

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Friday, February 17, 2012

**TIME:** 9:00 A.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Loertscher, Vice Chairman Crane, Representative(s) Stevenson, Black, Anderson, Andrus, Bilbao, Luker, Palmer, Simpson, Guthrie, Henderson, McGeachin, Sims, Batt, Smith(30), King, Higgins, Buckner-Webb

**ABSENT/  
EXCUSED:** Representative(s) Black, Anderson

**GUESTS:** Camille Luna, Batt Associates.

**Chairman Loertscher** called the meeting to order at 9:03 a.m.

**RS 21279:** **Rep. Hagedorn** presented **RS 21279**, proposed legislation to modify the state hiring preference standards for veterans enabling them a better chance of landing a state job. Currently, Idaho has an unemployment rate of 8.4%. The unemployment rate for veterans is 1.5 to 2% above the standard rate for the rest of the population. The legislation is a proposal from the Department of Labor (DOL) and the veterans groups to lower the unemployment rate for veterans to the same rate as the rest of the population.

In response to questions, **Rep. Hagedorn** explained that the Veterans Affairs (VA) determines disabilities and then provides a rating. An injury might be recognized as a disability, but rated at 0% and deemed not worthy of payment. **RS 21279** will strike the requirement to have a 10% disability for veterans preference and will allow recognition of those rated at 0%. The DOL and veterans groups feel it is a limiting factor when hiring veterans and a reason for the high unemployment rate. Rep. Hagedorn stated this proposed legislation will also remove the hiring preference limited only to those who served in a specific conflict. **RS 21279** will also remove the limitation that preference applies only to the initial hiring, and a qualified veteran will also receive preference for any subsequent promotions. In addition, **RS 21279** will provide 5% hiring points for spouses of a veteran with a service-connected disability. Rep. Hagedorn stated that a veteran with a service-connected disability is typically harder to employ and very dependent on their spouse's employment. This will give the spouse the ability to support the veteran during his or her recovery.

**MOTION:** **Rep. Simpson** made a motion to introduce **RS 21279**. **Motion carried by voice vote.**

**RS 21225:** **Rep. Rusche** presented **RS 21225**, a proposed memorial to urge the Federal Communications Commission (FCC) and the Idaho congressional delegation to accelerate the development of broadband telecommunications in rural Idaho through the use of available funds and resources. Rep. Rusche stated that Idaho has the least amount of and the slowest broadband technology in the United States. This memorial urges the FCC to utilize the Universal Service Fund, a charge applied to telephone lines, as well as the Connect America Fund, to promote broadband technology in frontier states like Idaho. Rep. Rusche noted this memorial requests that focus is directed to develop broadband technology in areas of Idaho where it is necessary for the public's health and safety such as hospitals and to further promote commerce.

In response to questions, **Rep. Rusche** stated the FCC has changed the focus of the Universal Service Fund and directed the money to specific companies rather

than specific locations. While the Public Utilities Commission (PUC) currently has no regulatory role in the area of broadband technology, it does have control over the Idaho Universal Service Fund as well as telecommunications. Rep. Rusche advised this memorial will encourage them to take a lead role.

**MOTION:** **Rep. King** made a motion to introduce **RS 21225**.

**SUBSTITUTE MOTION:** **Rep. Luker** made a substitute motion to introduce **RS 21225** with the following changes: on Page 1, Line 20, insert "existing" in front of the word "fiber" and delete the words "along Highway 95 and Interstate 90, and replace it with "throughout rural Idaho".

**VOTE ON SUBSTITUTE MOTION:** **Chairman Loertscher** called for a vote on the substitute motion to introduce **RS 21225** with the following changes: on Page 1, Line 20, insert "existing" in front of the word "fiber" and delete the words "along Highway 95 and Interstate 90, and replace it with "throughout rural Idaho". **Motion carried by voice vote.**

**RS 21276:** **Dan Steenson**, Esquire, presented **RS 21276**, proposed legislation to provide regulatory reform to existing statutes on administrative procedures regarding agency guidance documents. Mr. Steenson explained that agency guidance documents are considered to mean all written documents that are intended to guide agency actions affecting the rights or interests of persons outside the agency and includes memoranda, manuals, policy statements, and interpretation of laws or rules. Mr. Steenson stated **RS 21276** will require that any statement in an agency guidance document that meets the definition of a "rule" shall not be followed or applied by any agency until the statement is adopted as a rule through rulemaking. A rule is defined as whole or part of an agency's statement that describes their policies and practices and will not be effective until adopted by the rulemaking process.

**MOTION:** **Rep. Crane** made a motion to introduce **RS 21276**.

**Mr. Steenson** clarified that this proposed legislation **RS 21276** will not hamper the ability of an agency director to change a process mid-year outside of the legislative session. This legislation will not affect their statutory ability to make emergency rules and the temporary rule process would remain in effect.

**VOTE ON MOTION:** **Chairman Loertscher** called for a vote on the motion to introduce **RS 21276**. **Rep. Batt** invoked Rule 38 stating a possible conflict of interest. **Motion carried by voice vote.**

**Chairman Loertscher** turned the gavel over to **Vice-Chairman Crane**.

**RS 21293:** **Rep. Loertscher** presented **RS 21293**, proposed legislation to clarify the reporting requirements of the filling of prescriptions by veterinarians. **RS 21293** addresses the requirement to report the dispensing of controlled substances on a weekly basis. Veterinarians were included in this rule because there was not an exemption for them. **RS 21293** will provide an exemption for veterinarians by adding the language "dispensed for humans". Rep. Loertscher stated the Director of the Pharmacy Board provided the language for this proposed legislation.

In response to questions, **Rep. Loertscher** explained that while veterinarians are required to report weekly all controlled substances, the amount prescribed for pets is so small that it would not harm a human. Veterinarians have to maintain very expensive software to meet this required reporting and some may only have one (1) prescription per week. Some of the veterinarians were completing this requirement on paper and then the Pharmacy Board had to as well. Rep. Loertscher noted there have never been any problems with veterinarians dispensing controlled substances.

**Rep. Loertscher** invoked Rule 38 because a member of his family is a veterinarian in the State of Idaho, but stated that he would be voting on the legislation.

**MOTION:** Rep. Stevenson made a motion to introduce **RS 21293. Motion carried by voice vote.**

**Chairman Loertscher** recognized Page **Jakob Goold** for his service for the State Affairs Committee.

**ADJOURN:** There being no further business to come before the committee; the meeting was adjourned at 9:59 a.m.

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Representative Loertscher  
Chair

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Lissa Cochran  
Secretary