutes of the January 15, 2025 meeting. **Motion carried by voice vote.**

RS 31786: **Rep. Cheatum** presented **RS 31786**, which simplifies the process for state agencies to do business with Idaho institutions of higher education. He explained current statute created an unintended consequence by making it easier for out-of-state institutions to do business with state agencies than it is to contract with Idaho universities. The proposed legislation will remove that barrier and improve contracting efficiency.

MOTION: **Rep. McCann** made a motion to introduce **RS 31786**. **Motion carried by voice vote.**

H 4: **Rep. Raybould** requested permission to present **H 4** and **RS 31950** simultaneously as the RS represents a minor correction to the bill. **Chairman Holtzclaw** allowed her to proceed. Rep. Raybould stated the RS provides a correction to lines 21 and 25 on page one of the bill. She explained the bill clarifies the role of the Office of Information Technology, which will allow it to direct activities relating to network security and information technology for state agencies. It specifically applies only to the executive branch and state agencies. It will not apply to the legislature. While a majority of state agencies now require multi-factor authentication, the bill will require all state agencies to comply. Rep. Raybould requested **H 4** be held in committee and **RS 31950** be sent directly to the second reading calendar, and by doing so, it will save a step in the committee process.

RS 31950: As stipulated in her previous testimony, **Rep. Raybould** requested **RS 31950** be sent to the second reading calendar.

MOTION: **Rep. Weber** made a motion to **HOLD H 4** in committee and introduce **RS 31950** and recommend it be sent directly to the second reading calendar.

Chairman Holtzclaw clarified the motion needed to be made as two separate motions, and the motion could be withdrawn with unanimous consent, or a substitute motion could be made.

**UNANIMOUS
CONSENT
REQUEST:** **Rep. Weber** made a unanimous consent request to withdraw his motion. There being no objection, the request was granted.

MOTION: **Rep. Weber** made a motion to **HOLD H 4** in committee. **Motion carried by voice vote.**

MOTION: **Rep. Weber** made a motion to introduce **RS 31950** and recommend it be sent directly to the second reading calendar.

In answer to questions from the committee, **Chairman Holtzclaw** clarified a do not pass recommendation was not necessary. He also explained **H 4** completed the public hearing and since **RS 31950** is essentially the same with only minor changes, a public hearing is not needed.

VOTE ON MOTION: **Chairman Holtzclaw** called for a vote on the motion. **Motion carried by voice vote. Rep. Raybould** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:41 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Thursday, January 23, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31778	Public Works, Competitive Bidding	Rep. Sauter
RS 31779	Public Works, Delegation	Rep. Sauter
RS 31783	Professional Service Contracts, Fee	Rep. Sauter
RS 31787	Public Works, Contracts	Rep. Sauter
RS 31824	Unemployment Insurance Fraud	Rep. McCann
RS 31830	Employment Security	Rep. McCann
RS 31989	PERSI, volunteers	Rep. Dygert

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Wisniewski
Rep Weber
Rep McCann
Rep Cheatum

Rep Healey
Rep Beiswenger
Rep Bruce
Rep Burgoyne
Rep Cayler

Rep Fuhriman
Rep Leavitt
Rep Tanner (13)
Rep Egbert
Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, January 23, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** Representative Wisniewski

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

Rep. Sauter provided an overview of the following four RSs, explaining Department of Public Works and Department of Administration brought the proposed legislation forward. The reason for the changes is driven by considerable cost inflation within the construction industry over the past 20 years. The increases in project costs are triggering the need for certain increased processes and procedures. The intent of these RSs is to increase efficiency and decrease red tape, which not only benefits state agencies it also helps private industry doing business with the state.

RS 31778: **Rep. Sauter** presented **RS 31778**, which increases the estimated project cost dollar limit from \$25,000 to \$50,000 before requiring a competitive bid process. The limit has not been increased since 2005 and it will make it consistent with the bid limit for political subdivisions.

MOTION: **Rep. Fuhriman** made a motion to introduce **RS 31778**.

In answer to questions from the committee, **Rep. Sauter** explained the proposed legislation would not necessarily lead to increased government spending over what would normally occur, it only makes it easier and faster to review and award projects that have current day costs. However, it is not an automatic green light to go out and spend on expensive projects. He said it would also reduce permitting time.

VOTE ON MOTION: **Motion carried by voice vote.**

RS 31779: **Rep. Sauter** presented **RS 31779**, which increases the limit for delegation of public works projects from \$300,000 to \$500,000. The delegation of projects is based on an agency's in-house project management capabilities with approval from the Permanent Building Fund Advisory Council. He described an example of an Idaho university having a highly experienced project management team capable of overseeing its own projects, but the change in limits will offer a more streamlined process – making it easier for all involved – but will still maintain oversight by the council.

MOTION: **Rep. Healey** made a motion to introduce **RS 31779. Motion carried by voice vote.**

RS 31783: **Rep Sauter** presented **RS 31783**, which increases the professional service limit from \$50,000 to \$100,000 before requiring a formal request for qualification process.

MOTION: **Rep. McCann** made a motion to introduce **RS 31783. Motion carried by voice vote.**

- RS 31787:** **Rep. Sauter** presented **RS 31787**, which increases the estimated project cost limit from \$100,000 to \$200,000 before the bid process changes from an informal bid to a formal written competitive process. This will bring the process in line with the bid limit established for political subdivisions.
- MOTION:** **Rep. Fuhriman** made a motion to introduce **RS 31787**. **Motion carried by voice vote.**
- RS 31824:** **Rep. McCann** presented **RS 31824** on behalf of the Department of Labor. She stated the proposed legislation pertains to employment fraud. More specifically, it incorporates the definitions of knowingly and willfully throughout the statute. The intent is to make it more difficult and less attractive for people to repeatedly commit unemployment fraud by increasing the amount of the penalties, and providing stiffer consequences. She explained the RS defines identity theft and makes it a crime for using a stolen identity to apply for unemployment benefits. Part of this is being driven by the U.S. Department of Labor who has asked states to take actions that help mitigate the impact on victims.
- Upon hearing questions from the committee about changing the definition from knowingly to willfully; changing of penalties that could prevent benefits long-term for people who make honest mistakes; concerns the fiscal note is not an accurate representation of potential costs; and understanding the review and adjudication process, **Rep. McCann** agreed to address during the bill hearing. However, **Chairman Holtzclaw** requested Department of Labor Director **Jani Revier** address questions to alleviate any issues that could be resolved prior to the bill hearing. Ms. Revier explained the definitions are currently used in statute and Administrative Rules. The definition for knowingly is being applied across the entire chapter and the definition for willfully is being moved into statute. She also clarified the penalties are not intended to be for a lifetime. They reflect one year for the first fraudulent offense. Two years for the second and three years for the third fraudulent offense. She continued to describe the review and adjudication process for handling claims made as an honest mistake and for overpayments. She will provide information at the bill hearing about what disclosing a material fact means under the definition for willful.
- MOTION:** **Rep. Fuhriman** made a motion to introduce **RS 31824**. **Motion carried by voice vote.**
- RS 31830:** **Rep. McCann** presented **RS 31830**. She explained the intent of the RS is to consolidate a portion of the agency's Administrative Rules into statute, as a result of legislation passed in 2024. The changes include eliminating, amending and moving sections and rules to the appropriate statutes, without changing their meaning. She provided an overview of sections of Idaho code relating to employment security law and claims for wages that are being amended and created.
- MOTION:** **Rep. Healey** made a motion to introduce **RS 31830**. **Motion carried by voice vote.**
- RS 31989:** **Rep. Dygert** presented **RS 31989**, which will allow newly retired PERSI members to volunteer with PERSI employers without changing their benefits. He explained it adds the definition of a bona fide volunteer.
- MOTION:** **Rep. Achilles** made a motion to introduce **RS 31989**. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 2:08 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, January 27, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31776	Worker's Comp, LLC	Rep. Bruce
RS 31777	Worker's Comp, Definition	Rep. Bruce
RS 31782	Worker's Comp, Notice of Hearings	Rep. Skaug
RS 31784	Worker's Comp, Burial Expenses	Rep. Skaug

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Wisniewski
Rep Weber
Rep McCann
Rep Cheatum

Rep Healey
Rep Beiswenger
Rep Bruce
Rep Burgoyne
Rep Cayler

Rep Fuhriman
Rep Leavitt
Rep Tanner (13)
Rep Egbert
Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert
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Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, January 27, 2025
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles
**ABSENT/
EXCUSED:** None
GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.
Chairman Holtzclaw called the meeting to order at 1:30 p.m.
MOTION: **Rep. Egbert** made a motion to approve the minutes of the January 21, 2025 meeting. **Motion carried by voice vote.**
RS 31776: **Rep. Bruce** presented **RS 31776**, which seeks to clarify who has liability within a business for failure to obtain worker's compensation insurance. It specifically states members of a limited liability company are liable.
MOTION: **Rep. Weber** made a motion to introduce **RS 31776. Motion carried by voice vote.**
RS 31777: **Rep. Bruce** presented **RS 31777**, which moves the definition of "member of an employer's family" to the definition section Idaho Code 72-102, applying to all worker's compensation sections of Title 72.
MOTION: **Rep. Healey** made a motion to introduce **RS 31777. Motion carried by voice vote.**
RS 31782: **Rep. Skaug** presented **RS 31782**, which regards pleadings from the Industrial Commission and it changes the method of delivery for notice of service from certified mail to regular mail, email or fax. The 10-day written notice remains unchanged. He stated, certified mail will still be required for individuals who do not have an attorney.
MOTION: **Rep. Bruce** made a motion to introduce **RS 31782. Motion carried by voice vote.**
RS 31784: **Rep. Skaug** presented **RS 31784**. He explained it is a small but important bill because it increases the limit to \$10,000 for burial costs for employees who suffer fatal work-related injuries. He emphasized the increase is needed to compensated for inflation and the costs are covered by the employer, not taxpayers.
MOTION: **Rep. Weber** made a motion to introduce **RS 31784. Motion carried by voice vote.**
ADJOURN: There being no further business to come before the committee the meeting adjourned at 1:38 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, January 29, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
H 50	Public Works, Delegation	Rep. Sauter
H 52	Public Works, Contracts	Rep. Sauter
H 56	Public Works, Competitive Bidding	Rep. Sauter

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw

Vice Chairman Wisniewski

Rep Weber

Rep McCann

Rep Cheatum

Rep Healey

Rep Beiswenger

Rep Bruce

Rep Burgoyne

Rep Cayler

Rep Fuhriman

Rep Leavitt

Rep Tanner (13)

Rep Egbert

Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert

Room: EW08

Phone: 332-1149

Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, January 29, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

Rep. Sauter provided an overview of the following three bills, stating they were brought forward by the Departments of Administration and Public Works. Changes were prompted by inflation in construction costs and they will speed up the process, lead to greater efficiency and less red tape for all parties involved.

H 50: **Rep. Sauter** presented **H 50**, which increases the limit for delegation of public works project management from \$300,000 to \$500,000. He emphasized the change will not give up state authority and oversight. Additionally, all projects must go through the same public works vetting processes, including inspections and reporting. He explained 19 projects could have been delegated over the past two years if the higher limit had been in place.

In answer to questions from the committee, **Rep. Sauter** explained delegation relates more to who is responsible for project management over a project rather than overseeing disbursement of funds. He then deferred questions from the committee to **Kelly Berard**, Deputy Administrator for the Division of Public Works. She explained agencies embarking on a project submit a project request, including the scope and budget, to the Permanent Building Fund. Projects over \$100,000 automatically go to Public Works for management, but currently they can request delegation up to \$300,000. If the project is delegated, the agency manages the entire process, but final reports must be filed and any unused funds must be returned.

MOTION: **Rep. Cheatum** made a motion to send **H 50** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Sauter** will sponsor the bill on the floor.

H 52: **Rep. Sauter** presented **H 52**, which increases the project cost dollar limit from \$100,000 to \$200,000. He explained once a project exceeds the limit, the process changes from an informal bid to a formal written competitive bid. The bid limit has not been increased since 2005 and it will bring the bid limit in line with cities, counties and other local jurisdictions.

MOTION: **Rep. McCann** made a motion to send **H 52** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Sauter** will sponsor the bill on the floor.

- H 56:** **Rep. Sauter** presented **H 56**, which increases the project cost dollar limit from \$25,000 to \$50,000 before requiring a written competitive bid. He explained the dollar limit hasn't been increased since 2005 and it will make it consistent with the bid limit for political subdivisions.
- MOTION:** **Rep. Weber** made a motion to send **H 56** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Sauter** will sponsor the bill on the floor.
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 1:43 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, February 03, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 32159	Worker's Comp, Medical Examinations	Rep. Fuhriman
H 34	Higher education, agency contracts	Rep. Cheatum
H 55	PERSI, volunteers	Rep. Dygert

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Wisniewski
Rep Weber
Rep McCann
Rep Cheatum

Rep Healey
Rep Beiswenger
Rep Bruce
Rep Burgoyne
Rep Cayler

Rep Fuhriman
Rep Leavitt
Rep Tanner (13)
Rep Egbert
Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert
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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, February 03, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

MOTION: **Rep. Egbert** made a motion to approve the minutes of the January 23, 2025 minutes. **Motion carried by voice vote.**

RS 32159: **Rep. Fuhriman** presented **RS 32159**. He explained current law allows for audio recordings and third-party observers to be present during psychological and neuropsychological testing, required for certain worker's compensation case. This can compromise the integrity and validity of results. This proposed legislation removes these allowances for these types of tests only.

In response to a committee question, **Rep. Fuhriman** stated he did not know whether the proposed legislation had been reviewed by the Worker's Compensation Advisory Committee.

MOTION: **Rep. Healey** made a motion to introduce **RS 32159**.

In answer to additional questions from the committee, **Rep. Fuhriman** clarified audio recordings will not be allowed only for psychiatric examinations, as well as psychological and neuropsychological testing because they are very expensive, proprietary to the examiners and recorded testing poses a security risk of being altered or shared. He further explained employees retain the right to an audio recording on other types of examinations, but the RS removes this ability for these types of tests only.

**VOTE ON
MOITON:** **Motion carried by voice vote.**

H 34: **Rep. Cheatum** presented **H 34**. He explained an unintended consequence of current law makes it easier for state agencies to do business with out-of-state universities than Idaho colleges and universities. This bill will amend this. He explained the proposed legislation passed in the Senate late last year, but ran out of time in the House.

In answer to questions from the committee, **Rep. Cheatum** deferred to **Valerie Bollinger**, Administrator for the Division of Purchasing. She explained agencies currently are required to run a full blown procurement process, which is very challenging because universities are not accustomed to selling their services like businesses do. This amendment will allow agencies to reach out directly to Idaho universities and colleges. She also emphasized the intent is to streamline the process, but there remains a level of oversight.

- MOTION:** **Rep. McCann** made a motion to send **H 34** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Cheatum** will sponsor the bill on the floor.
- H 55:** **Rep. Dygert** presented **H 55**, which defines bona fide volunteer as it relates to PERSI. According to current law, he explained retirees are unable to provide even the simplest form of assistance to their former employers for 90 days following retirement, or risk impacting their benefits. This bill will amend this.
- MOTION:** **Rep. Fuhriman** made a motion to introduce **H 55** with a **DO PASS** recommendation.
- UNANIMOUS CONSENT REQUEST:** **Rep. Fuhriman** made a unanimous consent request to withdraw his motion. There being no objection, the request was granted.
- MOTION:** **Rep. McCann** made a motion to send **H 55** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Dygert** will sponsor the bill on the floor.
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 1:46 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, February 05, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
RS 32186	Worker's Compensation, public employer	Rep. Tanner (14)
	Department of Labor Overview	Jani Revier, Director, Dept. of Labor
H 53	Unemployment insurance fraud	Rep. McCann
H 54	Employment security	Rep. McCann

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw	Rep Healey	Rep Fuhriman
Vice Chairman Wisniewski	Rep Beiswenger	Rep Leavitt
Rep Weber	Rep Bruce	Rep Tanner (13)
Rep McCann	Rep Burgoyne	Rep Egbert
Rep Cheatum	Rep Cayler	Rep Achilles

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 05, 2025
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles
**ABSENT/
EXCUSED:** None
GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

Jani Revier, Director of the Idaho Department of Labor provided an overview of the department, including highlights about the three divisions with more detailed background on the administration of unemployment insurance since the committee would be considering related legislation. She emphasized unemployment benefits are not intended to be a total salary replacement and is designed to provide assistance as claimants seek other employment. All claimants are expected to look for work and file weekly certification unless their employer intends to bring them back within 16 weeks. The department reclaims overpayments, and can do so for five years. She said Idaho business participation is growing. This has increased the workload; however Idaho is processing claims faster than the national average. She stated Idaho also leads the nation in percentage of job growth at three times the national rate. The state recently crossed the one million workers threshold, but there is a gap between the skills people have and skills Idaho businesses need.

In answer to questions from the committee, **Ms. Revier** stated the labor force participation rate is just over 63%, but it is difficult to determine the exact number of people who are no longer looking for work and are not counted in the unemployment numbers. She explained the length of time the department processes disability determinations spiked during the pandemic and they got behind because the department lost employees due to retirements, but they have recovered faster and are doing better than the national average. She spoke to the growing demand for workers, but Idaho is in better shape than many states because of the number of people moving into the state, which is helping offset the growing number of retirements. She also stated unemployment numbers do not reflect gig workers for a variety of reasons, but primarily because it is considered self-employment.

H 53: **Rep. McCann** presented **H 53**. She stated the bill updates statute as it relates to unemployment fraud. More specifically, it legally defines willfully and knowingly; it increases the penalties and disqualification time for subsequent fraud determinations; defines and distinguishes what is a misdemeanor fraud and felony fraud as defined under the state's criminal statutes; and it adds the crime of identity theft into the statute.

There were several committee questions regarding the inclusion and changes to the definitions of willful and knowingly. **Rep. McCann** called upon **Jani Revier** to respond. She explained the definition of knowingly was not changed, it was just moved within the code, and willfully was further defined based on supreme court case law to provide greater clarification. She stated the bill proposes changing the way felony fraud is determined and adds misdemeanor fraud to the code. The intent is to align with the Idaho code applying to felony and misdemeanor theft.

MOTION: **Rep. Cheatum** made a motion to send **H 53** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. McCann will sponsor the bill on the floor.**

H 54: **Rep. McCann** presented **H 54**, explaining the Department of Labor moved a significant number of its IDAPA rules into statute where it made sense to do so.

MOTION: **Rep. Egbert** made a motion to send **H 54** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. McCann will sponsor the bill on the floor.**

RS 32186: **Rep. Tanner (14)** presented **RS 32186**, which deals with workers compensation and defines what public employer means. He explained current law requires Idaho public entities to purchase their insurance through the State Insurance Fund, or go through the state Treasurer to bond. He explained the proposed legislation will provide a carve-out for certain single purpose districts to purchase worker's compensation insurance in the open market. The RS includes a sunset clause to allow the change to be reviewed.

In answer to questions from the committee, **Rep. Tanner (14)** explained sewer, fire and cemetery districts are examples of the types of specialty districts that would qualify for the exemption, but school districts would not.

MOTION: **Rep. Weber** made a motion to introduce **RS 32186**.

Rep. Weber declared Rule 80, stating he is a member of the State Insurance Fund board.

Rep. McCann stated she supports the introduction of **RS 32186**, but reserves the right to change her vote when the bill is heard.

VOTE ON MOTION: **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:16 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, February 11, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
H 66	Worker's comp, notice of hearings	Rep. Skaug
H 67	Worker's comp, burial expenses	Rep. Skaug
H 64	Worker's comp, LLC	Rep. Bruce
H 65	Worker's comp, definition	Rep. Bruce

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Wisniewski
Rep Weber
Rep McCann
Rep Cheatum

Rep Healey
Rep Beiswenger
Rep Bruce
Rep Burgoyne
Rep Cayler

Rep Fuhriman
Rep Leavitt
Rep Tanner (13)
Rep Egbert
Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, February 11, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** Representative(s) Beiswenger

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

MOTION: **Rep. Egbert** made a motion to approve the minutes of the January 27, 2025, January 29, 2025 and February 3, 2025 meetings. **Motion carried by voice vote.**

H 66: **Rep. Skaug** presented **H 66**, which will allow the Idaho Industrial Commission to use the same process as allowed in other states to deliver notice of service via regular mail, email or fax instead of certified mail. He stated those who represent themselves will still receive notification via certified mail.

MOTION: **Rep. Weber** made a motion to send **H 66** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Skaug will sponsor the bill on the floor.**

H 67: **Rep. Skaug** presented **H 67**, which increases the burial cost limit from \$6,000 to \$10,000 for employees who die on the job. He emphasized these costs are paid by employers and not the state. He said the only complaint about the legislation is it is not nearly enough to cover these expenses.

MOTION: **Rep. McCann** made a motion to send **H 67** to the floor with a **DO PASS** recommendation.

John Hughes, Idaho AFL-CIO testified **in support** of **H 67**, stating the burial benefits help bridge the gap for working families. It will allow them to focus on what matters most – honoring their loved ones and supporting each other – rather than dealing with a financial burden.

In answer to a question from the committee, **Rep. Skaug** deferred to **Patti Vaughn**, Benefits Administration Manager for the Idaho Industrial Commission. She explained the commission referred to data from the Worker's Compensation Research Institute and met with the Idaho Funeral Services Association to determine the \$10,000 limit was reasonable when looking at burial and cremation costs, and what other states are paying. A good majority of states are paying at least \$10,000 for burial costs.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Skaug will sponsor the bill on the floor.**

- H 64:** **Rep. Bruce** presented **H 64**, and stated the purpose of the amendment is to reinforce statute with the intent of holding all responsible parties accountable for ensuring worker's compensation insurance is obtained. Ambiguity in the statute results in inconsistent application. The bill specifically identifies a "member" of an LLC as liable.
- In answer to questions from the committee, **Rep. Bruce** deferred to **Claire Sharp**, Commissioner, Idaho Industrial Commission. She stated more than half the cases investigated in 2024 were LLCs. There has been some push back from businesses because the statute is not clear, so they are trying to avoid bad court precedent by clarifying both a member and manager are responsible for obtaining worker's compensation insurance.
- MOTION:** **Rep. Achilles** made a motion to send **H 64** to floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Bruce will sponsor the bill on the floor.**
- H 65:** **Rep. Bruce** presented **H 65**, which moves the definition of "member of an employer's family" to the definition section of Idaho Code 72-102. He explained it will ensure consistency in how the definition is applied across all sections of Title 72.
- MOTION:** **Rep. Healey** made a motion to send **H 65** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Bruce will sponsor the bill on the floor.**
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 1:44 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Thursday, February 13, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
H 160	Worker's comp, public employer	Rep. Tanner (14)

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw

Vice Chairman Wisniewski

Rep Weber

Rep McCann

Rep Cheatum

Rep Healey

Rep Beiswenger

Rep Bruce

Rep Burgoyne

Rep Cayler

Rep Fuhriman

Rep Leavitt

Rep Tanner (13)

Rep Egbert

Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert

Room: EW08

Phone: 332-1149

Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 13, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** Representative(s) McCann, Healey, Bruce

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

MOTION: **Rep. Egbert** made a motion to approve the minutes of the February 11, 2025 meeting. **Motion carried by voice vote.**

H 160: **Rep. Tanner (14)** presented **H 160**. He explained there is interest in allowing non-state public agencies to seek worker's compensation insurance coverage in the open market without bonding through the state treasurer. This bill creates an opportunity to try this with speciality districts such as fire and sewer, among others, except school districts. He stated there are insurers targeting specialty niches such as fire departments who can offer competitive rates and specialty services. The five-year sunset clause will allow time to see if this will work without negatively impacting the State Insurance Fund (SIF).

In answer to questions from the committee, **Rep. Tanner (14)** explained some insurers are able to offer better rates than SIF because they have a very large, national base of customers, creating a large rating pool to draw from. He confirmed smaller districts will be able to stay with SIF, or secure insurance with another company.

Rep. Weber declared Rule 80 because he is a member of the State Insurance Fund board.

MOTION: **Rep. Weber** made a motion to send **H 160** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Tanner (14)** will sponsor the bill on the floor.

Chairman Holtzclaw put the committee at ease.

Chairman Holtzclaw recognized and thanked the committee Page, **Lincoln Hendricks** for his outstanding service.

Chairman Holtzclaw resumed the meeting.

ADJOURN: There being no further business to come before the committee the meeting adjourned at 1:44 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, February 17, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
H 115	Worker's compensation, examinations	Rep. Fuhriman

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw

Vice Chairman Wisniewski

Rep Weber

Rep McCann

Rep Cheatum

Rep Healey

Rep Beiswenger

Rep Bruce

Rep Burgoyne

Rep Cayler

Rep Fuhriman

Rep Leavitt

Rep Tanner (13)

Rep Egbert

Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert

Room: EW08

Phone: 332-1149

Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, February 17, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

Chairman Holtzclaw welcomed the new committee page. **Teresa Wonacott** introduced herself.

MOTION: **Rep. Egbert** made a motion to approve the minutes of the February 11, 2025 meeting. **Motion carried by voice vote.**

H 115: **Rep. Fuhriman** explained **H 115** deals with recordings during psychological testing as required for certain workers' compensation cases. The legislation will no longer allow audio recordings or third-party observers to be present during a very narrow portion of the testing, as it can compromise the integrity and validity of results. **Rep. Fuhriman** yielded his time to **Dr. Joseph Black**, Idaho Neuropsychology.

Dr. Black reiterated a substantial body of scientific research done over many years shows recordings and, or third-party observation, whether in person or behind screening, can affect test reliability. He emphasized a claimant can retain his or her own expert for testing, or have the results reviewed by an independent medical examiner. However, the original data collected during testing must be validated and protected to ensure its integrity.

In answer to questions from the committee, **Dr. Black** explained the differences in tests for depression, PTSI and PTSD versus neuropsychological testing. He also stated 15-30% of claims include some form of feining where a claimant may exaggerate or downplay symptoms in a way he or she believes benefits them. This type of deviation from the standardized model of testing can be detected by third-party observers without direct observation. He addressed committee concerns about conflicting research indicating outside observation and recordings do not impact outcomes.

Kurt Holzer, Idaho Trial Lawyers Association, and **Evan Mortimer**, Self, spoke in **opposition** to the bill. Their comments included references to university research saying observation or video cameras have no impact on these types of tests. Other concerns included: it is very stressful to do the tests again; the evaluation is subjective; there is additional cost to the claimant if they do their own testing; and there are questions about due process rights.

Mark Peterson, State Insurance Fund, and **Chris Wagner**, Intermountain Claims, spoke **in support** of **H 115**. Their comments included: interest from claimant's counsel to observe testing is a new phenomenon emerging in the past 12 months; many attorneys do not want their clients to participate in neuropsychological testing because it might not be to their benefit; and while a claimant can refuse the worker's compensation requested testing and do their own, the employer cannot request a recording or third-party observation.

In **Rep. Fuhriman's** closing remarks, he explained the bill amendment only affects a very narrow focus of the medical testing a claimant may go through; it hasn't been an issue until recently; there are attorney seminars around the country highlighting how to beat the test, or get around the test; and the labor and fire fighting unions are neutral as long as the focus remains narrow.

MOTION: **Rep. Cheatum** made a motion to send **H 115** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Cayler** made a substitute motion to lay **H 115** on the Table.

AMENDED SUBSTITUTE MOTION: **Rep. Wisniewski** made an amended substitute motion to **HOLD H 115** in committee.

ROLL CALL VOTE ON AMENDED SUBSTITUTE MOTION: A roll call vote was requested. **Amended Substitute Motion carried by a vote of 11 AYE AND 4 NAY. Voting in favor** of the motion: **Reps. Holtzclaw, Wisniewski, Weber, McCann, Beiswenger, Bruce, Burgoyne, Leavitt, Tanner (13), Egbert, Achilles. Voting in opposition** to the motion: **Reps. Cheatum, Healey, Cayler, Fuhriman.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:44 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, February 19, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO.		
09-0101-2401	Administrative Procedures of the Department of Labor (ZBR) - Pending Rule	Jani Revier, Idaho Department of Labor
09-0130-2401	Unemployment Insurance Benefits Administration (ZBR) - Pending Rules	Jani Revier
09-0135-2401	Unemployment Insurance Tax Administration (ZBR) - Pending Rule	Jani Revier
17-0101-2301	Worker's Compensation Law (ZBR) - Pending Rule	Paul Jefferies, Idaho Industrial Commission
21-0104-2401	Idaho State Veterans Cemeteries - Temporary Rule	Mark Tschampl, Division of Veteran Services
21-0104-2402	Idaho State Veterans Cemeteries (Fee Rule) - Pending Rule	Mark Tschampl

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Wisniewski
Rep Weber
Rep McCann
Rep Cheatum

Rep Healey
Rep Beiswenger
Rep Bruce
Rep Burgoyne
Rep Cayler

Rep Fuhriman
Rep Leavitt
Rep Tanner (13)
Rep Egbert
Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 19, 2025

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** Rep. McCann

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

Chairman Holtzclaw turned the gavel over to **Vice Chairman Wisniewski**.

DOCKET NO. 90-0101-2401: **Jani Revier**, Director for the Idaho Department of Labor presented the docket, which reflects a rewrite to comply with the state's Zero Based Regulation mandate. As a part of the review, it was determined many of the rules should be in statute.

Chairman Wisniewski voiced concerns about the removal of certain sections and where someone might find definitions and references to Idaho Code and federal regulations and statutes if they are deleted from the rules as presented. **Ms. Revier** explained unemployment is a very complex system of state and federal policy. The department works with claimants to help them understand what they need to do.

MOTION: **Rep. Holtzclaw** made a motion to **HOLD Docket No. 90-0101-2401** for time certain, February 27, 2025.

**ROLL CALL
VOTE:** **Chairman Wisniewski** requested a roll call vote. **Motion carried by a vote of 14 AYE, 0 NAY and 1 Absent/Excused. Voting in favor of the motion: Reps. Holtzclaw, Wisniewski, Weber, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner (13), Egbert, and Achilles. Rep. McCann was absent excused.**

DOCKET NO. 90-0130-2401: **Jani Revier**, Director for the Idaho Department of Labor presented the docket, which reflects a rewrite to comply with the state's Zero Based Regulation mandate.

In answer to committee questions, **Ms. Revier** reiterated much of the docket was being moved to Idaho Code. She yielded to **Josh McKenna**, Determinations Administrator for the Idaho Department of Labor, who explained in order to be eligible for benefits a worker must have access to such things as transportation or childcare, and must be available to accept a job. He also explained the department developed a claims guide which is online and sent to claimants to help them understand the unemployment claims process and is designed to answer their questions.

MOTION: **Rep. Holtzclaw** made a motion to approve **Docket No. 90-0130-2401**.

Chairman Wisniewski explained removal of certain definitions would cause confusion and he would rather the rule reference federal code or leave the definitions in the rule.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Holtzclaw made a unanimous consent request to withdraw his motion. There being no objection, the request was granted.

MOTION:

Rep. Weber made a motion to **HOLD Docket No. 90-0130-2401** for time certain, February 27, 2025. **Motion carried by voice vote.**

**DOCKET NO.
09-0135-2401:**

Jani Revier, Director for the Idaho Department of Labor presented the docket, which reflects a rewrite to comply with the state's Zero Based Regulation mandate.

MOTION:

Rep. Holtzclaw made a motion to approve **Docket No. 09-0135-2401**. **Motion carried by voice vote.**

**DOCKET NO.
17-0101-2301:**

Paul Jefferies Idaho Industrial Commission presented the docket dealing with workers' compensation. It reflects a rewrite to comply with the state's Zero Based Regulation mandate. He explained the Senate approved the docket with the exception of Section 305, Subsection 01.a., and then moved to strike the entire subsection from the final rule. He requested the committee take a similar action, or approve the Senate Concurrent Resolution when it comes before committee. He also addressed concerns about removal of definitions and terms by stating they are defined in statute, or are no longer relevant.

Chris Wagner, Intermountain Claims, spoke **in support** of **Docket No. 17-0101-2301**, as long as it retains the section rejected by the Senate.

Elizabeth Criner, on behalf of the American Property Casualty Insurance Association, spoke **in opposition** to **Docket No. 17-0101-2301**, unless it removes the section rejected by the Senate.

MOTION:

Rep. Holtzclaw made a motion to approve **Docket No. 17-0101-2301**, with the exception of **Section 305, Subsection 01.a**. **Motion carried by voice vote.**

**DOCKET NO.
21-0104-2401:**

Mark Tschampl, Director and Chief Administrator for the Idaho Division of Veteran Services, presented the temporary rule docket, which expands eligibility for burial at Idaho State Veterans Cemeteries to traditional National Guard members and Reservists who honorably completed an enlistment, but are ineligible because they were not activated federally, or did not complete enough service time to retire.

Rep. Leavitt declared Rule 80.

MOTION:

Rep. Holtzclaw made a motion to approve **Docket No. 21-0104-2401**. **Motion carried by voice vote.**

**DOCKET NO.
21-0104-2402:**

Mark Tschampl, Director and Chief Administrator for the Idaho Division of Veteran Services presented the docket, which is the pending rule of the previous docket.

MOTION:

Rep. Achilles made a motion to approve **Docket No. 21-0104-2402**.

In answer to committee questions, **Mr. Tschampl** explained the incorporation by reference section removed from the rules can be found in Idaho Code.

**VOTE ON
MOTION:**

Motion carried by voice vote.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 2:40 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AMENDED AGENDA #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M. or Upon Adjournment
Room EW05
Thursday, February 27, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
H 277	Info technology, background checks	Rep. Palmer
SCR 109	Rule rejection, worker's comp	Rep. Wisniewski
DOCKET NO.		
09-0101-2401	Rules of Administrative Procedures of the Department of Labor (ZBR Chapter Rewrite) - Pending Rule No further testimony will be taken.	Jani Revier, Idaho Department of Labor
09-0130-2401	Unemployment Insurance Benefits Administration Rules (ZBR Chapter Rewrite) - Pending Rules No further testimony will be taken.	Jani Revier
	PERSI Overview	Michael Hampton, PERSI

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw
Vice Chairman Wisniewski
Rep Weber
Rep McCann (Mosman)
Rep Cheatum

Rep Healey
Rep Beiswenger
Rep Bruce
Rep Burgoyne
Rep Cayler

Rep Fuhriman
Rep Leavitt
Rep Tanner (13)
Rep Egbert
Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert
Room: EW08
Phone: 332-1149
Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 27, 2025

TIME: 1:30 P.M. or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann (Mosman), Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** Representative Bruce

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

MOTION: **Rep. Egbert** made a motion to approve the minutes from the February 13, 2025 meeting. **Motion carried by voice vote.**

H 277: **Rep. Palmer** presented **H 277**, which allows for a single criminal background check on prospective IT employees and contractors working with the Office of Information Technology (OTIS). Currently, consolidated departments, agencies and commissions supported by OITS require up to ten separate criminal background checks due to state and federal regulations. This will save the state \$12,200 per year.

MOTION: **Rep. Healey** made a motion to send **H 277** to the floor with a **DO PASS** recommendation.

Rep. Palmer yielded to **Jason Pierce**, Deputy CIO for OTIS to answer committee questions. He assured the committee potential employees are notified of a failure to pass finger printing and will work with them to resolve the matter if possible. Also, the Idaho State Police conducts the background checks at a cost of \$35 each.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Palmer** will sponsor the bill on the floor.

SCR 109: **Rep. Wisniewski** presented **SCR 109**, which finalizes the intent of the House and Senate Commerce committees to reject IDAPA 17.01.01 Section 305, Subsection 01.a. The resolution rejects the section in its entirety.

MOTION: **Rep. Leavitt** made a motion to send **SCR 109** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Wisniewski** will sponsor the bill on the floor.

Chairman Holtzclaw turned the gavel over to **Vice Chairman Wisniewski**.

DOCKET NO. 09-0101-2401: **Vice Chairman Wisniewski** provided an update on discussions with the Department of Labor (DOL) and Division of Financial Management (DFM) regarding the two dockets before committee. He reiterated his concern about the removal of certain sections and where might they be found in sections of Idaho Code, or federal rules and statutes. It is problematic, especially if the incorporation by references are removed from the rules – making it difficult for legislators and the public to find this information. He stated there's been an agreement with DOL and DFM to propose approving the rules as delivered and the department will do better with the next iteration. He placed the docket before committee for action.

MOTION: Rep. Weber made a motion to approve **Docket No. 09-0101-2401. Motion carried by voice vote.**

DOCKET NO. 09-0130-2401: Vice Chairman Wisniewski placed the docket before committee for action.

MOTION: Rep. Fuhrman made a motion to approve **Docket No. 09-0130-2401. Motion carried by voice vote.**

Vice Chairman Wisniewski turned the gavel over to **Chairman Holtzclaw.**

Michael Hampton, Director of PERSI, presented an agency overview. He explained most company benefit plans are enacted by plan documents, but PERSI is governed by law and any changes require a change in law. He discussed the fiduciaries and administration of the fund; provided a financial snapshot of the fund's status compared to past years; explained membership data and the reason for the shifts in who participates, as well as current and future contribution rates. He also discussed how the Post-Retirement Allowance Adjustment (PAA) is set and reiterated an automatic 1% PAA is implemented if the Consumer Price Index (CPI) exceeds 1%. The board can recommend a discretionary PAA to the legislature for approval if the CPI exceeds 1%. The board has done this within allowed parameters.

In answer to committee questions, **Mr. Hampton** acknowledged current PAAs are not keeping up with inflation. However, as difficult as it is, the board must make decisions with consideration for all members, not just a segment of the membership, to maintain a stable fund and meet financial requirements set in statute. He said PERSI endeavors to do better with communicating to the membership, especially as it relates to PAAs. The board meetings are open, as required by law; however the board has elected to not broadcast their meetings statewide. Committee members encouraged the board to change its position on this matter. Finally, he explained employee and employer contribution rates are mandated so state agencies must address this in their budgets as any other expense. While contribution rates are increasing, there are many states with much higher rates.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:39 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M. or Upon Adjournment
Room EW05
Tuesday, March 11, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
S 1118	Procurement thresholds	Rep. Sauter

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw

Vice Chairman Wisniewski

Rep Weber

Rep McCann

Rep Cheatum

Rep Healey

Rep Beiswenger

Rep Bruce

Rep Burgoyne

Rep Cayler

Rep Fuhriman

Rep Leavitt

Rep Tanner (13)

Rep Egbert

Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert

Room: EW08

Phone: 332-1149

Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, March 11, 2025

TIME: 1:30 P.M. or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles

**ABSENT/
EXCUSED:** Representative McCann

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Holtzclaw called the meeting to order at 1:30 p.m.

S 1118: **Rep. Sauter** presented **S 1118**, which updates the bid thresholds for public works construction projects and for procuring personal property or services in political subdivisions. He explained the changes are due to inflation and the rising costs of construction. It also will bring procurement code for cities, counties and districts into alignment with procurement procedures for the state. He emphasized the change will not encourage higher than market costs, it will save time and reduce red tape.

MOTION: **Rep. Fuhriman** made a motion to send **S 1118** to the floor with a **DO PASS** recommendation.

In answer to a committee question, **Rep. Sauter** said the requested change was coming from the associations for the counties and cities.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Sauter** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:35 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M. or Upon Adjournment
Room EW05
Tuesday, March 25, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew05/>

SUBJECT	DESCRIPTION	PRESENTER
	Minutes Approval	

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Holtzclaw

Vice Chairman Wisniewski

Rep Weber

Rep McCann

Rep Cheatum

Rep Healey

Rep Beiswenger

Rep Bruce

Rep Burgoyne

Rep Cayler

Rep Fuhriman

Rep Leavitt

Rep Tanner (13)

Rep Egbert

Rep Achilles

COMMITTEE SECRETARY

Wendy Carver-Herbert

Room: EW08

Phone: 332-1149

Email: hcom@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, March 25, 2025
TIME: 1:30 P.M. or Upon Adjournment
PLACE: Room EW05
MEMBERS: Chairman Holtzclaw, Vice Chairman Wisniewski, Representatives Weber, McCann, Cheatum, Healey, Beiswenger, Bruce, Burgoyne, Cayler, Fuhriman, Leavitt, Tanner(13), Egbert, Achilles
**ABSENT/
EXCUSED:** None
GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.
Chairman Holtzclaw called the meeting to order at 1:30 p.m.
MOTION: **Rep. Egbert** made a motion to approve the minutes of the February 17, 2025, February 19, 2025, February 27, 2025 and March 11, 2025 meetings. **Motion carried by voice vote.**
Chairman Holtzclaw recognized and thanked the committee Page, **Teresa Wonacott** for her outstanding service.
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:34 p.m.

Representative Holtzclaw
Chair

Wendy Carver-Herbert
Secretary