

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 126

BY JUDICIARY AND RULES COMMITTEE

1 A CONCURRENT RESOLUTION
2 STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE IDAHO
3 DEPARTMENT OF FISH AND GAME, THE IDAHO DEPARTMENT OF LANDS, THE DIVISION
4 OF OCCUPATIONAL AND PROFESSIONAL LICENSES, THE DEPARTMENT OF PARKS AND
5 RECREATION, AND THE IDAHO DEPARTMENT OF WATER RESOURCES REVIEWED BY THE
6 SENATE RESOURCES AND ENVIRONMENT COMMITTEE AND THE HOUSE RESOURCES AND
7 CONSERVATION COMMITTEE WITH EXCEPTIONS.

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

9 WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must
10 approve pending administrative rules by adoption of a concurrent resolu-
11 tion; and

12 WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any
13 pending rule that is not approved by adoption of a concurrent resolution
14 shall expire upon adjournment sine die of the legislative session during
15 which the agency submits the pending rule to the Legislature for review; and

16 WHEREAS, the Senate Resources and Environment Committee and the House
17 Resources and Conservation Committee reviewed pending rules adopted by the
18 Idaho Department of Fish and Game, the Idaho Department of Lands, the Divi-
19 sion of Occupational and Professional Licenses, the Department of Parks and
20 Recreation, and the Idaho Department of Water Resources; and

21 WHEREAS, it is the finding of the Legislature that certain rules of the
22 Department of Parks and Recreation, Rules Governing the Administration of
23 Park and Recreation Areas and Facilities, are not consistent with legisla-
24 tive intent; and

25 WHEREAS, the Legislature finds that it is in the public interest to
26 adopt this resolution.

27 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
28 sion of the Sixty-seventh Idaho Legislature, the Senate and the House of Rep-
29 resentatives concurring therein, that the following pending rules adopted
30 by the Idaho Department of Lands, pursuant to the Administrative Procedure
31 Act and submitted through the Office of the Administrative Rules Coordina-
32 tor to the Legislature for review during the 2024 legislative session and re-
33 viewed by the Senate Resources and Environment Committee and the House Re-
34 sources and Conservation Committee, be, and the same are hereby approved:

35 (1) 20.01.01, Rules of Practice and Procedure Before the State Board of
36 Land Commissioners, Docket No. 20-0101-2301;

37 (2) 20.03.03, Rules Governing Administration of the Reclamation Fund,
38 Docket No. 20.0303-2301;

39 (3) 20.03.05, Navigable Waterways Mineral Leasing in Idaho, Docket No.
40 20-0305-2301; and

41 (4) 20.05.01, Rules Pertaining to the Recreational Use of Endowment
42 Land, Docket No. 20-0501-2301.

1 BE IT FURTHER RESOLVED that pending rules adopted by the Idaho De-
2 partment of Fish and Game, the Division of Occupational and Professional
3 Licenses, the Department of Parks and Recreation, and the Idaho Department
4 of Water Resources, pursuant to the Administrative Procedure Act and sub-
5 mitted through the Office of the Administrative Rules Coordinator to the
6 Legislature for review during the 2024 legislative session and reviewed by
7 the Senate Resources and Environment Committee and the House Resources and
8 Conservation Committee, be, and the same are hereby approved, with the ex-
9 ception of, Rules Governing the Administration of Park and Recreation Areas
10 and Facilities, IDAPA 26.01.20, Docket No. 26-0120-2301, Section 225., Sub-
11 section 07., and Sections 245., 247., 250., 254., 256., and 276., only, are
12 hereby rejected and not approved, and thereby pursuant to Section 67-5291,
13 Idaho Code, shall expire upon adjournment sine die of the legislative ses-
14 sion and be null, void, and of no force and effect.