



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Commerce & Human Resources Committee  
**FROM:** Division Manager - Mike Nugent  
**DATE:** September 17, 2013  
**SUBJECT:** Department of Commerce

IDAPA 28.03.01 - Rules Pertaining To The Rules of the Idaho Opportunity Fund (New Chapter) (Docket No. 28-0301-1301)

IDAPA 28.03.04 - Rules Pertaining To The Rules of the Business & Jobs Development Grant Fund (Chapter Repeal) (Docket No. 28-0304-1301)

The Department of Commerce is proposing to promulgate two sets of temporary and proposed rules. The first set of temporary and proposed rules govern the Idaho Opportunity Fund as enacted in House Bill 100. House Bill 100 formally established the Idaho Opportunity Fund and added five new Sections to 67-4732 through 67-4736, Idaho Code. These rules are necessary to outline the specific parameters for the award and disbursement of Idaho Opportunity Fund grants to cities and counties.

The second temporary and proposed rule would repeal the rules that House Bill No. 100 replaced. The repealed rule is what provided grants issued through the Business and Jobs Development Fund to provide funding to Idaho cities and counties for infrastructure development to support the retention of existing businesses and recruitment of new businesses to the state.

It appears that both sets of proposed rules have been promulgated within the scope of statutory authority granted to the Department of Commerce.

cc: Department of Commerce - Governmental Affairs  
Megan Ronk