

AGENDA ITEM C

SUBJECT

Adoption of Pending Administrative Rules 20.06.01

OVERVIEW

On February 18, 2020, the Idaho Board of Scaling Practices adopted IDAPA 20.06.01 as a temporary rule to become effective sine die of the 2020 legislative session in the event that the Legislature did not approve the administrative rules. IDAPA 20.06.01 became effective as a temporary rule on March 20, 2020 (sine die) and will continue in effect to the end of the 2021 legislative session.

For IDAPA 20.06.01 to become a final rule again, the Administrative Procedure Act (Title 67, Chapter 52, Idaho Code) requires publication of a proposed rule in the Administrative Bulletin and a 21-day public comment period as well as adoption of a pending rule to be reviewed by the Idaho Legislature.

On September 16, 2020, IDAPA 20.06.01 was re-published as a proposed rule in a special edition of the Idaho Administrative Bulletin. The proposed rule was open for written public comments from September 16 through October 7, 2020, and a public hearing was held on for IDAPA 20, Rules of the Idaho Department of Lands on September 30, 2020. No comments were received on IDAPA 20.06.01, and no changes were made to the proposed rule.

The proposed rules must be adopted as pending rules prior to the 2021 legislative session. If approved by the Board and other approving authorities, the Department will submit the appropriate notice of adoption of pending rule to be published in the Idaho Administrative Bulletin, and IDAPA 20.06.01 would become final after approval by the 2021 Legislature.

RECOMMENDATION

Approve pending Administrative Rules IDAPA 20.06.01 for the 2021 legislative session.

BOARD ACTION

Gerry Ikola made a motion to approve pending Administrative Rules IDAPA 20.06.01 for the 2021 legislative session. Larry Stewart seconded.

Motion passed unanimously.

ATTACHMENTS

Attachment A, IDAPA 20.06.01