



**Terri Kondeff**  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Resources & Environment Committee and the House Resources & Conservation Committee  
**FROM:** Deputy Division Manager - Katharine Gerrity  
**DATE:** October 28, 2021  
**SUBJECT:** Idaho Department of Lands

IDAPA 20.00.00 - Rules of the Idaho Department of Lands - Notice of Omnibus Rulemaking - Proposed Rule (Docket No. 20-0000-2100)

### Summary and Stated Reasons for the Rule

The Idaho Department of Lands submits notice of proposed rule at IDAPA 20.00.00 - Rules of the Idaho Department of Lands. According to the department, the rulemaking publishes the following rule chapters previously submitted to and reviewed by the Legislature:

- 20.01.01, Rules of Practice and Procedure Before the State Board of Land Commissioners; and
- 20.04.01, Rules Pertaining to Forest Fire Protection.

### Negotiated Rulemaking / Fiscal Impact

The department states that negotiated rulemaking was not feasible "because engaging in negotiated rulemaking for all previously existing rules will inhibit the agency from carrying out its ability to serve the citizens of Idaho and to protect their health, safety, and welfare." The department notes that no fee or charge has been imposed or increased and that there is no fiscal impact.

### Statutory Authority

The rulemaking appears to be authorized by sections 38-115, 38-132, 38-402, 58-104, 58-105, and 67-5201 et seq., Idaho Code.

cc: Idaho Department of Lands  
Amy Johnson

\*\*\* PLEASE NOTE \*\*\*



Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.