

**Meeting Date: May 14, 2020**

**Agenda Item No. 5.C.7.**

**Agenda Item: Status of Fee Rulemaking**

**Bureau Chief Approval: PK**

**Prepared by:** Paul Kline, Deputy Director

**Background:** The Idaho Administrative Procedure Act (Title 67, Chapter 52, Idaho Code) governs rulemaking in Idaho. Annually, the Commission considers ideas for rulemaking that may be driven by enactment of state or federal legislation, a citizen petition, a desired change in agency procedural or substantive requirements, or a need to simply update a rule. Typically, the Commission discusses rulemaking ideas early in the calendar year and provides direction to staff to initiate rulemaking no later than the regularly scheduled March meeting so proper and timely notice can be given to the public for the opportunity to participate in rulemaking (e.g., initiated with a notice of intent to promulgate rules published in the Idaho Administrative Bulletin).

The Department is waiting for direction from the Governor's Office to address temporary fee rules.

**Statutory Authority and/or Policy issues:** The Commission has rulemaking authority under various provisions of Title 36.

**Public Involvement Process:** There is opportunity for public involvement at Commission meetings as well as opportunity for public involvement through legislative committee hearings during the 2021 Session.

**Staff Recommendation:** This agenda item is identified as an Action Item pending direction from the Governor's Office.

**Justification:** This agenda item addresses Commission interest in Department rulemaking.