

MINUTES
SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 05, 2026

TIME: 1:30 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Foreman, Vice Chairman Lenney, Senators Lakey, Guthrie, Nichols, Bernt, Zito, 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 Foreman** called the meeting of the Senate Commerce and Human Resources (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Senator Bernt** moved to approve the Minutes of January 29, 2026. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

RS 33116 **Relating to Local Land Use Planning.** **Senator Harris** reported this was a proposal dealing with local control of short-term rentals. This legislation aimed to balance the private property rights of long-term residents, families, and short-term rental owners, and to prevent local ordinances from over-burdening one group.

DISCUSSION: **Senator Zito** queried if this proposed legislation had an effect on small properties that could be rented. **Senator Harris** noted that this legislation would have an effect.

MOTION: **Senator Guthrie** moved to send **RS 33116** to print. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

RS 33133 **Relating to Insurer Investments.** **Senator Guthrie** reported this bill dealt with investment flexibility for insurance companies. He stated this bill had sought to relax a 75 percent capital and surplus limiter to allow insurers more room for certain investments.

DISCUSSION: **Senator Nichols** asked if this proposed legislation had anything to do with the federal level. **Senator Guthrie** indicated it did not.

MOTION: **Senator Bernt** moved to send **RS 33133** to print. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

RS 33190 **Relating to the Public Employee Retirement System of Idaho (PERSI).** **Senator Lakey** reported this legislation had come from the sheriffs and had clarified that retirees appointed to fill a vacancy (for example a sheriff) could continue receiving their PERSI retirement while serving until the next general election, similar to elected officials returning after six months' retirement.

MOTION: **Senator Guthrie** moved to send **RS 33190** to print. **Senator Nichols** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT: **Committee Consideration of the Gubernatorial Reappointment of Kevin Settles of Boise, Idaho, to the Idaho Health Insurance Exchange Board (IHIEB) to serve a term commencing April 10, 2025 and expiring April 10, 2029.** Mr. Settles gave a brief overview of his background. He remarked he was a long-time member of the IHIEB noting his service and the importance of sound financial management of the IHIEB.

DISCUSSION: **Senator Nichols** asked Mr. Settles what he had learned. **Mr. Settles** remarked it was critical for the IHIEB to be tied to the State and the federal government. The IHIEB always helped him learn what was so important on the financial end and to make the IHIEB run efficiently. He had applied all of that to his own business.

Chairman Foreman said the Committee would vote at the next meeting.

GUBERNATORIAL REAPPOINTMENT: **Committee Consideration of the Gubernatorial Reappointment of Senator Todd Lakey of Nampa, Idaho, to the State Insurance Fund Board (SIFB) to serve a term commencing January 20, 2025 and expiring November 30, 2026.** **Senator Lakey** described his eight-plus years on the SIFB, which had provided workers' compensation coverage without using State funds. **Senator Lakey** noted with leadership transitions, improvements were implemented in technology, customer responsiveness, and access.

DISCUSSION: **Senator Nichols** queried what Senator Lakey had taken from his experience. **Senator Lakey** emphasized the openness to change and continual improvement. He lauded the progression with the new director.

Chairman Foreman said the Committee would vote at the next meeting.

GUBERNATORIAL APPOINTMENT VOTE: **Committee Vote on the Gubernatorial Appointment of Representative Jon Weber to the Idaho Health Insurance Exchange Board (IHIEB).**

MOTION: **Senator Lakey** moved to send the Gubernatorial Appointment of **Representative Jon Weber** to the IHIEB to the floor with the recommendation that he be confirmed. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT VOTE: **Committee Vote on the Gubernatorial Reappointment of Robert Cuoio to the Idaho Health Insurance Exchange Board (IHIEB).**

MOTION: **Senator Bernt** moved to send the Gubernatorial Appointment of **Robert Cuoio** to the Idaho Health Insurance Exchange Board (IHIEB) to the floor with the recommendation that he be confirmed. **Senator Nichols** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Foreman passed the gavel to Vice Chairman Lenney.

DOCKET NO. 24-3931-2501 **Rules for Factory Built Structures - Pending Rule, p. 145.** **Justin Touchstone**, Trades Program Director, Division of Occupational and Professional Licenses (DOPL), explained this rule had reduced modular permitting and installation fees by 20 percent across all valuation levels, including specific reductions for single-wide, double-wide, and multi-section installations. He noted the change had been intended to move the DOPL Board's cash balance toward the statutory target (30 to 150 percent) of five-year expenditures, and had not introduced any new or increased fees.

MOTION: **Senator Nichols** moved to approve the temporary and pending rule **Docket No. 24-3931-2501**. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 24-3930-2501 **Rules of Building Safety (Building Code Rules) - Pending Rule, p. 129.** **Justin Touchstone**, Trades Program Director, Division of Occupational and Professional Licenses (DOPL), explained the Idaho Building Code Board (IBCB) had presented a similar change to the building permit fee table, also reducing fees by 20 percent across all valuations. The IBCB had relied solely on permitting fees (no licensing or penalties) and had been above the desired cash-balance range, prompting the reduction.

MOTION: **Senator Lakey** moved to approve the temporary and pending rule **Docket No. 24-3930-2501**. **Senator Nichols** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 24-3930-2502 **Rules of Building Safety (Building Code Rules) - Pending Rule, p. 133.** **Justin Touchstone**, Trades Program Director, Division of Occupational and Professional Licenses (DOPL) reported the Idaho Building Code Board (IBCB) presented a major rules package to adopt the 2024 building codes with Idaho-specific amendments instead of moving to the 2021 codes. The IBCB had concluded that the 2021 codes were not the right fit, while the 2024 codes were generally less restrictive and more flexible than both 2018 and 2021, especially for innovative housing and updated safety issues.

Mr. Touchstone noted the key elements had included: 1) Affordable and Innovative Housing and Mass Timber. He explained the addition of the International Building Code (IBC) § 8510.10 allowed five-story wood-frame buildings over a fire-protected base, enabling more cost-effective multi-family, and infill projects. The 2021 mass timber provisions were replaced with the 2024 mass timber provisions, allowing taller mass timber buildings (up to 18 stories) and more exposed timber while maintaining safety.

The second item: 2) Lithium-Ion Battery and Garage Safety. **Mr. Touchstone** remarked the 2024 codes had explicitly addressed lithium-ion batteries, including those used in energy storage systems and Electric Vehicle (EV) charging, which earlier codes had not sufficiently covered. He explained Idaho had seen a 65 percent increase in lithium-ion battery fires between 2023 and 2024, including a high-profile Coeur d'Alene police facility fire attributed to an e-bike battery. **Mr. Touchstone** stated heat detectors in garages were added instead of smoke detectors (which were prone to false alarms) to provide early warning where many batteries were stored.

Mr. Touchstone stated 3) Energy Conservation - Practical Alternatives and Cost Control. For commercial buildings, the rules had deleted certain costly lighting control and renewable energy requirements for the International Energy Conservation Code (IECC) §§ C405 and C406 viewed as unnecessary burdens. For residential energy standards, Idaho had kept the 2018 IECC insulation and U-value tables (R402.102 and R402.1.4), including all prior Idaho footnotes to preserve continuity and avoid new cost shocks.

Mr. Touchstone stated a prescriptive alternative to blower door testing was introduced, consisting of nine specific air-sealing measures (sealing around windows/doors, recessed lights, penetrations, top plates, and subfloor joints). Builders could either perform a blower door test or follow this checklist. Data had shown homes built to these measures performed comparably to homes

that passed blower door tests, while avoiding delays and logistical problems in rural areas.

Mr. Touchstone reported the IBCB had held 11 public hearings across Idaho (Idaho Falls, Rexburg, Twin Falls, Boise, Moscow, and Coeur d'Alene), plus seven regular meetings, three negotiated rulemaking sessions, and additional targeted meetings. Over 50 attendees from 16 stakeholder organizations, including the Idaho Association of Building Officials (IABO), Idaho Home Builders Association, Association of General Contractors, and American Institute of Architects, had participated. Materials for legislators had included crosswalks and red-lined rule text, with minor edits in green and substantial changes in blue (Attachment 1).

TESTIMONY:

Sam Zahorka, President, Idaho Association of Building Officials (IABO), testified in support of the docket. He cited with the new code, there was more flexibility and options for builders, including better paths for accessory dwelling units (ADU), tiny homes, and innovative construction. He supported the updated treatment of lithium-ion batteries, the potential improvement in statewide International Organization for Standardization (IOS) fire ratings, possibly leading to lower insurance premiums and better housing affordability.

Jason Blais, IDABO Board member and building official, testified in support of the docket. He addressed the residential energy provisions, explaining that the air-sealing and blower door alternatives had been grounded in more than a decade of practical work and case studies, aimed at clear, common-sense, and non-disruptive requirements.

Ken Burgess, Idaho Home Builders' Association, testified in support of the docket. He noted that from a builder's perspective, this docket was strongly supported in the industry. He praised the negotiated rulemaking and two major compromises: the heat detector approach for lithium-ion risk was a balanced, lower-cost solution compared with more onerous International Code Council (ICC) proposals. He said the blower-door alternative path was an "elegant" fix to long-standing challenges, particularly in rural Idaho.

DISCUSSION:

Vice Chairman Lenney asked for clarification on whether the rules mandated EV charging stations in new homes and how "shipping container" homes and similar innovations would be handled. **Mr. Touchstone** stated EV charging stations were not mandated in new homes but safety was regulated where such equipment was installed. **Mr. Touchstone** explained the rules provided appendices and frameworks that local jurisdictions could choose to adopt, expanding their menu of options without imposing statewide mandates. He explained public access to the 2024 IBC, International Residential Code (IRC), and the IECC were available digitally on the ICC website.

Senator Lakey expressed appreciation that the resulting Idaho package had tended to be less, not more restrictive, while still maintaining safety and industry support.

MOTION:

Senator Guthrie moved to approve **Docket No. 24-3930-2502**. **Senator Nichols** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL:

Vice Chairman Lenney passed the gavel back to Chairman Foreman.

ADJOURNED:

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

Senator Foreman
Chair

Linda Kambeitz
Secretary