

Dear Senators HEIDER, Brackett, Stennett, and  
Representatives GIBBS, Gestrin, Erpelding:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Department of Parks and Recreation:

IDAPA 26.01.36 - Rules Governing the Winter Recreational Parking Permit Program (Chapter  
Repeal) - Proposed Rule (Docket No. 26-0136-1901).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 10/29/2019. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/27/2019.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office Idaho State Legislature

*Serving Idaho's Citizen Legislature*

## 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 08, 2019  
**SUBJECT:** Department of Parks and Recreation

IDAPA 26.01.36 - Rules Governing the Winter Recreational Parking Permit Program (Chapter Repeal) - Proposed Rule (Docket No. 26-0136-1901)

### Summary and Stated Reasons for the Rule

The Department of Parks and Recreation submits notice of proposed rule at IDAPA 26.01.36 - Rules Governing the Winter Recreational Parking Permit Program. According to the department, this is a chapter repeal. The department states that it seeks the rule changes to go into effect November 1, 2020, and that the proposed rule consolidates fees and regulations regarding the winter recreational parking permit program into IDAPA 26.01.20.

### Negotiated Rulemaking / Fiscal Impact

The department states that negotiated rulemaking was conducted.

### Statutory Authority

The rulemaking appears to be authorized pursuant to Sections 67-7115 through 67-7118, Idaho Code.

cc: Department of Parks and Recreation  
Anna Canning

### \*\*\* 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.

## IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION

### 26.01.36 – RULES GOVERNING THE WINTER RECREATIONAL PARKING PERMIT PROGRAM

#### DOCKET NO. 26-0136-1901 (CHAPTER REPEAL)

#### NOTICE OF RULEMAKING – PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 67-7115 through 67-7118, Idaho Code.

**PUBLIC HEARING SCHEDULE:** A public hearing concerning this rulemaking will be held as follows:

<b>PUBLIC HEARING</b>
<b>Wednesday, October 9, 2019 – 4:30 p.m. - 5:30 p.m. (MDT)</b>

**5657 Warm Springs Ave.  
Boise, ID 83712**

Interested public may also join a teleconference for the public hearing by calling 208.514.2259 port 7412. The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking: IDPR seeks approval for rule changes to go into effect November 1, 2020. The proposed rule consolidates fees and regulations regarding the winter recreational parking permit program into IDAPA 26.01.20.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: The board is authorized to define and make specific the provisions regarding the winter recreational parking permit program as set forth in Sections 67-7115 through 67-7118, Idaho Code. For the administration of Title 67, Chapter 71, the proposed rule transfers the existing fees from IDAPA 26.01.36 to IDAPA 26.01.20.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: We expect no fiscal impact.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 3, 2019 Idaho Administrative Bulletin, [Vol. 19-7, page 243](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: No materials are incorporated by reference.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Anna Canning, (208) 514-2252.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 23, 2019.

Dated this 18th day of August, 2019.

Anna Canning, Management Services Administrator  
Idaho Department of Parks and Recreation  
(208) 514-2252

P.O. Box 83720  
5657 Warm Springs Avenue  
Boise, ID 83720-0065

**IDAPA 26.01.36 IS BEING REPEALED IN ITS ENTIRETY**