

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, April 02, 2015

TIME: 8:00 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:** Representative(s) Crane

GUESTS: Dennis Stevenson, Office of Administrative Rules Coordinator; Paula Davina, self; Dan Blocksom, Idaho Association of Counties.

Chairman Loertscher called the meeting to order at 8:02 a.m.

SCR 127: **Dennis Stevenson**, Rules Coordinator, Office of Administrative Rules Coordinator, presented **SCR 127**, a concurrent resolution that approves and extends state agency temporary rules beyond the current legislative session.

MOTION: **Rep. Palmer** made a motion to send **SCR 127** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Palmer** will sponsor the bill on the floor.

SCR 128: **Dennis Stevenson**, Rules Coordinator, Office of Administrative Rules Coordinator, presented **SCR 128**, a concurrent resolution, with one exception, that approves agency rules imposing a fee or charge that were adopted during the prior calendar year and were submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2015 legislative session which shall be in full force and effect upon the adoption of this concurrent resolution or upon the date specified in the administrative rule.

MOTION: **Rep. Nielsen** made a motion to send **SCR 128** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Nielsen** will sponsor the bill on the floor.

SCR 129: **Senator Patrick** presented **SCR 129**, a concurrent resolution to reject certain rules of the Department of Administration relating to Rules of the Division of Purchasing.

MOTION: **Rep. Batt** made a motion to send **SCR 129** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Batt** will sponsor the bill on the floor.

H 155aaS: **H 155aaS** was brought before the committee again for consideration of the Senate amendments.

Rep. Bateman stated there was another error in the bill so the bill will be in a new RS and sent to Ways and Means Committee.

MOTION: **Rep. Batt** made a motion not to concur with the amendments made in the Senate to **H 155aaS**. **Motion carried by voice vote.**

S 1146aa: **S 1146aa** was brought before the committee again for consideration.

MOTION: **Rep. McCrostie** made a motion to send **S 1146aa** to the floor with a **DO PASS** recommendation. He spoke to the motion and stated he has spoken to law enforcement regarding side boards and can see there are some flaws with the bill but the legislation provides for children to be helped in a positive way. He stated the CBD oil gives the possibility that the children would develop their motor skills, unlike with the current medications available. He stated this is not opening the door to legalizing marijuana in the state.

Rep. Bateman spoke **in support** of the motion and stated he has done research on the issue and has found evidence that it would in fact benefit families of children who suffer from seizures. **Rep. Andrus** spoke **in support** of the motion and stated he has spoken to many families who need this medicine and there is no THC in it so it should be allowed. **Rep. Wintrow** spoke **in support** of the motion and stated the legislation will help families and that changes to the language can be made later. She stated the children need the medicine now. **Rep. Cheatham** spoke **in support** of the motion and stated the bill is about parental rights and children's rights. He stated it would help parents who have exhausted all of their options. **Rep. Nielsen** spoke **in support** of the motion and stated he doesn't see why the amount of containers would be such a problem. He stated the parents will make educated decisions on how much they need in regards to the doctor's prescription for their children.

Rep. Barbieri spoke **in support** of the motion and stated he is not convinced that the concerns of law enforcement are substantial and the changes are not necessary to hold up the bill. He stated there won't be an influx of criminal cases because of the legislation because it does not change the procedures used to test other drugs. He stated the legislation helps parents get help that they desperately need. **Rep. Jordan** spoke **in support** of the motion and stated she has children of her own and she can't imagine what the parents have to go through every day. She said she has spoken to doctors and scientists and they approve of the drug. **Rep. Sims** spoke **in support** of the motion and stated as a mother she can sympathize with the families who need this drug for their children.

SUBSTITUTE MOTION: **Rep. Luker** made a substitute motion to send **S 1146aa** to General Orders. He spoke to the motion and stated he is concerned with the flaws in the bill and is not clear whether this legislation does in fact provide an affirmative defense. He stated there is a lack of specificity in the number of containers allowed as well.

VOTE ON SUBSTITUTE MOTION: **Chairman Loertscher** called for a vote on the substitute motion. **Motion failed by voice vote.**

VOTE ON ORIGINAL MOTION: A roll call vote was requested. **Motion carried by a vote of 12 AYE, 4 NAY, 1 Absent/excused. Voting in favor** of the motion: **Chairman Loertscher, Reps. Andrus, Sims, Barbieri, McMillan, Bateman, Cheatham, Nielsen, Smith, Jordan, McCrostie and Wintrow. Voting in opposition** to the motion: **Reps. Batt, Luker, Palmer and Holtzclaw. Rep. Crane was absent/excused. Chairman Loertscher** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 8:36 a.m.

Representative Loertscher
Chair

Kasey Winder
Secretary