

Dear Senators VICK, Heider, Stennett, and  
Representatives GIBBS, Lickley, Rubel:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Department of Parks and Recreation:

IDAPA 26.01.30 - Idaho Safe Boating Rules (Chapter Repeal) - Temporary and Proposed Rule  
(Docket No. 26-0130-2201).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 10/21/2022. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/18/2022.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the  
memorandum attached below.



**Terri Kondeff**  
Director

# Legislative Services Office

## Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Resources & Environment Committee and the House Resources & Conservation Committee  
**FROM:** Deputy Division Manager - Katharine Gerrity  
**DATE:** October 04, 2022  
**SUBJECT:** Department of Parks and Recreation

IDAPA 26.01.30 - Idaho Safe Boating Rules (Chapter Repeal) - Temporary and Proposed Rule (Docket No. 26-0130-2201)

#### Summary and Stated Reasons for the Rule

The Idaho Department of Parks and Recreation submits notice of temporary and proposed rule at IDAPA 26.01.30 - Idaho Safe Boating Rules. This is a chapter repeal. The department states that the rules in this chapter were moved to the Idaho Code during the 2022 Legislative Session.

#### Negotiated Rulemaking / Fiscal Impact

The department notes that negotiated rulemaking was conducted and that there is no fiscal impact.

#### Statutory Authority

The rulemaking appears to be authorized pursuant to Sections 67-5226 and 67-4223, Idaho Code, as well as Chapter 70, Title 67, Idaho Code.

cc: Department of Parks and Recreation  
Adam Zaragoza

#### \*\*\* PLEASE NOTE \*\*\*

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

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Paul Headlee, Deputy Director Legislative Services Office	Kristin Ford, Manager Research & Legislation	Keith Bybee, Manager Budget & Policy Analysis	April Renfro, Manager Legislative Audits	Glenn Harris, Manager Information Technology
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Statehouse, P.O. Box 83720  
Boise, Idaho 83720-0054

Tel: 208-334-2475  
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# IDAPA 26 – IDAHO DEPARTMENT OF PARKS AND RECREATION

## 26.01.30 – IDAHO SAFE BOATING RULES

### DOCKET NO. 26-0130-2201 (CHAPTER REPEAL)

#### NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE

**EFFECTIVE DATE:** The effective date of the temporary rule is October 1, 2022.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 67-5226, 67-4223, and Title 67 Chapter 70 Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 21, 2022.

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This temporary and proposed rule rescinds IDAPA 26.01.30, “Idaho Safe Boating Rules.” All rules in this chapter were moved to Idaho statutes Title 67, Chapter 70 by the 2022 Idaho Legislature.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

This temporary rule confers a benefit on its citizens. The temporary rule repealing the chapter implements the duly enacted laws of the state of Idaho, provides citizens with one location for the standards for complying with those laws, and assists in the orderly execution and enforcement of those laws.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: 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

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted under docket 26-ZBRR-2101. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the June 2, 2021, Idaho Administrative Bulletin, [Vol. 21-6, pages 59-60](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Seth Hobbs at (208) 514-2427.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 28, 2022.

DATED this 11th day of August 2022.

Seth Hobbs, Rules Review Officer  
Idaho Department of Parks and Recreation  
5657 Warm Springs Avenue

Boise, ID 83716  
Phone: 208-514-2427  
[Seth.hobbs@idpr.idaho.gov](mailto:Seth.hobbs@idpr.idaho.gov)

**IDAPA 26.01.30 IS BEING REPEALED IN ITS ENTIRETY**