

LEGISLATURE OF THE STATE OF IDAHO
Sixty-third Legislature First Regular Session - 2015

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 58

BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

AN ACT

RELATING TO WATER QUALITY; AMENDING SECTION 39-3623, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EFFECT OF CERTAIN RULES, TO PROVIDE THAT MIXING ZONES ARE SUBJECT TO SPECIFIED LAWS AND RULES AND TO PROVIDE FOR THE DURATION OF EFFECTIVENESS OF MIXING ZONES.

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

SECTION 1. That Section 39-3623, Idaho Code, be, and the same is hereby amended to read as follows:

39-3623. EFFECT OF RULES. Every rule promulgated within the authority conferred in sections 39-3617 through 39-3622, Idaho Code, shall be of temporary effect and shall become permanent only by enactment of statute at the first regular session following adoption of the rule. Rules not approved in the above manner shall be rejected, null, void and of no force and effect on July 1, following submission of the rules to the legislature.

(1) The rules promulgated within the authority conferred in this act and adopted by the board of health and welfare on January 31, 1990, and contained in IDAPA 16.01.2003,31 and 16.01.2003,32 and 16.01.2053,01 through 16.01.2053,07, are hereby approved by the legislature.

(2) The rules promulgated within the authority conferred in this act and adopted by the board of environmental quality on November 10, 2010, and contained in IDAPA 58.01.02.010.71, ~~58.01.02.010.72~~, 58.01.02.051.03 and 58.01.02.052.09, and on November 19, 2014, and contained in IDAPA 58.01.02.060 and 58.01.02.010 are hereby approved by the legislature. A mixing zone approved by the department shall be subject to the applicable laws and rules for mixing zones in effect at the time it is approved and such mixing zone shall remain effective until the applicable permit is renewed or modified.