

Zero-Based Regulation Prospective Analysis

Agency Name: Idaho Department of Lands

Rule Docket Number: 20-0101-2301

1. What is the specific legal authority for this proposed rule?

Statute Section (include direct link)	Is the authority mandatory or discretionary?
Section 58-104, Idaho Code – State Land Board – Powers and Duties State Government and State Affairs	Mandatory
Section 67-5206(5)(b) Idaho Code – Promulgation of Rules Implementing Administrative Procedure Act	Mandatory
Section 67-5280, Idaho Code – Creation of Office of Administrative Hearings – Powers and Duties.	Mandatory

2. Define the specific problem that the proposed rule is attempting to solve? Can the problem be addressed by non-regulatory measures?

This rule establishes the practice and procedure in contested cases before the State Board of Land Commissioners and the Idaho Department of Lands and cannot be addressed via non-regulatory measures.

3. How have other jurisdictions approached the problem this proposed rule intends to address?

a. Is this proposed rule related to any existing federal law?

Federal citation	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

b. How does this proposed rule compare to other state laws?

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Washington		
Oregon		
Nevada		
Utah		
Wyoming		
Montana		
Alaska		
South Dakota		

c. If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

4. What evidence is there that the rule, as proposed, will solve the problem?

5. What is the anticipated impact of the proposed rule on various stakeholders? Include, how will you involve them in the negotiated rulemaking process?

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	N/A
Impact to Idaho businesses, with special consideration for small businesses	Since these rules govern the practice and procedure in contested cases before the Board and the Idaho Department of Lands, they are essential for ensuring citizens' rights to due process are maintained. Idahoans will be invited to participate in the negotiated rulemaking process via public meetings that are adequately advertised as required by Idaho law. Written comments will also be accepted.

Category	Potential Impact
Impact to any local government in Idaho	Since these rules govern the practice and procedure in contested cases before the Board and the Idaho Department of Lands, they are essential for ensuring citizens' rights to due process are maintained. Idahoans will be invited to participate in the negotiated rulemaking process via public meetings that are adequately advertised as required by Idaho law. Written comments will also be accepted.

6. What cumulative regulatory volume does this proposed rule add?

Category	Impact
Net change in word count	
Net change in restrictive word count	