



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Education Committee and the House Education Committee  
**FROM:** Principal Legislative Research Analyst - Eric Milstead  
**DATE:** February 19, 2013  
**SUBJECT:** State Board of and State Department of Education - State Department of Education

IDAPA 08.02.01 - Rules Pertaining To The Rules Governing Administration (Re collective bargaining & negotiations) (Docket No. 08-0201-1301)

The State Department of Education submits notice of temporary and proposed rulemaking at IDAPA 08.02.01 - Rules Governing Administration (Re: collective bargaining & negotiations). This docket reflects the Department of Education repealing rules that governed aspects of collective bargaining and negotiations based upon the Students Come First statutes. However, the laws that these formed the basis of those rules were repealed in the November 2012 elections. Consequently, the Department has repealed those administrative rules. The Department states that the rules in this docket are in conflict with the laws that currently exist and therefore must be repealed. The Department states that the action found in this docket complies with current law.

The effective date of the temporary rule was December 13, 2012.

The action appears to be authorized pursuant to Sections 33-105, 33-107 and 67-5226, Idaho Code.

cc: State Board of and State Department of Education - State Department of Education  
Tom Luna & Luci Willits