

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 20, 2025

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Crane(13), Vice Chairman Scott, Representatives Palmer, Barbieri, Holtzclaw, Skaug, Alfieri, Crane(12), Boyle, Dygert, Hostetler, Mickelsen, Pohanka, Achilles, Green

**ABSENT/
EXCUSED:** Representative(s) Palmer, Green

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 Crane (13) called the meeting to order at 9:00 AM.

MOTION: **Rep. Dygert** made a motion to approve the minutes for February 18, 2025. **Motion carried by voice vote.**

RS 32431: **Rep. Crane (12)** presented **RS 32431**. This proposed legislation references the Code of Federal Regulations (CFR) and reflects the amounts the federal Pipeline Hazardous Materials Safety Administration (PHMSA) program has directed state programs to adopt. By adopting the CFR, the PUC will keep State Primacy over the federal government on its pipeline safety and inspection program.

MOTION: **Rep. Dygert** made a motion to introduce **RS 32431**. **Motion carried by voice vote.**

H 177: **Rep. Miller** presented **H 177** which declares gold and silver coin shall be legal tender in the State of Idaho. No person or entity may compel another person or entity to tender or accept gold or silver coin unless agreed upon by both parties.

Niklas Kleinworth, Idaho Freedom Foundation; spoke **in support** of **H 177**.

Committee members asked questions around the increasing demand of people in the State of Idaho wanting to use physical gold/silver bars or coin in a means of exchange, and the purchasing of large items using physical gold/silver bars or coins.

MOTION: **Rep. Alfieri** made a motion to send **H 177** to the floor with a **DO PASS** recommendation.

Committee members had comments around the economic analysis, holding cost of gold and silver, and the legal tenders exchange for state taxes.

**VOTE ON
MOTION** **Motion carried by voice vote. Rep. Miller** will sponsor the bill on the floor.

H 217: **Rep. Barbieri** presented **H 217**. This legislation is amending the Idaho Administrative Procedure Act to sunset Administrative Rules on an 8 year schedule beginning July 1, 2026. Additionally, an agency intending to renew a rule chapter must prepare a statement justifying the benefits versus costs, including the cost of the agency to monitor and enforce the rule.

MOTION: **Rep. Mickelson** made a motion to send **H 217** to the floor with a **DO PASS** recommendation.

Alan Prouty, J.R. Simplot Company and Food Northwest; **John Eaton**, VP Idaho Association Commerce and Industry; spoke **in opposition** of **H 217**.

Committee members had question around the overburdensome sections, understanding periodic updating of federal regulation, examples in the DEQ to establish sites for specific water quality standards for certain streams, Idaho's role for enforcing federal statutes, costs for the state and regulated committee, practical and functional differences from the term 'reviewed' to the term 'sunset', push back on sun-setting, cost savings from state agency vs federal agency and regulatory costs. Committee members also had questions around negotiation of the rules in tune with the federal regulations, justifying the small business' without the resources or influences at the federal level, opportunities to have changes in the rules, bigger corporation negotiation rules at a higher level to out compete smaller guys at the state level, rules being moved into statute to avoid subject to review, and allowing the states to manage their own regulations. Committee members asked questions around fair subcommittee hearings with different districts, and optional subcommittee statutes.

Rep. Barbieri addressed privacy issues, less expense and trouble, definition of rules and understanding why a rule is in place and forcing it to come before the Legislature. Committee members had concerns around agencies operating without rules for a period of time, and privacy issues.

Rep. Boyle asked to further discuss the motion commenting on EPA setting standards, privacy, and the review of the roles.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Mickelson made a unanimous consent to withdraw her motion. There being no objection the request was granted.

MOTION:

Rep. Scott made a motion to send **H 217** to the floor with a **DO PASS** recommendation.

Rep. Alfieri made a comment this will create difficulty and is critical legislation.

**ROLL CALL
VOTE:**

Rep. Achilles requested a roll call vote on **H 217**. **Motion failed by a vote of 6 AYE, 7 NAY, and 2 Absent/Excused. Voting in favor of the motion: Chairman Crane (13), Reps. Scott, Barbieri, Alfieri, Crane (12), Hostetler. Voting in opposition to the motion: Reps. Holtzclaw, Skaug, Boyle, Dygert, Mickelsen, Pohanka, Achilles. Reps. Palmer and Rep. Green was absent/excused.**

H 218:

Rep. Barbieri presented **H 218** which is adding a new section regarding the expiration of rulemaking authority of agencies. On or after July 1, 2025, agencies must promulgate rules within 10 years of the applicable statute's (or regulation's) becoming law. After 10 years from July 1, 2025, agencies have 2 years, where the statute confers rulemaking.

Committee members asked questions around changed rules based on new science and quick rules due to emergencies,

Alan Prouty, J.R. Simplot Company and Food Northwest; **John Eaton**, VP Idaho Association Commerce and Industry; spoke **in opposition** of **H 218**.

A committee member had a question around privacy threats on issues.

Rep. Barbieri made closing comments around privacy, temporary rules, compliance of the Legislature, and federal change and rules. A committee member made a comment on the wording in the legislature, requiring making new laws, and temporary rules.

MOTION: Rep. Alfieri made a motion to **HOLD H 218** in committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:10 AM.

Representative Crane (13)
Chair

Liaza Richardson
Secretary