

**AGENDA**  
**Idaho Park and Recreation Board Zoom Meeting**  
**June 28, 2021**  
**IDPR Headquarters**  
**5657 Warm Springs Ave.**  
**Boise, ID 83716**

**AGENDA ITEM: Administrative Fee Rules for 2021 Legislative Session**

**ACTION REQUIRED: Adopt/Rescind Temporary Rules**

**PRESENTER: Seth Hobbs, Red Tape Reduction Officer**

**BACKGROUND INFORMATION:**

The Department is required to prepare temporary rules due to the Senate adjourning sine die on May 12 and the House recessed subject to the call of the Speaker, no later than December 31. The Attorney General's office noted that this scenario is unique and without precedent in Idaho. Accordingly, existing fee rules will expire on June 30 due to legislative inaction. DFM has asked agencies to adopt temporary rules effective July 1, 2021, and rescind existing temporary rules effective July 1, 2021. DFM will publish the notices of temporary rulemaking with an effective date of July 1.

In May 2021, the Board approved a similar action for the Department non-fee rules. As required by law the Department held a public hearing on these rules June 24, 2021. Oral and written comments were received. The majority of the comments voiced concerns of removing the 30% WIF and 5% cash match. A copy of the written comments are attached.

**STAFF RECOMMENDATIONS:**

The Board has an option to approve the rules as published for the June 24, 2021 public hearing, or amend them. The board could have another public hearing to discuss the removal of the 30% WIF and 5% cash match.

Because the legislature did not approve all agency rules the board must take action so the rules can be in effect by July 1, 2021. Any amendments can be made in the next month or so. However, action must be taken for rules to be active.

DFM has provided the following motion for the Board which the Board may amend to address this specific issue:

"Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens. These rules implement the duly enacted laws of the state of Idaho, provide

citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.

The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

Therefore, we are adopting these temporary rules to be effective upon July 1, 2021. We are also rescinding our existing temporary rules with an effective date of July 1, 2021.”