

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 110

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1 STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE STATE
2 PUBLIC DEFENSE COMMISSION RELATING TO GENERAL PROVISIONS AND DEFINI-
3 TIONS AND REQUIREMENTS AND PROCEDURES FOR REPRESENTING INDIGENT PER-
4 SONS.
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6 Be It Resolved by the Legislature of the State of Idaho:

7 WHEREAS, the Legislature is vested with authority to reject executive
8 agency rules under the provisions of Section 67-5291, Idaho Code, in the
9 event that the Legislature finds that the rules are not consistent with leg-
10 islative intent; and

11 WHEREAS, it is the finding of the Legislature that certain rules of the
12 State Public Defense Commission relating to General Provisions and Defini-
13 tions and Requirements and Procedures for Representing Indigent Persons are
14 not consistent with legislative intent and should be rejected.

15 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
16 sion of the Sixty-sixth Idaho Legislature, the Senate and the House of Rep-
17 resentatives concurring therein, that the following Rules of the State Pub-
18 lic Defense Commission, adopted as pending rules under IDAPA 61.01.01 and
19 61.01.02, only, be, and the same are hereby rejected and declared null, void,
20 and of no force and effect:

21 (1) Docket Number 61-0101-2002, Subsection 010.22.; and

22 (2) Docket Number 61-0102-2002:

23 (a) Paragraph 020.01.a.;

24 (b) Paragraph 030.02.a.;

25 (c) Paragraph 030.02.b.;

26 (d) Subsection 030.05.;

27 (e) Subsection 040.02.;

28 (f) Subparagraph 050.02.a.ii.;

29 (g) Subsection 060.03.;

30 (h) Paragraph 060.04.a.;

31 (i) Subsection 070.01.;

32 (j) Subparagraph 070.02.a.iii.;

33 (k) Subsection 070.03.;

34 (l) Paragraph 080.03.a.;

35 (m) Paragraph 080.03.c.; and

36 (n) Subsection 090.01.