

MINUTES  
**HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE**

**DATE:** Monday, January 23, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW05

**MEMBERS:** Chairman Holtzclaw, Vice Chairman Bundy, Representatives Kingsley, Wisniewski, Horman, Weber, McCann, Cheatum, Hawkins, Healey, Miller, Price, Wheeler, Chew, Roberts

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Holtzclaw** called the meeting to order at 1:29 p.m.

**RS 30090C1:** **Rep. Blanksma** presented **RS 30090C1**, legislation to expand the Idaho Launch Program to eligible High School Graduates. She noted the Idaho Launch Program is a Workforce Development Program. Rep. Blanksma advised the grants will be available for four years after the student graduates. Rep. Blanksma stated **RS 30090C1** enables the Workforce Development Council to determine grants based upon market demand, with financial need being a secondary concern.

**MOTION:** **Rep. Bundy** made a motion to introduce **RS 30090C1**. **Motion carried by voice vote.**

**Josh Scholer**, Bureau Chief for Regulatory and Legislative Affairs, presented the Division of Financial Management Idaho Administrative Rules and Rules Process Overview to the Committee. He explained the rules hierarchy to the Committee, noting the Idaho Constitution is the highest law in the state, above legislative statutes which are above state agency rules. He stated a Board, Commission, or Agency Administrator/Director must have statutory authority to adopt rules, noting the Administrative Procedures Act Title 67, Chapter 52, Idaho Code. Mr. Scholer explained there are three types of rules: temporary, proposed and pending. There are two subtypes of rules: fee rules and non-fee rules. He explained any rule imposing a fee is considered a fee rule and these rules must be approved by the legislature.

**Mr. Scholer** explained the Rule Making Process to the Committee, stating that first an agency files and Initial Notice for Negotiated Rule making. He advised negotiated rule making is conducted both formally and informally. The agency then files the notice for the proposed rule, which requires not less than 21 days for public comment. Once a pending rule is adopted it is printed in the bulletin. Once this happens, the legislative review process begins.

In response to questions from Committee members, **Mr. Scholer** advised that notices for rule changes are filed in the monthly public bulletin. He noted the public bulletin is published online at [adminrules.idaho.gov](http://adminrules.idaho.gov) and proposed and pending rules must be added to the bulletin.

**Mr. Scholer** continued to explain the Rules Process to the Committee, explaining the Zero-Based Regulation Executive Order in 2021-2026. Mr. Scholer noted the Zero-Based Regulation process is based on the Red Tape Reduction Act of 2019 which required 75% of all rules to be cut or simplified within one year. It eliminated 250 chapters of regulations. He advised the ongoing review schedule of agency rule chapters required 20% of rule chapters to be reviewed each year. He explained several considerations that guided the review process, and noted that once agencies identify rules for review the agency must conform to the requirements of the Administrative Procedures Act.

**Mr. Scholer** continued, explaining the legislative review process. He stated this process allows for participation from the public and stakeholders. He noted the Legislature's authority to review Administrative Rules is found in the Idaho Constitution and in Idaho Code Article III Section 29, which states the legislature 'may review any administrative rule'.

In response to questions from Committee members, **Mr. Scholer** noted there was no requirement for the Committee to approve or reject a rule the same day they hear it. Mr. Scholer advised in order to reject a pending non fee rule a concurrent resolution must pass the House and Senate rejecting the rule.

**ADJOURN:**

There being no further business to come before the Committee, the meeting adjourned at 2:10 p.m.

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Representative Holtzclaw  
Chair

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Jeremy Collier  
Secretary