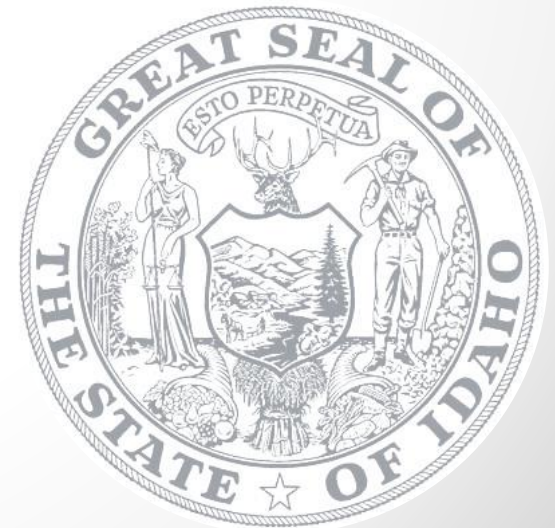


Idaho Administrative Rules/ Rules Process Overview

Colby Cameron and Brad Hunt
Division of Financial Management

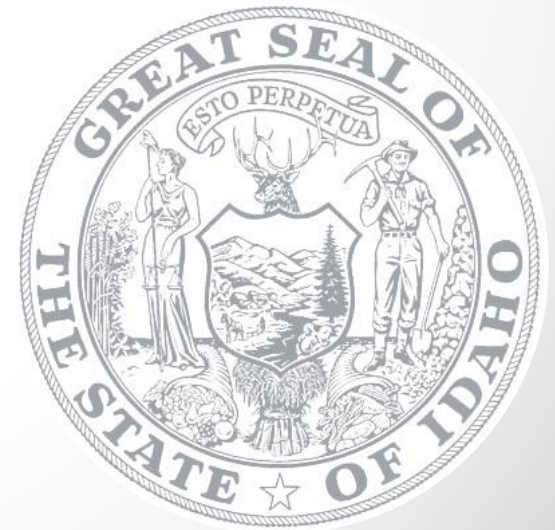


DIVISION OF FINANCIAL MANAGEMENT

Executive Office of the Governor

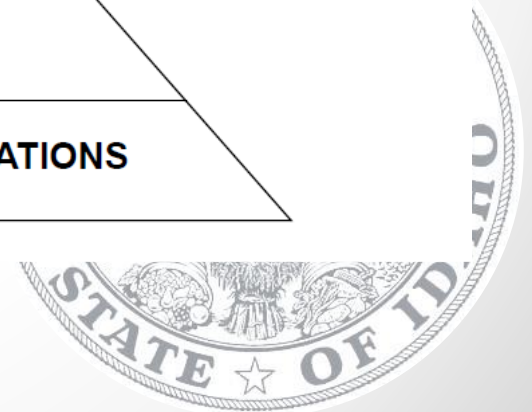
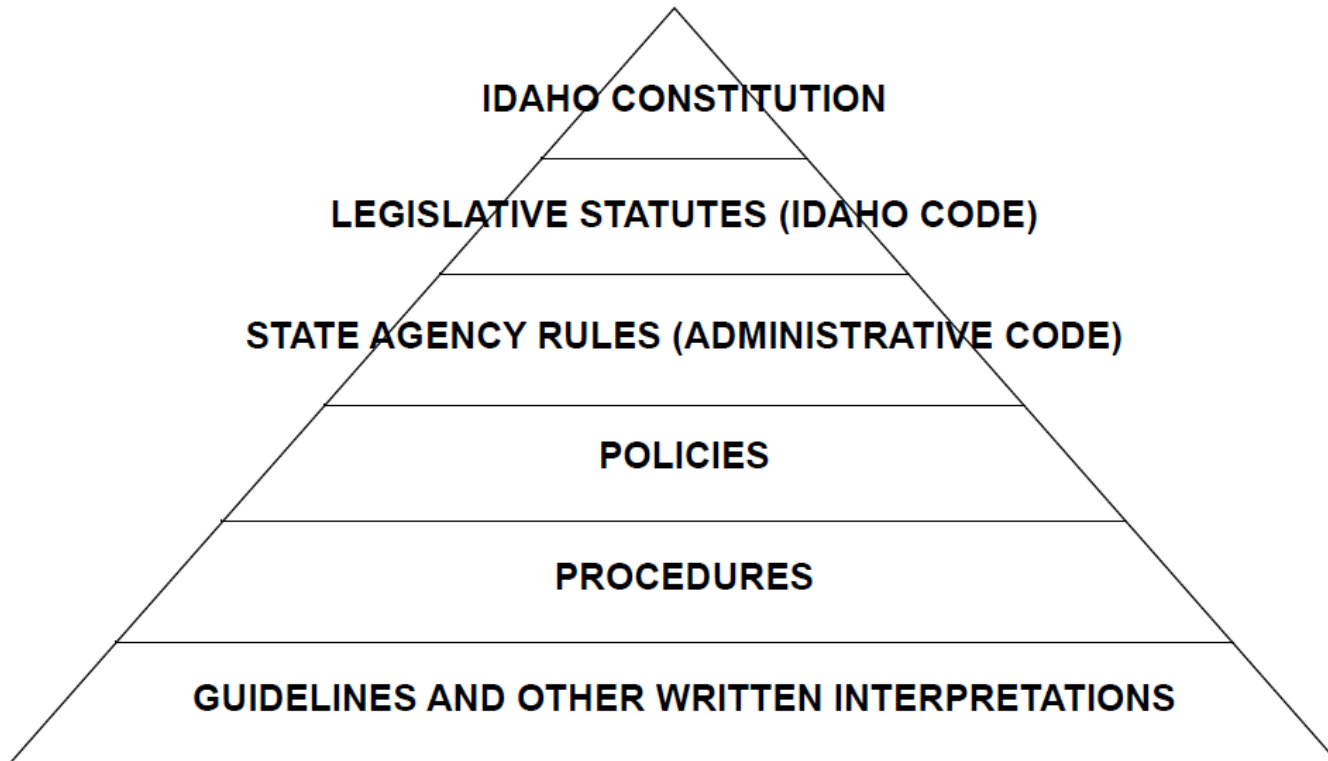
Outline

- **Rules Hierarchy**
- **Examples of rules and different issue areas**
- **An agencies authority to adopt rules**
- **The Negotiated Rulemaking process**
- **Zero-Based Regulation Exec Order.**
- **Legislative Review**
- **Statues of Current Rules**



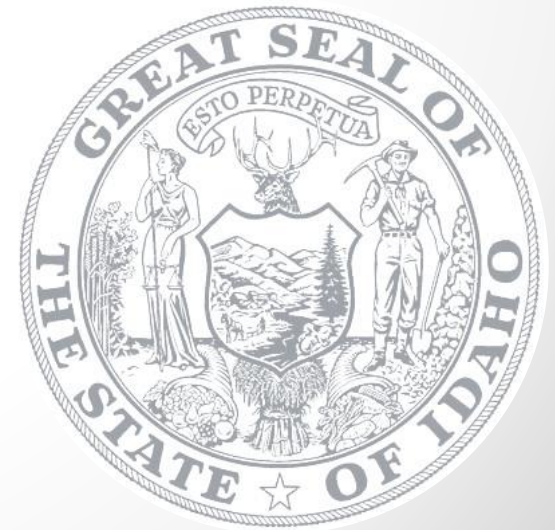
Rules Hierarchy

HIERARCHY OF STATE DOCUMENTS



Rule Examples


- **Division of Building Safety**
- **Licensed Health Professionals**
- **Department of Agriculture**
- **Parks and Recreation Grants**



IDAHO REGULATIONS

Idaho's Administrative Code

 736 Chapters

 8,278 Pages

 72,000+ Restrictions

Most Regulated Areas



Licensing Freedom Act Report

442 Different Occupational License Types 

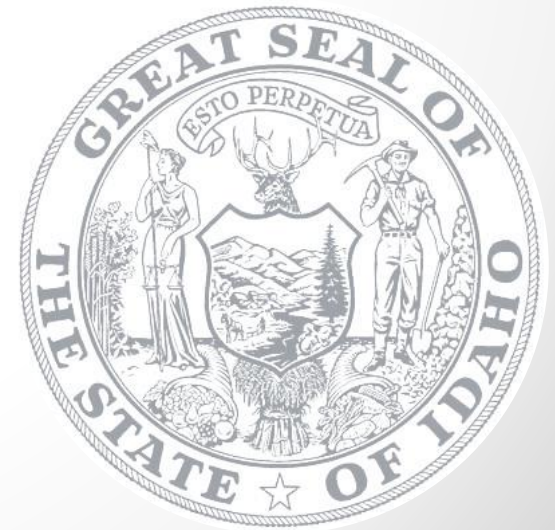
At least 204,000 Licensees

Administered by 13 executive branch agencies and 47 boards and commissions



Zero-Based Regulation EO in 2021-2026

- Beginning January 1, 2021, state agencies shall, to the extent practicable, only amend rules in conjunction with the renewal of a rule chapter as specified in this Executive Order.
- 2 Public Meetings per chapter reviewed
- Must use Negotiated Rulemaking
 - Higher bar to temporary rules



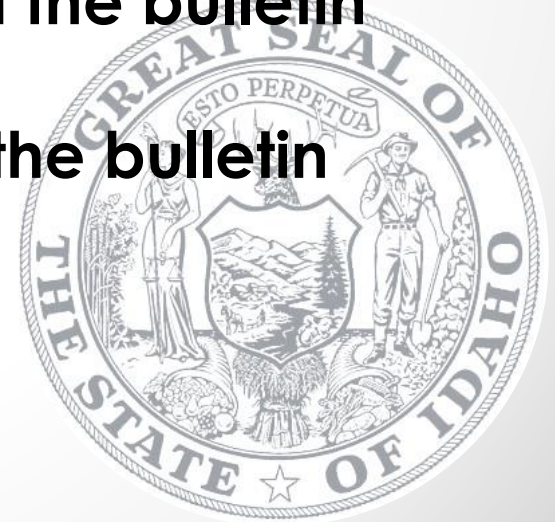
Agencies Adopt Rules

- **A Board, Commission, or Agency Administrator/Director, have statutory authority to adopt rules**
- **Rulemakers have to follow the Administrative Procedures Act - Title 67, Chapter 52, Idaho Code**
- **3 types of Rules**
 - Temporary
 - Proposed
 - Pending



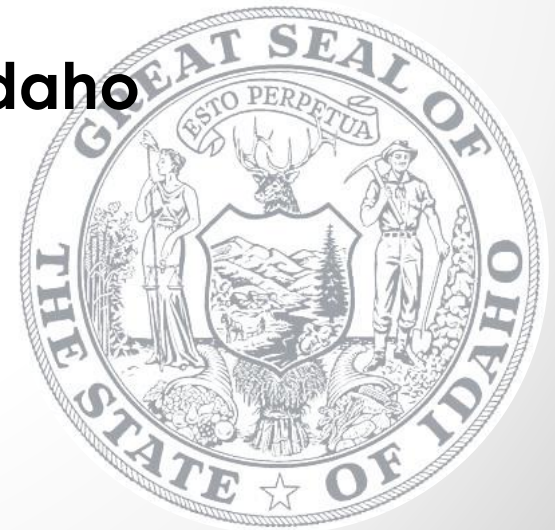
The Negotiated Rulemaking Process

- How to petition for negotiated rulemaking
- Agency Responds
- Notice to Negotiate Published
- Negotiated Rulemaking can be formal or informal in nature
- Proposed rule adopted and prints in the bulletin
 - 30 Day Public Comment Period
- Pending rule adopted and prints in the bulletin
- Legislative Review



Legislative Review

- Occurs during the first 3 weeks of every legislative session
- Public and stakeholders can participate and weigh in on the rules.
- Legislative Review authority in the Idaho Constitution and in statute



Status of Current Rules

- **Current Rules are Temporary and are being reviewed by the legislature currently as part of the 2022 Legislative Session**
- **The last 3 years a portion or all of the rules have expired**
- **Main Rules Website –**
<https://adminrules.idaho.gov/>

