



**PHIL McGRANE**

IDAHO SECRETARY OF STATE

DEPT. OF LANDS  
APR 08 2024  
BOISE, IDAHO

April 4, 2024

Idaho Department of Lands  
Attention: Agency Rules Coordinator  
STATEHOUSE MAIL

Dear Agency Rules Coordinator:

Pursuant to the provisions of 67-5291, Idaho Code, please find enclosed a copy of HCR 49, recently adopted by the 67<sup>th</sup> Legislature, Second Regular Session.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Mason".

Lisa Mason, Director  
Executive and Legislative Affairs

Enclosure

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-seventh Legislature Second Regular Session - 2024

IN THE HOUSE OF REPRESENTATIVES  
HOUSE CONCURRENT RESOLUTION NO. 49  
BY WAYS AND MEANS COMMITTEE

ORIGINAL

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE IDAHO DEPARTMENT OF LANDS REVIEWED BY THE HOUSE RESOURCES AND CONSERVATION COMMITTEE AND THE SENATE RESOURCES AND ENVIRONMENT COMMITTEE, WITH AN EXCEPTION.

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

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

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

WHEREAS, the House Resources and Conservation Committee and the Senate Resources and Environment Committee reviewed pending rules adopted by the Idaho Department of Lands; and

WHEREAS, the Senate Resources and Environment Committee approved pending rules of the Idaho Department of Lands, Rules Governing Dredge and Placer Mining Operations, Docket No. 20-0301-2301, the entire docket; and

WHEREAS, the House Resources and Conservation Committee approved pending rules of the Idaho Department of Lands, Rules Governing Dredge and Placer Mining Operations, Docket No. 20-0301-2301, with the exception of Section 051., Subsection 01., only; and

WHEREAS, it is the finding of the House of Representatives that certain rules of the Idaho Department of Lands, Rules Governing Dredge and Placer Mining Operations in Idaho, are not consistent with legislative intent because the changes do not reflect statutory requirements as provided in Section 47-1317, Idaho Code, which states that "the cost and expense of making such inspections shall be borne by the permittee"; and

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

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that pending rules adopted by the Idaho Department of Lands, Rules Governing Dredge and Placer Mining Operations in Idaho, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the House Resources and Conservation Committee and Senate Resources and Environment Committee, be, and the same are hereby approved, with the exception of IDAPA 20.03.01, Rules Governing Dredge and Placer Mining Operations in Idaho, Docket No. 20-0301-2301, Section 051., Subsection 01., only, that is rejected and not approved, and thereby pursuant to Section 67-5291, Idaho

RS31744

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- 1 Code, shall expire upon adjournment sine die of the legislative session and
- 2 be null, void, and of no force and effect.



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## STATEMENT OF PURPOSE

RS31744 / HCR049

This legislation approves the Idaho Dept. of Lands 2024 Administrative Rules as submitted and considered by the House Resources & Conservation Committee and the Senate Resources & Environment Committee, with the exception of IDAPA 20.03.01, Rules Governing Dredge and Placer Mining Operations in Idaho, Docket No. 20-0301-2301, Section 051., Subsection 01 which the House Resources & Conservation Committee rejected because it does not agree with Idaho Code 67-5291.

## FISCAL NOTE

This legislation will have no impact on the General Fund.

### Contact:

Representative Ron Mendive  
(208) 332-1000

**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).

THIS HOUSE CONCURRENT RESOLUTION WAS ADOPTED BY THE HOUSE OF REPRESENTATIVES

ON THE 29<sup>th</sup> DAY OF March, 2024, AT  
11:45 A.M.



SPEAKER OF THE HOUSE OF  
REPRESENTATIVES

THIS HOUSE CONCURRENT RESOLUTION WAS ADOPTED BY THE SENATE

ON THE 3<sup>rd</sup> DAY OF April, 2024, AT  
7:09 P.M.



PRESIDENT OF THE SENATE

I HEREBY CERTIFY THAT THE WITHIN

HOUSE CONCURRENT RESOLUTION NO. 49

ORIGINATED IN THE HOUSE OF REPRESENTATIVES DURING THE SECOND REGULAR  
SESSION OF THE SIXTY-SEVENTH LEGISLATURE OF THE STATE OF IDAHO.

4/4/24 RECEIVED & FILED 12:11 PM  
n/a

Chapter No.  
PHIL McGRANE  
Secretary of State



CHIEF CLERK OF THE HOUSE OF  
REPRESENTATIVES