

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Friday, March 18, 2016

**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:** Representative(s) Bateman

**GUESTS:** Dennis Tanikuni, Idaho Farm Bureau Federation; Dennis Stevenson, OAS; Brad Hunt, AOS; Brent Olmstead, MPI; Greg Casey, Veritas.

**Chairman Loertscher** called the meeting to order at 8:32 a.m.

**H 585:** **Rep. Miller** presented **H 585**, a bill that adds additional requirements for negotiated rulemaking when a rule is submitted to the legislature and to make technical corrections. The additions include that a written summary in regards to negotiated rulemaking meetings must specify how many responded and attended, how many provided testimony and how many were in favor or opposed to the rules and their reasons for agreeing with or opposing the rules. The legislation also mandates minutes for each meeting be kept and available to the legislature if requested. He stated much of these additional requirements should be occurring already in regards to negotiated rulemaking but many agencies are not following this protocol.

In response to committee questions, **Rep. Miller** stated there would be no precise method of notifying the stakeholders and public of the meeting, each agency handles it differently but in a lot of cases not enough people are notified and that needs to change. He said he would like to know who was notified to be sure the stakeholders had an opportunity to give feedback on any proposed rules.

In response to committee questions, **Dennis Stevenson**, Administrative Rules Coordinator, stated the information on each agency's negotiated rulemaking meetings on proposed rules should be on their websites. He stated he was not sure how to solve the problem of setting up a system for each agency on how to appropriately notify all the stakeholders regarding proposed rules meetings without spending a lot of money. He stated it is the agencies responsibility to publish the notices for negotiated rulemaking meetings, the Office of the Administrative Rules only publishes the rules themselves. He stated the agency makes the final decision in regards to whether a proposed rule goes through even if a stakeholder or the public disagree.

**Rep. Miller** was recognized to provide a closing statement and said the public and stakeholders need a better opportunity to respond in the negotiated rulemaking process and being notified of the meetings. He stated it would be beneficial to the legislature to be informed on what happened at the meetings so they can make an educated decision on the proposed rules. He stated the additions that are included in the bill should already be in practice by the agencies.

**MOTION:** **Rep. Palmer** made a motion to **HOLD H 585** in committee and stated there are too many holes in the legislation and it is the legislature's job to research the rules and to meet with the agencies or stakeholders if needed.

**ROLL CALL VOTE:** A Roll Call vote was requested on the motion to **HOLD H 585. Motion carried by a vote of 10 AYE, 6 NAY, 1 Absent/Excused. Voting in favor** of the motion: **Chairman Loertscher, Reps. Andrus, Luker, Palmer, Barbieri, Cheatham, Smith, Jordan, McCrostie and Wintrow. Voting in opposition** to the motion: **Reps. Batt, Crane, Sims, Holtzclaw, McMillan and Nielsen. Absent/Excused: Rep. Bateman.**

**H 604:** **Rep. Cheatham** presented **H 604**, a bill that amends Section 34-1113, Idaho Code which allows voters at the polls to present an additional form of personal identification before voting, which includes a concealed weapons license.

**MOTION:** **Rep. McCrostie** made a motion to send **H 604** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Cheatham** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:48 a.m.

---

Representative Loertscher  
Chair

---

Kasey Winder  
Secretary