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**IDAPA 38
TITLE 01
CHAPTER 03**

**38.01.03 - RULES GOVERNING PRACTICE AND PROCEDURE FOR PUBLIC HEARINGS
BEFORE THE DEPARTMENT OF ADMINISTRATION**

000. LEGAL AUTHORITY.

This rule, governing practice and procedure for public hearings before the Department of Administration, its divisions or boards, is adopted under the authority of Section 67-5202(1), Idaho Code. (3-25-92)

001. (RESERVED).

002. PURPOSE.

This rule shall govern practice and procedure before the department and all its divisions in all public meetings or public hearings not otherwise conducted pursuant to Rules of Practice found in IDAPA 38.01.01 and 38.01.02. (3-25-92)

003. DEFINITIONS.

01. Department. The Department of Administration. (3-25-92)

02. Director. The Director of the Department of Administration. (3-25-92)

03. Division. Any one or all divisions of the Department consisting of Purchasing, Public Works, General Services, Internal Operations and Insurance Management; and includes all advisory boards, councils, bureaus and agencies of any of the divisions or Department. (3-25-92)

04. Administrator. Any one or all administrators of the divisions within the Department. (3-25-92)

05. Council. The Permanent Building Fund Advisory Council. (3-25-92)

06. Public Hearing or Public Meeting. The convening of a governing body of a public agency to make a decision or to receive testimony or comment on a matter. See Section 67-2341, Idaho Code. (3-25-92)

004. PROCEDURE.

Insofar as applicable, proceedings under this rule shall be conducted in accordance with the Idaho Open Meetings Law set forth at Title 67, Chapter 23, Idaho Code. (3-25-92)

005. NOTICE OF MEETING.

The notice of any meeting if required by law, shall be in accordance with the provisions of Section 67-2343, Idaho Code. (3-25-92)

006. -- 010. (RESERVED).

011. MINUTES OF MEETING.

The Department or division shall maintain written minutes of any public meeting or hearing in accordance with the provisions of Section 67-2344, Idaho Code. (3-25-92)

012. CONDUCT OF MEETING/HEARING.

The Department or division shall select a chair of the body and the chair shall control the hearing or meeting and direct the order of any presentation. Insofar as applicable, proceedings under this rule shall be conducted in accordance with "Roberts Rules of Order." (3-25-92)

013. -- 999. (RESERVED).

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