

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Tuesday, February 17, 2015

**TIME:** 8:30 A.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Loertscher, Vice Chairman Batt, Representatives Andrus, Luker, Crane, Palmer, Sims, Barbieri, Holtzclaw, McMillan, Bateman, Cheatham, Nielsen, Smith, Jordan, McCrostie, Wintrow

**ABSENT/  
EXCUSED:** None

**GUESTS:** Dave Wilkinson, Stanton Healthcare; Dennis Stevenson, Office of Administrative Rules; Jesse Taylor, Stanton Healthcare; Paul Spannibel, self; Angelo Dweyer, Stanton Healthcare.

**Chairman Loertscher** called the meeting to order at 8:30 a.m.

**RS 23646:** **David Ripley** presented **RS 23646**, proposed legislation that requires a physician to conduct an in-person examination and counseling of a pregnant woman prior to prescribing abortion-inducing drugs. He stated this is an amended version of **H 88** that was previously passed in the committee last week.

In response to committee questions, **Ken McClure**, representing the Idaho Medical Association, stated he has worked with the drafters of the legislation to make changes that are more feasible. He stated he is in agreement with the changes but has no opinion as to the legislation as a whole.

**MOTION:** **Rep. Barbieri** made a motion to introduce **RS 23646**. **Motion carried by voice vote. Reps. Smith, McCrostie, Jordan and Wintrow** requested to be recorded as voting **NAY**.

**RS 23497C2:** **Rep. Bateman** presented **RS 23497C2**, proposed legislation that increases the civil penalties for violations of the State Open Meeting Law. He stated there have been no adjustments to the fines since the law was enacted in 1974. The violation fees for first-time offenders will be raised from \$50 to \$250, with the penalty not to exceed \$1,000, which was \$500, and for subsequent violations within a 12-month period will be raised from \$500 to \$2,500.

**MOTION:** **Rep. Wintrow** made a motion to introduce **RS 23497C2**. **Motion carried by voice vote.**

**DOCKET NO.  
38-0501-1401:** **Sarah Hilderbrand**, State Purchasing Manager, Department of Administration, presented **Docket No. 38-0501-1401**, Pending Rules from the Division of Purchasing that provides enhanced processes for high-risk contract development and administration. She stated that in addition, the existing Rules are clarified and modernized to reflect the processes currently used by the State. She stated the Rules were modified after completion of the negotiated rule-making process. The fiscal impact notes two predominant areas, training requirements and high-dollar contract award and management.

In response to committee questions, **Ms. Hilderbrand** stated the \$5,000,000 high-dollar contract amount was decided by looking at all of the contracts and finding that 43 of the contracts are for \$5,000,000 or more. She stated the policy directives gives the Division of Purchasing flexibility in implementing the new Rules. She said the Oversight Boards are created to be an oversight tool for the Third Party Validations, of which some agencies already have their own in place. She said currently, there are no requirements for oversight, the Idaho Code is silent in terms of monitoring. The term "bidder" was changed to "offerer" because the term offerer encompasses both a bidder and a proposer/offerer. She stated there is a requirement for audits on high-dollar contracts. She said the low end of the fiscal impact would be \$0 for new projects and approximately \$390,000 over a six-year term for a \$10,000,000 contract and those costs are built into the costs when configuring the contracts and budget. She said the proposed Rules address contract issues earlier and correct them.

**Rep. Crane** invoked Rule 38 stating a possible conflict of interest but that he would be voting on the legislation.

Due to time constraints, **Docket No. 38-0501-1401** will be carried over at a meeting at a later date not yet determined.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:53 a.m.

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Representative Loertscher  
Chair

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Kasey Winder  
Secretary