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**IDAPA 56
TITLE 01
CHAPTER 01**

IDAPA 56 - IDAHO RANGELAND RESOURCES COMMISSION

**56.01.01 - RULES OF ADMINISTRATIVE PROCEDURE OF THE IDAHO
RANGELAND RESOURCES COMMISSION**

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Chapter 14, Title 58, Idaho Code. (3-28-00)

001. TITLE AND SCOPE.

The title of this chapter is "Rules of Administrative Procedure of the Idaho Rangeland Resources Commission," and cited as IDAPA 56.01.01. These rules set forth the practices and procedures for the activities of the Rangeland Resources Commission. (3-28-00)

002. WRITTEN INTERPRETATIONS.

Written interpretations of these rules, if any, are available from the Commission business office. (3-28-00)

003. ADMINISTRATIVE APPEALS.

The provisions of IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," shall govern all contested cases filed pursuant to the provisions of Chapter 52, Title 67, Idaho Code. (3-28-00)

004. DEFINITIONS.

As used in this chapter: (3-28-00)

01. Commission. The Idaho Rangeland Resources Commission. (3-28-00)

02. Fees. The amount to be paid by all owners of dry grazing land within the state of Idaho, all permittees or owners of domestic cattle and sheep utilizing Idaho state grazing lands, and all permittees or owners of domestic cattle and sheep utilizing United States forest service or bureau of land management lands within the state of Idaho. (3-28-00)

03. Fee Year. The twelve-month period, January 1 through December 31, of any year. (3-28-00)

04. Fiscal Year. The twelve-month period, July 1 through June 30, of any year. (3-28-00)

005. OFFICE ADDRESS.

The mailing address of the Commission is P.O. Box 126, Emmett, Idaho, 83617. The telephone number of the business office is (208) 398-7002. (3-28-00)

006. COMMUNICATIONS.

All written communications and documents concerning any matter covered by these rules shall be addressed to the chair at the business office of the Commission. All communications and documents are deemed to be officially received only when delivered to the business office of the Commission. (3-28-00)

007. RECORD.

An official record shall be kept of all official proceedings before the Commission and reduced to writing. Such record shall be available for public inspection at the business office of the Commission. (3-28-00)

008. PUBLIC RECORDS.

The Commission shall comply with the procedures set forth in the Public Records Act, Chapter 9, Title 3 of the Idaho Code. The fee for providing public records shall not exceed the amounts allowed by the Public Records Act. (3-28-00)

009. MEETINGS.

01. Quarterly Meetings. The Commission shall hold regular quarterly meetings. Special meetings of the Commission may be called by either the chair or upon the call of any three (3) members of the Commission. (3-28-00)

02. Quorum. A quorum of the Commission shall be three (3) members. A majority vote of Commission members present will be considered the action of the Commission as a whole. The Commission chair (or person acting in that capacity) will count as a Commission member for purposes of a quorum, but will vote only to break a tie. (3-28-00)

010. -- 099. (RESERVED).

100. NOMINATIONS, VACANCIES AND TERMS.

01. Chair And Vice-Chair. At its last meeting of each fiscal year, the Commission shall nominate and elect, by majority vote, a chair to serve as presiding officer at all Commission meetings. The Commission may also nominate and elect, by majority vote, a vice-chair to fulfill the duties of the chair in the event that the chair is unable to attend a meeting of the Commission. (3-28-00)

02. Terms Of Officers. Terms of elected officers shall be for a period of twelve (12) months and shall begin on July 1 of the year of election. A commissioner may serve as an officer for as many terms as elected. (5-3-03)

03. Terms Of Commission Members. The regular term of appointment for a commissioner shall begin on July 1 of the year of appointment and shall continue for a period of five (5) years or until a successor is appointed. (5-3-03)

101. -- 199. (RESERVED).

200. FEES.

01. Owner Fees. The amount of the fee to be paid by all owners of dry grazing land is based on the total number of acres of dry grazing land that an individual owned during the preceding calendar year (January through December). The amount is calculated by adding together all of the acreage titled in the owner's name, regardless of the number or size of individual parcels, and multiplying by two cents (\$.02) per acre. The Commission will utilize this amount for purposes of determining whether the minimum assessment amount has been met. (3-28-00)

02. User Fees. The amount of fee to be assessed of individuals or other entities that utilize grazing lands of the state of Idaho, the United States forest service or the bureau of land management. The amount of these fees will be calculated by multiplying the animal unit month and/or land use statistics, which the state or federal entities will provide, by ten cents (\$.10) per month. (3-28-00)

03. Fee Refund. Requests for fee refunds must be in writing addressed to the Commission by the individual, partnership, corporation or other entity that paid the fee, or by the authorized legal representative of the individual or entity and mailed within thirty (30) days of the payment of the fees. (3-28-00)

04. Minimum Assessment. During its first regular meeting of each year, the Commission will set the minimum assessment amount for that year. The amount of the minimum assessment will be within the Commission's sole discretion. (3-28-00)

201. BILLING.

01. Fee Invoices. The Commission will cooperate with other state and federal agencies in the calculation of fees and issuance of fee invoices and other assessments provided for in the statute. (3-28-00)

02. Payment. Payment of any fees or assessments is due within thirty (30) days of the date of the issuance of the fee invoice or assessment notice. (3-28-00)

202. EXEMPTION AFFIDAVITS.

Owners of private grazing lands seeking exemption from payment of owner fees must file affidavits within thirty (30) days of the date of the issuance of the fee invoice or assessment notice. An affidavit seeking exemption must only be filed one (1) time. Filed affidavits will remain in force and effect until revoked in writing. (3-28-00)

203. -- 999. (RESERVED).

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