

HOUSE CONCURRENT RESOLUTION NO. 54

LEGISLATURE OF THE STATE OF IDAHO
Sixtieth Legislature Second Regular Session 2010

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 54
BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING
CERTAIN RULES OF THE DEPARTMENT OF LANDS RELATING TO GRAZING LEASES
AND CROPLAND LEASES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 675291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Lands relating to Grazing Leases and Cropland Leases are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 20.03.14, Rules Governing Grazing Leases and Cropland Leases, Section 010, Definitions, deleted Subsection 12, Herd Stock; Section 020, Applications and Processing, Subsection 01, Eligible Applicant; deleted Section 021, Rights Reserved to the Department; Section 040, Rental, Subsection 01, Rental Rates, and Subsection 02, Special Uses; Section 050, Lease Cancellation, renumbered Subsection 01, NonCompliance with Lease Provisions; deleted Section 054, Cropland Lease Hardship Claims; deleted Section 080, Grazing Management Plans; deleted Section 090, Trespass; Section 100, Construction and Maintenance of Improvements, Subsection 02, Maintenance; Section 102, Valuation of Improvements, Subsection 01, Existing Improvements, and Subsection 02, New Improvements; and Section 111, Noxious Weed Control, Subsection 02, Responsibility, only, Rules of the Department of Lands, adopted as a pending rule under Docket Number 20-0314-0901, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact :

STATEMENT OF PURPOSE RS19726

This concurrent resolution would reject a number of sections and subsections of a pending rule of the Department of Lands relating to the Grazing Leases and Cropland Leases as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the new language or the deletions in the identified sections and subsections from going into effect.

FISCAL NOTE

No fiscal impact on the General Fund.

Adopted: March 12, 2010.

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