

MINUTES

SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, March 17, 2026

TIME: 1:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Foreman, Vice Chairman Lenney, Senators Guthrie, Nichols, Bernt, Zito, Ward-Engelking, and Ruchti

ABSENT/ EXCUSED: Senator Lakey

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 & Human Resources Committee (Committee) to order at 1:00 p.m.

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

MINUTES APPROVAL: **Senator Nichols** moved to approve the Minutes of March 5, 2026. **Senator Zito** seconded the motion. The motion carried by **voice vote**.

H 750AA

TRANSACTIONS - Amends and adds to existing law to establish provisions regarding programmable money. **Representative Scott** walked the Committee through the motivation for the bill. She explained that programmable money had already become a significant part of the financial system, representing an estimated \$300 billion market with major participants such as Tether and Circle.

Representative Scott emphasized that programmable money could be configured to do more than just store value - it could be programmed to expire after a certain time, block specific types of purchases, or even shut off entirely. As an example, she referenced an attempt by Tether and Circle to block purchases of guns and ammunition, which she used to illustrate how programmable money could potentially be used to restrict lawful activity.

The overarching concern that **Representative Scott** presented was that, without clear legal guardrails, programmable money could be "weaponized" against Idahoans by controlling where, when, or how people spent their own funds. **H 750aa** was framed as a preemptive consumer protection measure to prevent this type of financial control.

Representative Scott then provided a more technical overview of what the bill, described as the Consumer Payment Rights and Transparency Act, actually did. She explained that the bill: 1) defined "programmable money" and outlined its capabilities, such as conditions on use, expirations, and transaction-level controls. 2) Required that any time programmable money was offered or used, there also had to be a non-programmable alternative, so consumers would not be forced into a programmable system. 3) Prohibited certain kinds of discrimination in transactions, such as denying lawful purchases based on criteria like location, lawful goods, or constitutionally protected activities. 4) Mandated disclosure: if a transaction was denied, issuers had to provide a written statement within 90 days explaining the reason for the denial. 5) Created enforcement mechanisms, including the ability for affected parties to seek declaratory or injunctive relief in court, and to pursue

penalties for violations.

Representative Scott also stressed that the bill did not ban cryptocurrency or digital assets outright. Instead, it focused on ensuring transparency, preserving consumer choice between programmable and non-programmable forms of money, and preventing hidden or discriminatory controls on transactions.

DISCUSSION: **Senator Bernt** asked whether programmable money was merely theoretical or already operational. **Representative Scott** confirmed it was already being used, including by large institutions such as J.P. Morgan and Wells Fargo.

Vice Chairman Lenney probed how this bill related to an earlier parallel banking bill, asking whether there was overlap or potential conflict. **Representative Scott** responded that **H 750aa** was intended to prevent discriminatory treatment of consumers based on political, social, or other criteria, and that it focused on consumer-level protections rather than traditional banking regulation. She framed the bill as protective of civil liberties and consumer rights in a rapidly-evolving financial technology environment.

Because of time constraints, **Chairman Foreman** limited the number of questions, signaled that further discussion could occur later, and transitioned to the next testifier.

TESTIMONY: **David Liechty**, Utah attorney, testified in support of stronger safeguards around programmable money. He described how programmable money, combined with large-scale data aggregation, created new risks. He argued that issuers or intermediaries could track and analyze individual spending patterns at a granular level. He raised concerns about surveillance and potential behavioral control, especially when money could be turned off or restricted based on a user's activities. **Mr. Liechty** noted that Tether's investments in artificial intelligence and surveillance technologies heightened worries about how data from programmable money systems might be used or misused.

DISCUSSION: **Senator Ruchti** queried why the bill proposed removing references to the Uniform Commercial Code (UCC). **Mr. Liechty** explained that this was intended to make sure programmable money would not be recognized as "money" under the UCC, thereby avoiding certain automatic legal consequences and preserving the State's ability to set its own rules. **Mr. Leichy** concluded by stressing that Idaho had an opportunity to take a proactive stance on financial privacy and control.

Representative Scott stated that programmable money would include central bank digital currency. She was trying to put some guardrails in place ahead of time.

MOTION: **Vice Chairman Lenney** moved to send **H 750aa** to the floor with a **do pass** recommendation. **Senator Nichols** seconded the motion.

DISCUSSION: **Senators Ward-Engleking** and **Senator Ruchti** raised concerns about the compressed timeline, the complexity of the topic, and whether members had sufficient time to digest the bill and its implications.

Senator Nichols requested a roll call vote on the motion to send **H 750aa** to the floor with a **do pass** recommendation.

ROLL CALL VOTE: **Chairman Foreman, Vice Chairman Lenney, and Senator Nichols** voted aye. **Senators Guthrie, Bernt, Zito, Ward-Engelking, and Ruchti** voted nay. The motion failed.

H 585

ELECTRICAL, PLUMBING, AND HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) INSPECTIONS - Adds to existing law to provide for timely electrical, plumbing, and HVAC inspections and the option for third-party inspections in certain situations. Representative Wheeler described this bill that focused on strategic deregulation and timeliness in inspections for mechanical, electrical, and plumbing work. He explained this bill established a 48-hour "shot clock" (count down timer) for local jurisdictions to complete required inspections after a request was made. **H 585** allowed citizens or contractors to receive a refund of inspection fees and to hire a private inspector if the local authority failed to complete an inspection within that time. This bill was designed to prevent construction and renovation projects from being delayed unnecessarily because of slow inspection schedules.

Representative Wheeler noted that the bill had received support from the Idaho Building Officials as well as construction and industry organizations such as the Associated General Contractors (AGC). The stakeholders viewed the bill as a reasonable accountability measure that preserved safety while reducing bottlenecks.

MOTION:

Senator Guthrie moved to send **H 585** to the floor with a **do pass** recommendation. **Senator Ruchti** seconded the motion. The motion carried by **voice vote**.

H 562AA

INSURANCE - Amends existing law to revise provisions regarding cancellation and non-renewal of certain policies. Senator Ruchti presented this bill for Representative Sauter. **Senator Ruchti** explained that this bill dealt with notice periods for discontinuation of homeowners and fire loss insurance policies. He noted the purpose of the bill was to increase the minimum notice time that insurers had to give policyholders when discontinuing coverage, extending it from 30 days to 60 days. The goal was to provide homeowners with more time to react, shop for alternative coverage, and avoid gaps in protection.

Senator Ruchti indicated that **H 562aa** had support from the Idaho Building Officials and relevant industry groups, which viewed the change as a practical consumer protection that improved stability in the property insurance market.

MOTION:

Senator Nichols moved to send **H 562aa** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

H 545

COUNSELORS AND THERAPISTS - Amends existing law to provide for the licensure of certain persons who have served as a chaplain in any branch of the United States military. Representative Ehardt stated this bill dealt with occupational licensing for military chaplains who wished to transition into civilian mental health counseling roles. She provided background on the history of the bill. (Attachments 1 and 2).

Representative Ehardt explained that **H 545** aimed to make it easier for military chaplains, who often had extensive experience counseling service members and their families, to become licensed professional counselors in civilian life. The bill offered a pathway that did not require passing a national standardized test, relying instead on military training and experience. She framed the bill as a way to honor and leverage military experience, reduce barriers to employment for veterans, and expand access to mental health support for Idahoans, particularly those with military backgrounds.

TESTIMONY:

Dr. Monique Barber, licensed professional counselor, testified in opposition to the bill. She stated chaplains were not qualified to diagnose, but professional counselors were qualified. She asked to amend the bill.

DISCUSSION: **Senator Ruchti** queried what standards counselors had to meet to qualify for liability insurance. **Dr. Barber** remarked they had to pass the test and be licensed. Many chaplains, while skilled in spiritual care and supportive counseling, were not trained at the same level as licensed clinical counselors to diagnose and treat mental health disorders. Allowing chaplains to become licensed without meeting standardized testing and supervision requirements might lower professional standards and jeopardize public safety.

TESTIMONY: **Jared Gifford**, representing himself, noted chaplains and licensed counselors were all in the mental health field. He explained this bill was trying to give an option to veterans. Many service members trusted chaplains more than traditional mental health providers, especially in confidential or culturally sensitive situations. This bill would recognize this unique experience and trust by providing a more direct path into civilian counseling roles.

DISCUSSION: **Chairman Foreman** stated that most emails he received were in opposition to the bill. He queried what were the fears. **Mr. Gifford** remarked Idaho Counseling had sent out many emails because they were safeguarding their profession. He explained very few understood what military chaplains did. He stated there was a higher suicide rate among veterans. Military chaplains carried significant counseling loads, including crisis, trauma, and family situations, and had extensive formal training within the military system. He noted chaplains were trying to become licensed but could not bill insurance and counseled for free. He explained the exam was entry-level and designed for those who had received their master's degree and just finished school. In answer to a question posed by **Senator Ward-Engelking**, **Mr. Gifford** stated he was willing to take the test.

Senator Nichols remarked the military route had more requirements. **Mr. Gifford** explained that chaplains had education equivalent to that provided in the military and were required to complete four hours of continuing education.

Senators Guthrie and **Ruchti** discussed the issue of using insurance and diagnoses with **Mr. Gifford** who explained that chaplains do not take insurance nor do they diagnose.

A lengthy discussion ensued among Committee members including **Senators Ward-Engelking** and **Ruchti**, on whether military chaplains should be allowed to become licensed without passing the same national exam and completing the same supervised clinical hours as other professional counselors. Concerns were expressed that loosening requirements for one group might undermine the integrity of the licensing system and set a precedent for other exceptions. Counter-arguments were that chaplains had years of live, real-world counseling under difficult circumstances, and that the State should find ways to credit that experience while still protecting the public.

Vice Chairman Lenney and **Senator Nichols** leaned toward greater flexibility to help veterans and chaplains transition into civilian careers; others felt the bill, as written, did not adequately safeguard clinical standards and accountability.

TESTIMONY: **Keely Loy**, representing herself, and a licensed counselor, testified in opposition to the bill. She noted chaplains should have to pass a test. She emphasized that clinical mental health treatment required specialized training beyond what chaplains typically received. Chaplains were invaluable in providing support, triage, and referral, but they should not be equated with clinically trained counselors. She noted that claiming that chaplain counseling hours were equivalent to clinical counseling hours for licensure purposes would be objectively false. She warned that allowing chaplains to count those hours as clinical experience for licensure would effectively encourage fraudulent reporting and expose the State to legal and ethical liability. She argued that laws should proactively prevent such misrepresentation and maintain clear boundaries between pastoral counseling and clinical mental health practice.

Nate Wheeler, representing himself, testified that this bill was about pay. He noted insurance companies were not against this. All military deployments changed a person. He said chaplains wanted to help.

DISCUSSION: **Senator Ruchti** asked where did Mr. Wheeler get the information about the insurance companies. **Mr. Wheeler** remarked that when he listened to the House Committee, someone stated that the insurance companies were not opposed.

TESTIMONY: **Kristi Weismann**, representing herself, testified in opposition to the bill. She reported she spoke with insurance companies and they were not committed. She also researched TRICARE requirements, which were more restrictive. She was a licensed counselor and her training was more in-depth.

Robert Morris, Retired Chaplain with the National Guard, testified in support of the bill.

DISCUSSION: **Mr. Morris** and **Vice Chairman Lenney** discussed the many years of training and thousands of hours that counselors went through. **Mr. Morris** noted the military had extensive training for chaplains. Most of their training came from outside counseling contractors. If a diagnosis was necessary, **Mr. Morris** stated he would reach out to someone who was a licensed counselor. He noted he was willing to take the test.

TESTIMONY: **Susan Riedinger**, National Guard Chaplain, read a short disclosure, stated she was representing herself, and testified in opposition to the bill. She explained the standards for counseling needed to be upheld.

Stephanie Gifford, Chaplain, testified in support of the bill. She explained this bill was her idea. The bill came out of efforts to recognize the unique role chaplains played in the military, where they frequently provided empathy, listening, and counseling to service members in distress. The military already maintained both clinical mental health staff and chaplains, with each performing distinct but complementary functions. This bill sought to allow chaplains to apply their military counseling experience toward civilian licensure in a way that reflected their actual responsibilities. **Ms. Gifford** referenced an Idaho Statute passed in 2019 (Idaho Code § 67-9406), which already exempted chaplains from certain testing requirements, framing **H 545** as consistent with that legislative direction. She argued that Idaho should honor military service by enabling chaplains to transition more smoothly into civilian roles without redundant hurdles.

Carmen French, representing herself, testified in opposition to the bill. She focused on how licensure connected to insurance, documentation, and accountability for professional counselors. She explained that for clinical services to be paid by insurance, counselors had to maintain detailed documentation, including treatment notes, diagnoses, and proof of medical necessity. Insurance companies regularly audited records and could demand repayment if documentation did not meet

standards. Military chaplains, by contrast, typically did not keep detailed clinical notes, partly due to confidentiality norms and their pastoral role.

Ms. French warned that allowing chaplains to be licensed without adapting to these documentation requirements would create problems both for insurance billing and for regulatory oversight. She recommended that chaplains who wished to become licensed should take the standard exam and document supervised clinical experience under licensed supervisors, ensuring they met the same expectations as other counselors.

Dr. Mindi Anderson, a veteran and a professional in trauma medicine, testified in support of the bill. She described how chaplains often served as the first line of emotional and spiritual support for service members and veterans, especially those reluctant to approach formal mental health services. Many veterans trusted chaplains because they shared the military culture and lived experience, making chaplains uniquely effective in breaking through isolation and stigma. **Dr. Anderson** recounted a recent case involving a veteran with Amyotrophic Lateral Sclerosis (ALS), illustrating how a chaplain's presence and understanding could bridge the gap between severe isolation and meaningful support.

Dr. Anderson argued that the bill would improve access to culturally competent care for veterans by allowing chaplains, who already carried deep relational and experiential knowledge, to continue serving in a licensed capacity in civilian life. She acknowledged the need for safeguards but believed the benefits to veterans warranted moving the bill forward.

DISCUSSION: **Senator Adams** explained this was a Division of Occupational and Professional Licenses (DOPL) issue. The national test was standardized. He stated he became involved with this bill because he had received counseling himself from chaplains and counselors. There were many misdiagnoses. He underscored the critical role chaplains played in the lives of service members and veterans. There was a need for the Legislature to support these efforts and remove unnecessary barriers. **Senator Adams** and **Senator Bernt** discussed whether or not chaplains should take a test.

MOTION: **Vice Chairman Lenney** moved to send **H 545** to the floor with a **do pass** recommendation. **Senator Nichols** seconded the motion.

SUBSTITUTE MOTION: **Senator Guthrie** moved to hold **H 545** in Committee. **Senator Ruchti** seconded the motion.

DISCUSSION: **Senator Zito** stated she supported the substitute motion. She reiterated concerns about licensing integrity, public safety, and the risk of creating two different standards within the same profession.

Senator Guthrie remarked he had not heard from an insurance company regarding this bill. He expressed a concern about the response where this bill would be applicable to the private sector. It was totally appropriate to safeguard a profession. He stated that professionals wanted to make sure that the integrity of what they were doing was upheld with professional standards, which he saw as a good thing. He thought a little more thought process should be put into crafting this bill.

ROLL CALL VOTE ON THE SUBSTITUTE MOTION: **Chairman Foreman** requested a roll call vote on the motion to hold **H 545** in Committee. **Senators Guthrie, Zito, Ward-Engelking, and Ruchti** voted aye. **Chairman Foreman, Vice Chairman Lenney, Senators Nichols, and Bernt** voted nay. **Chairman Foreman** stated that due to a tie vote, the motion failed.

**ROLL CALL
VOTE ON THE
ORIGINAL
MOTION:**

Chairman Foreman called for a roll call vote on the original motion to send **H 545** to the floor with a **do pass** recommendation. **Chairman Foreman, Vice Chairman Lenney, Senator Nichols,** and **Senator Bernt** voted aye. **Senators Guthrie, Zito, Ward-Engelking,** and **Ruchti** voted nay. **Chairman Foreman** stated that due to a tie vote, the motion failed.

ADJOURNED:

There being no further business at this time, **Chairman Foreman** adjourned the meeting at 2:51 p.m.

Senator Foreman
Chair

Linda Kambeitz
Secretary