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Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee
FROM: Principal Legislative Research Analyst - Ryan Bush
DATE: June 23, 2015
SUBJECT: Department of Administration - Admin/Public Works - Facilities Services

IDAPA 38.04.04 - Rules Governing Capitol Mall Parking - Temporary and Proposed Rule (Docket No. 38-0404-1501)

IDAPA 38.04.07 - Rules Concerning Use of the Interior of State Property in the Capitol Mall and Other State Facilities - Temporary and Proposed Rule (Docket No. 38-0407-1501)

(1) 38.04.04 - Rules Governing Capitol Mall Parking (Docket No. 38-0404-1501)

The Department of Administration submits notice of temporary and proposed rulemaking at IDAPA 38.04.04 - Rules Governing Capitol Mall Parking. The Department states that this update of the rules provides clarification to the provisions for visitor parking, meeting parking and violation enforcement. Specifically, this rulemaking provides that a Legislator reserved parking permit is valid only in the assigned space; limits visitor parking to three hours; allows for the issuance of a temporary monthly permit for certain employees and certain meetings; and provides for violations when a permit holder parks in visitor parking and when an appropriate permit is not displayed.

The Department states that negotiated rulemaking was not conducted and not feasible because of the need to adopt a temporary rule. There is no fiscal impact associated with this rulemaking.

The proposed rule change appears to be within the statutory authority granted to the Department in Section 67-5709, Idaho Code.

(2) 38.04.07 - Rules Concerning Use of the Interior of State Property in the Capitol Mall and Other State Facilities (Docket No. 38-0407-1501)

The Department of Administration submits notice of temporary and proposed rulemaking at IDAPA 38.04.07 - Rules Concerning Use of the Interior of State Property in the Capitol Mall and Other State Facilities. The Department states that this update of the rules acknowledges that the Capitol Annex will now be a fully functional office building in the Capitol Mall Complex, operated by Facilities Services and available for tenant occupancy. Specifically, this rulemaking removes reference to the Capitol Annex to reflect these changes.

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The Department states that negotiated rulemaking was not conducted and not feasible because of the need to adopt a temporary rule. The Department states that the fiscal impact of providing security, maintenance and other occupancy costs will be offset by the collection in rent fees paid by the Capitol Annex tenants.

The proposed rule change appears to be within the statutory authority granted to the Department in Section 67-5709, Idaho Code.

cc: Department of Administration - Admin/Public Works - Facilities Services
Robert L. Geddes