

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, January 25, 2024

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Mendive, Vice Chairman Shepherd, Representatives Boyle, Vander Woude, Blanksma, Manwaring, Yamamoto, Raybould, Durrant, Hill, Mickelsen, Nelsen, Pickett, Raymond, Tanner, Burns, Necochea, Galaviz

**ABSENT/
EXCUSED:** Representative(s) Blanksma, Durrant, Mickelsen, Nelsen, Tanner, Galaviz

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 Mendive called the meeting to order at 1:30 p.m.

RS 30985: **Rep. Raybould** presented **RS 30985**, concerning state lands, to the committee. She explained that the State has been exploring new types of uses for state land and it has been discovered that permitting agreements have inconsistencies. The proposed legislation stipulates that all leases, land use permits, and other land use agreements use the same standard terms and conditions for maintenance and repair. And at the end of land use agreements it stipulates that contracting parties must perform any necessary remediation and address any damages beyond the terms and conditions.

MOTION: **Rep. Raymond** made a motion to introduce **RS 30985**. **Motion carried by voice vote.**

Ryan Bush, Legislative Services Office (LSO) Principal Legislative Drafting Attorney presented an overview of the administrative rule review process. He explained there were four significant changes to the administrative rules review process last legislative session. Code has been changed to state that standing germane committees "shall" review administrative rules, thus replacing optional review. And if a pending rule is rejected in committee an explanation is necessary as to why the rule does not meet the legislative intent, in other words a "finding of fact" must accompany a rule rejection. Additionally, State agencies are now required to expand public testimony on administrative rule proposals to allow video conference or telephone participation, and recordings of these hearings must be posted on the agency's website for at least three years. A concurrent resolution is necessary for pending administrative rules to take effect. And requirements for annual review of administrative rules has been changed to an eight year cycle beginning in 2026.

Ryan Bush presented a flow chart describing the administrative rules review process and explained it to the committee members. (attachment)

The committee members had questions concerning "finding of fact" and the consequences of rejecting pending rules. **Ryan Bush** explained that if pending rules are rejected they would revert back to what is already in place, and he provided some examples of finding of fact. He assured the committee that these changes constitute new territory for everyone and that LSO is committed to supporting the process as it moves forward.

ADJOURN: There being no further business to come before the committee the meeting was adjourned at 1:55 p.m.

Representative Mendive
Chair

Andrea Blades
Secretary