

MINUTES  
**SENATE COMMERCE & HUMAN RESOURCES COMMITTEE**

**DATE:** Thursday, February 12, 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 (Committee) to order at 1:30 p.m.

**RS 23983** **Relating to the Dietician Licensure Compact. Senator Cook** explained Idaho could join a Dietician Licensure Compact (Compact). He noted the Compact had already been enacted in approximately 15 states and he listed several, including Montana, Utah, South Dakota, North Dakota, Nebraska, Kansas, and Oklahoma, among others. **Senator Cook** emphasized that the Compact Commission would have had no authority over Idaho law. It would not have been able to change Idaho's own licensing standards, nor would it have overridden Idaho's sovereignty in setting those standards. He characterized it as a form of the Compact that did not impose uniform standards on member states; thereby preserving Idaho's control.

**DISCUSSION:** **Senator Lakey** said that this proposed legislation addressed his primary concern with compacts generally - state sovereignty - and he had appreciated the clarification that Idaho would not have ceded control of its standards.

**MOTION:** **Senator Bernt** moved to send **RS 23983** to print. **Senator Nichols** seconded the motion. The motion carried by **voice vote**.

**S 1265** **Petroleum Clean Water Trust Fund Act - Amends existing law by removing outdated or unnecessary provisions related to the Petroleum Clean Water Trust Fund. Senator Blaylock** explained this was a code cleanup bill connected to prior work under H 14, which the Legislature had passed the previous year to support the Governor's effort to clean up and streamline Idaho's rules. In this phase, the focus had shifted to cleaning up the ethical code.

**Senator Blaylock** highlighted the key elements. She noted the bill removed outdated or completed provisions, including:

- Initial door structure (likely organizational/structural language no longer needed); appointment sample provisions;
- original trust registration language, and
- initial distributions that had been completed in the 1990s.

These sections were no longer operative and had remained in code only as obsolete remnants.

**MOTION:** **Senator Nichols** moved to send **S 1265** to the floor with a **do pass** recommendation. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

**RS 33125** **Relating to Qualifications for Occupational and Professional Licensing.** **Senator Toews** explained that this RS was aimed at ensuring that a homeschool high school diploma would be legally recognized as equivalent to a standard high school diploma or General Educational Development (GED) for the purposes of obtaining professional and occupational licenses in Idaho.

**Senator Toews** made the following key points:

- The proposed legislation responded to practical issues that had arisen in higher education and licensing, where homeschool graduates had sometimes faced inconsistent treatment
- It would have aligned licensing treatment of homeschool diplomas with the way they were already being treated in many university and higher-education contexts, providing consistency across systems.

**MOTION:** **Vice Chairman Lenney** moved to send **RS 33125** to print. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

**RS 33153** **Relating to Consumer Protection of Veterans' Benefits.** **Senator Nichols** noted this proposed legislation established item-specific consumer protection standards governing paid assistance to veterans seeking health benefits, particularly to address deceptive or predatory practices by non-accredited claims assistance services.

**Senator Nichols** detailed the proposed legislation would:

- Preserve a veteran's right to choose their assistance, while creating uniform definitions and disclosure requirements for entities offering claim preparation or representation.
- Prohibit upfront fees, instead, compensation would be:
  1. Contingent on a successful outcome
  2. Limited to a reasonable, one-time fee.
- Required clear disclosures, including a description of three assistance options available to veterans.

Disclosures also included:

- Written consent from the veteran and,
- Protection of personal, financial, and health information
- Prohibited, misleading advertising
- Guarantees of specific benefit outcomes
- Direct solicitation of veterans
- Use of overseas call centers for this work
- List of overseas call centers for this work
- Use of medical professionals to improperly influence claims outcomes.

**Senator Nichols** noted that there had been significant growth nationwide in paid, non-accredited claims assistance targeting veterans, that other states (eight in the past year) had already enacted similar protections, and that a national compliance framework had been developed. Idaho lacked clear, Idaho-specific guardrails and the proposed legislation was designed to fill that gap.

**MOTION:**

**Senator Bernt** moved to send **RS 33153** to print. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

**MINUTES  
APPROVAL:**

**Senator Nichols** moved to approve the **Minutes of February 3, 2026**. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

**MINUTES  
APPROVAL:**

**Senator Guthrie** moved to approve the **Minutes of February 5, 2026**. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

**S 1261**

**Public Employee Retirement System of Idaho (PERSI) - Amends existing law to provide for a retired member who is appointed to an elective public office.** **Senator Lakey** indicated there was concern expressed of the PERSI retirement and reemployment rules for local officials, particularly those appointed to fill vacancies in elected offices, such as sheriffs, clerks, and other county officials. **Senator Lakey** explained that under current law, a PERSI retiree who had been retired at least six months and then ran for and was elected to public office, did not lose their existing PERSI retirement benefits when taking that elected office.

**Senator Lakey** further stated if a person was appointed to fill a vacated elected office (for example, when a sheriff or other official resigned mid-term and the local party submitted three names to the county commissioners who then appointed a replacement), the code did not clearly treat that appointee the same way as someone elected after retirement.

**Senator Lakey** noted that **S 1261** had clarified and extended the existing rule so that a PERSI retiree appointed to fill such an elected vacancy would be treated the same as if they had been elected. They would retain their existing PERSI retirement benefits. They could serve in the appointed elected position without forfeiting those benefits. The bill did not change the existing rule that someone could not retire and then run again for the exact same office after six months to take advantage of the system, since that prohibition remained in place.

**TESTIMONY:**

**Sheriff Chris Goetz**, Clearwater County, testified in support of this bill. He confirmed that the Idaho Sheriffs' Association, the Association of Counties, the Association of Idaho Cities, and PERSI, supported or did not object to the bill. He emphasized that an individual appointed to an elected office assumed all the responsibilities and duties of that office and should be treated the same as an elected official for PERSI purposes if they otherwise met the criteria. **Sheriff Goetz** provided a practical example: he had been planning to retire mid-term, and one potential appointee (a retiring deputy) could have been the most qualified candidate. This bill would have ensured that such a retired PERSI member would not be excluded from consideration simply because accepting the appointment would otherwise risk their retirement benefits.

**DISCUSSION:**

**Vice Chairman Lenney** questioned Sheriff Goetz whether this concept was similar to prior legislation involving police chiefs. **Sheriff Goetz** clarified that the earlier measure for police chiefs had dealt with a different subsection and a different nuance. This bill was specifically focused on appointments to elected office and how those appointments interacted with PERSI retirement status.

**MOTION:** **Senator Ward-Engelking** moved to send **S 1261** to the floor with a **do pass** recommendation. **Senator Ruchti** seconded the motion. The motion carried by **voice vote**.

**S 1262** **INSURER INVESTMENTS - Amends existing law to revise provisions regarding miscellaneous insurer investments.** **Senator Guthrie** had framed the bill as a simple, industry-supported adjustment to provide additional investment flexibility for Idaho-domiciled insurance companies. He had emphasized that these investments were a critical part of an insurers' business model. Investment returns formed an asset base that helped keep insurance rates stable for policyholders. **Senator Guthrie** yielded his time to Jeff Niemeyer.

**TESTIMONY:** **Jeff Niemeyer**, Chief Administrative Officer, United Heritage Company, offered a detailed explanation. He noted that Idaho Code, Title 41, Chapter 7 governed investments by Idaho domestic insurance companies, setting guidelines, allowances, and restrictions. Idaho Code § 41-735 functioned as a catch-all provision, covering miscellaneous investments not otherwise specifically addressed or prohibited in the code. He noted that under existing Idaho Code, § 41-735 contained a "lesser of" a standard for the cap on such miscellaneous investments, which had been confusing and unnecessarily restrictive for Idaho insurers.

**Mr. Niemeyer** explained **S 1262** had proposed to replace the existing ambiguous cap with a clear allowance of up to 10 percent of an insurer's assets for these miscellaneous investments. This bill aligned Idaho's allowance to the standards used in several other states, thereby enhancing competitiveness and clarity. It allowed better diversification of investment portfolios, and reduced overall risk by adding stable, income-generating assets with annual cash distributions. Overall investment returns would potentially increase, which would directly benefit policyholders.

**Mr. Niemeyer** cited some examples of multi-year guaranteed annuities: Slightly higher portfolio returns would allow the company to offer higher crediting interest rates to customers. Small-face-value whole life policies could be used for pre-planned funerals. These policies included a growth rate that enabled funeral homes to guarantee prices years or even decades in advance, because some policyholders might hold such policies for 40 to 50 years. Having stable, long-term investments was critical to meeting those obligations.

**Mr. Niemeyer** had also reported that the United Heritage Company had reviewed **S 1262** with Director Dean Cameron, Idaho Department of Insurance. Mr. Cameron had no concerns or objections to the proposed update.

**MOTION:** **Senator Lakey** moved to send **S 1262** to the floor with a **do pass** recommendation. **Senator Bernt** seconded the motion. The motion carried by **voice vote**

**ADJOURNED:** There being no further business at this time, **Chairman Foreman** adjourned the meeting at 1:52 p.m.

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Senator Foreman  
Chair

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Linda Kambeitz  
Secretary