

## IDAPA 20 – IDAHO DEPARTMENT OF LANDS

### 20.01.01 – RULES OF PRACTICE AND PROCEDURE BEFORE THE STATE BOARD OF LAND COMMISSIONERS

#### DOCKET NO. 20-0101-2301 (ZBR CHAPTER REWRITE)

#### NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

**EFFECTIVE DATE:** This rule has been adopted by the agency and the Idaho State Board of Land Commissioners and is now pending review by the 2024 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. The pending rule will become final and effective upon the adjournment, *sine die*, of the Second Regular Session of the Sixty-seventh Idaho Legislature after approval.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency and the State Board of Land Commissioners have adopted a pending rule. The action is authorized pursuant to Section 58-104, Idaho Code, State Land Board, Powers and Duties and Section 67-5206(2)(b), Idaho Code, Promulgation of Rules Implementing Administrative Procedure Act.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Following [Executive Order 2020-01: Zero-Based Regulation](#), this rule chapter is scheduled for a comprehensive review in 2023 with the goal of simplifying the rules for increased clarity and ease of use. The overall regulatory burden has been reduced by decreasing both total word count and the number of restrictive words in the new rule chapter.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published on August 2, 2023, Idaho Administrative Bulletin, [Vol. 23-8, pages 153-176](#).

The changes in the pending rule were to remove Section 004, previously added, due to redundancy with statute.

**FEE SUMMARY:** Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: 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

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this pending rule, contact Scott Phillips at 208-334-0294 or [sphillips@idl.idaho.gov](mailto:sphillips@idl.idaho.gov).

DATED this 21st of November, 2023.

Scott Phillips, Policy and Communications Chief  
Idaho Department of Lands  
300 N. 6th St, Suite 103  
P.O. Box 83720  
Boise, Idaho 83720-0050  
Phone: (208) 334-0294  
Fax: (208) 334-3698  
[rulemaking@idl.idaho.gov](mailto:rulemaking@idl.idaho.gov)

DOCKET NO. 20-0101-2301 – ADOPTION OF PENDING RULE  
(Zero Based Regulation (ZBR) Chapter Rewrite)

Substantive changes have been made to the pending rule.  
*Italicized text* indicates changes between the text of the proposed rule as adopted in the pending rule.

The text of the proposed rule was published in the Idaho Administrative Bulletin,  
[Volume 23-8, August 2, 2023, pages 153 through 176.](#)

This rule has been adopted as a pending rule by the agency and is now awaiting  
review and final approval by the 2024 Idaho State Legislature.

THE FOLLOWING IS THE TEXT OF THE PENDING RULE FOR ZBR DOCKET NO. 20-0101-2301  
(Only those sections or subsections that have changed from the original proposed text  
are printed in this Bulletin following this notice.)

20.01.01 – RULES OF PRACTICE AND PROCEDURE BEFORE  
THE STATE BOARD OF LAND COMMISSIONERS

*(BREAK IN CONTINUITY OF SECTIONS)*

*[Proposed New Section 004 has been omitted from the pending rule]*

~~781~~004. -- 999. (RESERVED)