Directions to find the Legislative Review Books 1/17/2022

- Go to the Idaho Legislature web page
  - https://legislature.idaho.gov/

- Click on Laws and Rules

- Then, click on Administrative Rules

- In the upper right-hand corner of the web page under Legislative Rules Review, click
  - 2022 Legislative Session Administrative Rules Review Books
  - https://adminrules.idaho.gov/legislative_books/2021/
    - **You can also bookmark this link to get straight Legislative Rules Review Books**

- Now go to your specific House or Senate Committee

- There are 2 links to click on to get the **Rules Review Book for Health & Welfare**
  - Pending Rules Review Book
  - Pending Fee Rules Review Book

Senate Health & Welfare Rules Review 1/17/2022

Pending Rules Dockets

- 3 Total

Pending Fee Rules Dockets

- 1 total
    - Omnibus Dockets end in **2100F**

Describe what the reauthorized rules packages will look like

How were rules re-published?

- All the Fee and Non-Fee Rule Chapters were published as temporary then proposed then pending.
  - The *temporary* rules continue in full force and effect until *sine die*
  - The *proposed* rules were finalized as *pending* rules which will be presented to the legislature for final approval to extend beyond *sine die*

Describe what the reauthorized rules packages will look like

How are changes identified in reauthorized rules?

- Agencies continued a review of reauthorized rules to remove obsolete/outdated provisions and make the rules more concise. Approximately 20 percent of the rules underwent Zero-Based Rules(ZBR) Review consistent with the Executive Order
  - Directed agencies to review, discuss any needed updates, and take the rule chapters through negotiated rulemaking.

- All previous Fee rules expired upon Sine Die of the 2021 Legislature. The previous Non-Fee rules expired July 1, 2021. Since reauthorized rules are new rules, They are published consistent with new rules. There is no existing rule to amend so the traditional ~~strikethroughs~~ and *italics* do not apply.

- There are some indicators to help determine when a rule changed:
  - The Notices of Rulemaking provide a narrative description of the changes made;
  - There are several ways that legislators may view previous rules for comparison purposes;

  1. An archive of any rule since 1996 is available on the DFM website. This allows legislators to see the evolution of a rule over time.
  2. The Legislative Services Office analyzes all proposed rules. You can find their analysis of proposed rules which, in some cases, may discuss changes between previous rules and the proposed rules. These may be found on the Legislature's website.
  3. Changes made between the proposed and pending rule stages for omnibus rulemaking were noted in the December 22 bulletin where applicable.
  4. Contact the agency as they are the expert on their rules.

Describe the legislative review of omnibus rules

How is legislative review different for omnibus rules?

- The **same** statutes apply. Per 67-5291:
  - "A concurrent resolution may be adopted approving the rule, in whole or in part, or rejecting the rule where it is determined that the rule, or part of the rule, is not consistent with the legislative intent…"
  - "For purposes of this section, "part of a rule" means a provision in a rule that is designated either numerically or alphabetically or the entirety of any new or amended language contained therein."

Committee Motions

Motions should be made at the Docket number level. If a docket has multiple chapters in it, the motion is made at the docket level not the chapter level.