

MINUTES
SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, March 19, 2026

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

MINUTES APPROVAL: **Senator Ward-Engelking** moved to approve the Minutes of March 10, 2026.

Senator Guthrie seconded the motion. The motion carried by **voice vote**.

PRESENTATION: Honoring of Senate Page Haeden Carter. **Chairman Foreman** asked Mr. Carter to share his experience serving with the Senate Commerce & Human Resources Committee. **Mr. Carter** expressed his gratitude for the opportunity, noting that he had originally hoped to be assigned to the Judiciary & Rules Committee due to a prior internship with a judge. He said that ultimately he was glad that his request to switch had been denied. He stated he had greatly appreciated the past few weeks, characterized by the Committee members as his favorite Senators, and said he had come to love both the Committee and its work. **Mr. Carter** reflected that, as a very extroverted person, he had learned the value of sitting still, being quiet, and observing, emphasizing that careful observation allowed him to understand more about how the Senate operated and what was "in the works."

Vice Chairman Lenney asked Mr. Carter what surprised him when he came to the Senate. **Mr. Carter** shared he was astonished about how many pieces of legislation had gone through with bipartisan support. He noted there was some discord, but it was never shown in the public.

Senator Guthrie described Mr. Carter as one of the most friendly, outgoing young men he had encountered and observed that his infectious personality would serve him well. He thanked Mr. Carter for being a Page.

NOTE: **Chairman Foreman** announced that **H 773** was moved up on the agenda because of time constraints for Representative Ehlers.

H 773 DEPARTMENT OF FINANCE - Amends and repeals existing law to remove obsolete provisions. **Representative Ehlers** explained this was a Task Force Code cleanup measure addressing outdated provisions in Idaho Code related to credit unions. He stated that the bill concerned language authorizing a non-profit cooperative entity called a "corporate credit union," a league structure for seven or more credit unions. He noted that structure had not been used for at least 10 years, and there was no known interest in using it in the foreseeable future. **Representative Ehlers** stated the bill removed obsolete statutory sections to modernize and clean up the code. He noted that this bill passed unanimously in the House, and that Senator Lakey agreed to carry the bill on the Senate floor.

MOTION: **Senator Ward-Engelking** moved to send **H 773** to the floor of the Senate with a **do pass** recommendation. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

H 702 **COMMERCIAL TRANSACTIONS - Amends existing law to revise a provision regarding applicability and choice of law, to remove provisions regarding applicability and choice of law, to remove provisions regarding priority among security interests and entitlement holders, and to remove a provision regarding security interests.** **Representative Wisniewski** introduced **Senator Hart** who explained that **H 702** addressed Article 8 of the Uniform Commercial Code (UCC), which governed ownership and transfers of securities in the modern, largely digital trading environment. He noted that historically, stock ownership was evidenced by a paper certificate held by the owner. In the current system, ownership existed in electronic form, with several layers of intermediaries:

- The entitlement holder (what ordinary investors considered the "owner")
- The securities intermediary (typically a broker)
- The clearing corporation, which actually settled trades among intermediaries

Senator Hart read from the UCC language stating the bill sought to eliminate," which provided that if a clearing corporation lacked sufficient financial assets to satisfy both its obligations to entitlement holders and to its own creditors with security interests in the same financial assets, the creditors' claims would take priority over the entitlement holders' interests." He argued that this structure placed the individual stock owner at the bottom of the food chain in an insolvency, even though the investor typically had not caused the financial crisis, instead, he attributed such crises to over-leveraging or poor decisions by brokers and clearing corporations.

Senator Hart stated that the bill aimed to restore the practical and legal concept of full ownership of securities to the investor and to disincentivize intermediaries from using client securities as collateral for risky, leveraged activities.

Representative Wisniewski further elaborated explaining the bill had two main intentions:

- Restore full ownership rights in securities to the record owner (the entitlement holder).
- Discourage higher-level intermediaries from reusing client securities as collateral for highly leveraged or speculative transactions

Representative Wisniewski cited the example of Lehman Brothers, describing how its risky leveraged investments in collateralized debt obligations and mortgage-backed securities led to insolvency, which in turn harmed homeowners and the financial system.

Representative Wisniewski contrasted Federal Deposit Insurance Corporation (FDIC) insurance for bank deposits with the Securities Investor Protection Corporation (SIPC) for brokerage accounts, noting that SIPC had limited resources (approximately \$5 billion in its fund plus a line of credit) and that this coverage would protect only a relatively small number of accounts at the maximum level. He further cited the case of M.F. Global (2011) explaining that U.S. customers, operating under UCC rules had to wait up to three years through bankruptcy proceedings and not all received full restitution.

Representative Wisniewski noted Canadian customers, who were not subject to

the same UCC framework, received full restitution within roughly 10 days. He argued that the bill would return Idaho closer to a pre-1994 UCC framework, in which ownership rights flowed more clearly up the chain and investors were better protected in insolvency scenarios. He also highlighted a venue provision in the bill, specifying the disputes involving Idaho investors would be heard in Idaho State courts, rather than in the home states of large financial institutions to preserve the effect of Idaho's statutory changes.

TESTIMONY: **David Jensen**, Uniform Law Commissioner, State of Idaho, testified in opposition to the bill. He reported that similar legislation had been introduced and rejected in numerous states, including Tennessee, Oklahoma, North Dakota, Utah, South Dakota, Missouri, New Hampshire, Minnesota, Wisconsin, Wyoming, Arkansas, Montana, Mississippi, Texas, and Connecticut. He argued that if Idaho adopted **H 702** the State would place itself on an island outside the coordinated system of uniform laws. **Mr. Jensen** stated that Article 8 of the UCC operated in conjunction with extensive federal laws and regulations and had been designed to promote efficient commerce, including rapid securities settlement. He pointed out that settlement times for securities trades had been reduced from four days to one day, in part due to this system, and asserted that the framework remained protective of individual investors.

Mr. Jensen directed the Committee to a provision (Section 28-8-503, with a narrow exception in 28-8-511) that:

- Treated assets held by a securities intermediary as being held for entitlement holders.
- Provided that such assets were not part of the intermediary's property and were generally not subject to the claims of the intermediary's creditors, except in two narrowly defined circumstances:
 - a) Margin accounts, where investors had explicitly consented to grant a security interest.
 - b) Certain clearing corporation operations that required short-term liquidity to settle daily trades.

Mr. Jensen warned that removing these carefully structured exceptions could impair margin lending and disrupt clearing operations, thereby undermining the speed and reliability of securities markets.

Representative Wisniewski emphasized that the proposed changes would not interfere with routine daily clearing operations and would apply only in severe insolvency situations.

DISCUSSION: **Senator Ruchti** addressed a concern he had at the bottom of page 3 of the bill. He noted it gave creditors a priority against stockholders. **Representative Wisniewski** explained that was correct, that this bill did not interfere with day-to-day closing. The clearinghouse only took care of the two exceptions, allowed the intermediary to gain control of those securities and only in the case of a severe insolvency.

Senator Bernt queried why had this bill been rejected in so many states. **Representative Wisniewski** stated he did not know the reason.

MOTION: **Senator Zito** moved to send **H 702** to the floor of the Senate with a **do pass** recommendation. **Vice Chairman Lenney** seconded the motion.

SUBSTITUTE MOTION: **Senator Bernt** moved to hold **H 702** in Committee. **Senator Ruchti** seconded the motion. The motion carried by **voice vote**.

INSURANCE - Adds to existing law to establish provisions regarding coverage of anticancer medications under health benefit plans. Representative Bruce explained that chemotherapy could be delivered either intravenously in a clinical setting or orally in pill form, and that although the underlying medications might be comparably priced (both costing around \$5,000) insurance benefit design treated them very differently. He noted that intravenous (IV) chemotherapy was typically covered under medical benefits, allowing patients to pay down their deductible over time. Oral chemotherapy often fell under pharmacy benefits, which could require patients to pay their entire deductible up front at the pharmacy counter. He stated that as a leukemia survivor he had personally experienced this disparity and that patients frequently faced large, intermediate out-of-pocket costs when prescribed oral formulations.

Representative Bruce explained that **H 648** would require insurers to apply a consistent cost-sharing structure to IV and oral anticancer medications, effectively ensuring parity so that patients were not financially penalized for choosing an oral regimen when medically appropriate. He also noted that stakeholders, including advocates and insurers, had been engaged over several years and that this particular version represented a compromise that prior attempts had not achieved.

TESTIMONY:

Representative Green, a co-sponsor, provided additional testimony from a patient's perspective, noting she had recently completed 21 rounds of chemotherapy and had moved into an oral chemotherapy maintenance phase. She described the burden of infusion treatments of long hours spent in infusion centers, use of ports, steroid pre-treatments, and prolonged recovery periods. She observed many fellow patients had to travel long distances (two to three hours) and then wait for rides home following treatment.

Representative Green noted that when oral alternatives existed, patients frequently found them cost-prohibitive, forcing them to continue burdensome infusions rather than choosing a more convenient pill regimen. She reported that her own refill for oral chemotherapy had been quoted at approximately \$4,500, illustrating the potential financial barrier. She stressed that treatment decisions should be driven by medical need and physician judgment, not by distortions in cost-sharing design.

Elena Teare, State Policy and Advocacy Manager, Susan G. Komen Foundation, testified in support of the bill. She stated that a significant portion of oncology drugs in development were oral agents (approximately 25-35 percent). For some cancers, oral agents were the standard of care or the only viable option. She noted that around 10 percent of patients failed to fill prescriptions for oral anticancer medications due to high up-front costs, leading to treatment delays or abandonment, especially burdensome in rural areas where travel to infusion centers already posed challenges.

Sherry Baker, representing herself, testified in support of the bill. She explained she was a multiple myeloma patient diagnosed in 2011, and that she had been on treatment for 12 of the previous 14 years, often requiring weekly hospital visits. When an oral maintenance chemotherapy regimen was recommended after her 2012 stem cell transplant, her share under then-current insurance design would have been approximately \$9,000 per month, which she could not afford, causing her to decline that therapy. She instead requested hospital-based treatments that were covered more favorably, even though oral medication would have been clinically appropriate. She argued that patients should not have to choose treatment modalities based on cost-sharing disparities.

Randy Johnson, American Cancer Society Cancer Action Network, briefly stated support for the bill.

DISCUSSION: In closing, **Representative Green** added that her sister had faced an \$8,000 charge at the pharmacy counter for cancer medication, illustrating the emotional and financial distress the bill sought to mitigate.

MOTION: **Senator Nichols** moved to send **H 648** to the floor of the Senate with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion.

DISCUSSION: **Senator Nichols** stated she was in support of this bill. **Vice Chairman Lenney** stated he also was in support of the bill, noting this would help those who had to drive long distances.

VOTE ON THE MOTION: The motion to send **H 648** to the floor with a **do pass** recommendation carried by **voice vote**.

H 787 **PODIATRY- Amends, repeals, and adds to existing law to provide for the Podiatric Medical Practice Act.** **Senator Lakey** explained that the bill consolidated the existing independent Medical Board (Board) of Podiatry into the Idaho Board of Medicine. The standalone podiatry chapter in code would be repealed and podiatrists would instead be regulated under the broader Board of Medicine framework, while still retaining a designated seat on the Board to ensure appropriate subject matter input. **Senator Lakey** stated the purposes included achieving cost savings and administrative efficiencies, and promoting the sustainability of podiatry regulation by integrating it into a larger, existing licensing structure,

MOTION: **Senator Nichols** moved to send **H 787** to the floor of the Senate with a **do pass** recommendation. **Senator Ruchti** seconded the motion. The motion carried by **voice vote**.

H 790 **ARCHITECTS - Amends existing law to provide for certified interior designers to be able to sign and seal certain technical submissions and to make such submissions to state or local governmental entities.** **Senator Ward-Engelking** presented this bill for Representative Healey, and noted that this bill stemmed from work of the Interim Occupational and Professional Licensure Review Committee. She explained that interior designers in Idaho were not currently recognized as a distinct profession in statute, which prevented them from practicing to the full extent of their education and training, specifically, they could not sign and seal their own technical submissions for permit purposes. As a result, interior designers were required to engage a registered architect to review, sign and seal interior work, even where the design was non-structural, non-seismic, and entirely within the scope of interior alterations. This arrangement added cost and time for clients and limited designers' professional autonomy.

Senator Ward-Engelking stated the bill established a voluntary certification for interior designers, to be administered by the existing Board of Architects and Landscape Architects. **H 790** authorized certified interior designers to sign and seal technical submissions for certain limited interior projects (non-structural, non-seismic interior construction, and alterations). This bill preserved voluntary participation for interior designers who did not wish to pursue certification and would not be required to do so.

TESTIMONY: **Liz Hatter**, Consortium for Interior Design Idaho, elaborated that qualified interior designers were professionals who were educated, experienced, and examined in areas such as fire and life safety, building and energy codes, space planning accessibility, functional layout, and material selection with implications for infection control and environmental health, such as in hospital settings. **Ms. Hatter** emphasized that such designers already worked on complex projects, such as hospitals and public buildings, where they addressed clearances, exits, and code-compliant circulation while respecting existing structural systems.

Ms. Hatter stated that the scope of language in **H 790** had been available since the summer of the prior year, and that the only substantive scope change had been the addition of a list of tasks interior designers would not perform, at the request of the American Institute of Architects (AIA). **Ms. Hatter** explained the bill explicitly prohibited certified interior designers from performing functions typically reserved for architects or engineers, required certified interior designers to carry liability insurance, clarified that the Board could not promulgate rules creating a licensure regime, and emphasized the credential would remain a voluntary certification only.

Ms. Hatter reported that outside of certain concerns from some within AIA about competition and sign-and-seal authority, stakeholders had largely been supportive or neutral. She referenced a multi-disciplinary practice overlap initiative involving national regulatory bodies for interior designers, architects, landscape architects, and engineers, which sought to clarify boundaries among professions. She stated that **H 790** was consistent with that balance.

Taren Mitchell, AIA Idaho, testified in opposition to the bill. She acknowledged the value of interior designers, but argued that this bill extended authority into the regulated practice of architecture, raising concerns about public health, safety, and welfare. She stated that architects typically completed at least five years of education, underwent more extensive requirements, and passed rigorous licensing examinations that encompassed building systems, structural coordination, and multi-disciplinary integration (mechanical, electrical, civil, etc.). She contrasted this with interior design credentials, which in some cases could be obtained with shorter educational programs, and expressed concern that designers without a full background in engineering-related systems might inadvertently overstep their competencies if granted sign-and-seal authority. **Ms. Mitchell** maintained that the bill posed risk of miscoordination with structural and building systems and urged the Committee to vote no.

DISCUSSION: **Senator Ward-Engelking** clarified that 18 states already granted interior designers some form of sign-and-seal privileges, and about 30 additional states provided some level of formal recognition. The Idaho proposal was narrowly scoped to non-structural, non-seismic interior work and remained voluntary. Qualified interior designers typically completed a four-year accredited degree plus at least two years of experience, along with an examination, before achieving certification.

MOTION: **Senator Bernt** moved to send **H 790** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion.

DISCUSSION: **Senator Lakey** indicated that the issue was close for him, but expressed support, viewing the bill as an example of appropriately narrowing scope of practice and utilizing a tiered model similar to how healthcare employed nurses and nurse practitioners alongside physicians. **Senator Lakey** noted he reserved the right to change his vote on the floor.

Senator Bernt remarked he supported the bill, referenced his experience owning a flooring company, and stated that he had regularly worked with interior designers and had never observed them endangering life or safety. He viewed the bill as a sensible recognition of their professional capabilities and a way to avoid paying architects simply to stamp work that interior designers had already performed.

Senator Ruchti stated he was in support of the bill, but may change his vote on the floor.

VOICE VOTE ON MOTION: The motion to send **H 790** to the floor with a **do pass** recommendation carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Foreman** adjourned the meeting at 2:02 p.m.

Senator Foreman
Chair

Linda Kambeitz
Secretary