



Eric Milstead
Director

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: August 4, 2015

SUBJECT: Department of Administration - Rules of the Division of Purchasing

IDAPA 38.05.01 - Rules of the Division of Purchasing - Temporary and Proposed Rule (Docket No. 38-0501-1501)

The Department of Administration submits notice of temporary and proposed rulemaking at IDAPA 38.05.01 -Rules of the Division of Purchasing. The Department states that a temporary rule is necessary to clarify unintended ambiguity caused by the 2015 Legislature's partial acceptance of revisions to IDAPA 38.05.01 in 2015. The Department further states that the partial acceptance of revisions led to the use of both "purchasing activity" and "purchasing authority" in the rules. This rulemaking revises the definition of "purchasing activity" to also include "authority."

The Department states that negotiated rulemaking was not conducted because temporary rulemaking was required. There is no fiscal impact associated with this rulemaking.

The temporary and proposed rule appears to be within the statutory authority granted to the Department in Section 67-5717(11), Idaho Code.

cc: Department of Administration
Jennifer Pike