

Dear Senators BURTENSHAW, Adams, Semmelroth, and
Representatives MENDIVE, Shepherd, Burns:

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

IDAPA 26.01.34 - Idaho Protection Against Invasive Species Sticker Rules (ZBR Chapter Repeal) -
Temporary and Proposed Rule (Docket No. 26-0134-2201).

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 08/28/2023. 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 09/25/2023.

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.



Terri Kondeff
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: August 09, 2023
SUBJECT: Department of Parks and Recreation

IDAPA 26.01.34 - Idaho Protection Against Invasive Species Sticker Rules (ZBR Chapter Repeal) - Temporary and Proposed Rule (Docket No. 26-0134-2201)

Summary and Stated Reasons for the Rule

The Department of Parks and Recreation submits notice of temporary and proposed rule at IDAPA 26.01.34 - Idaho Protection Against Invasive Species Sticker Rules. This is a chapter repeal. According to the department, the content of the rules has been moved to the Idaho Code and there is no need to continue them in the administrative code.

Negotiated Rulemaking / Fiscal Impact

The department indicates that negotiated rulemaking was conducted. There is no fiscal impact as a result of the rulemaking.

Statutory Authority

The rulemaking is authorized pursuant to sections 67-4223 and 67-4249, Idaho Code.

cc: Department of Parks and Recreation
Seth Hobbs

*** 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.

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| Paul Headlee, Deputy Director Legislative Services Office | Kristin Ford, Manager Research & Legislation | Keith Bybee, Manager Budget & Policy Analysis | April Renfro, Manager Legislative Audits | Norma Clark, Manager Information Technology |
|--|---|--|---|--|

Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
legislature.idaho.gov

IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION
26.01.34 – IDAHO PROTECTION AGAINST INVASIVE SPECIES STICKER RULES
DOCKET NO. 26-0134-2201 (ZBR CHAPTER REPEAL)
NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is August 30, 2023.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Sections 67-4223 and 67-4249, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than August 16, 2023.

The hearing site(s) 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 the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This temporary and proposed rule repeals the following chapter. All rules in this chapter were moved to Idaho statutes Title 67 Chapter 70 by the Idaho Legislature in the 2023 session.

IDAPA 26.01.34, Idaho Protection Against Invasive Species Sticker Rule.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(C), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

This temporary rule is necessary to confer a benefit on its citizens. The temporary rule repealing the chapter implements the duly enacted laws of the state of Idaho, provides citizens with one location for the standards for complying with those laws, and assists in the orderly execution and enforcement of those laws.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

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: N/A

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 April 06, 2022 Idaho Administrative Bulletin, [Vol. 22-4, page 41](#).

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Seth Hobbs at (208) 514-2427.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 23, 2023.

DATED this 21st day of June 2023.

Seth Hobbs, Rules Review Officer
Idaho Department of Parks and Recreation
5657 Warm Springs Avenue
Boise, ID 83716
Phone: 208-514-2427
Seth.hobbs@idpr.idaho.gov

IDAPA 26.01.34 IS BEING REPEALED IN ITS ENTIRETY