

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 50

BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

1
2 STATING FINDINGS OF THE LEGISLATURE AND APPROVING AND EXTENDING FEE, NON-
3 FEE, AND PROCLAMATION RULES REVIEWED BY THE HOUSE JUDICIARY, RULES, AND
4 ADMINISTRATION COMMITTEE AND THE SENATE JUDICIARY AND RULES COMMITTEE.

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

6 WHEREAS, the Legislature is vested with authority to reject executive
7 agency rules that are not consistent with legislative intent pursuant to
8 Section 67-5291, Idaho Code, and to approve executive agency rules under the
9 provisions of Section 29, Article III of the Idaho Constitution; and

10 WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must
11 approve certain administrative rules that impose a fee or charge by adoption
12 of a concurrent resolution before the rules become effective; and

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

15 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular
16 Session of the Sixty-sixth Idaho Legislature, the House of Representatives
17 and the Senate concurring therein, that fee, non-fee, and proclamation
18 rules adopted by the Department of Juvenile Corrections, Board of Cor-
19 rection, Idaho State Police - Public Safety, Idaho State Police - POST,
20 Commission of Pardons and Parole, Sexual Offender Management Board, and
21 Idaho State Police, not including IDAPA 11.10.03, Rules Governing the Sex
22 Offender Registry, Section 012., Subsection 06.a. and 06.e., Docket Number
23 11-0000-2100, only, pursuant to the Administrative Procedure Act and sub-
24 mitted through the Office of Rules Coordinator to the Legislature for review
25 during the 2022 legislative session and reviewed by the House Judiciary,
26 Rules, and Administration Committee and the Senate Judiciary and Rules Com-
27 mittee, be, and the same are approved.

28 BE IT FURTHER RESOLVED that, if any non-fee rule was assigned to but was
29 not reviewed by the House Judiciary, Rules, and Administration Committee and
30 the Senate Judiciary and Rules Committee, such rule shall take effect upon
31 conclusion of the legislative session, or as provided in rule, pursuant to
32 Section 67-5224, Idaho Code.

33 BE IT FURTHER RESOLVED that, except as provided in this concurrent reso-
34 lution, every rule of Department of Juvenile Corrections, Board of Correc-
35 tion, Idaho State Police - Public Safety, Idaho State Police - POST, Com-
36 mission of Pardons and Parole, Sexual Offender Management Board, and Idaho
37 State Police, not including IDAPA 11.10.03, Rules Governing the Sex Offender
38 Registry, Section 012., Subsection 06.a. and 06.e., Docket Number 11-0000-
39 2100, only, as that term is defined in Section 67-5201, Idaho Code, shall
40 continue in full force and effect until July 1, 2023, at which time they shall
41 expire and be of no further force and effect as provided in Section 67-5292,
42 Idaho Code.

1 BE IT FURTHER RESOLVED that a rule or partial rule approved by this con-
2 current resolution shall remain in effect until it expires by its own terms,
3 but in no event shall a rule remain in effect beyond July 1, 2023, or the con-
4 clusion of the First Regular Session of the Sixty-seventh Idaho Legislature,
5 whichever is applicable, unless it is further extended by adoption of a con-
6 current resolution by both houses of the Legislature. Rules or sections of
7 rules that are excepted from approval hereunder shall expire upon adjourn-
8 ment of the Second Regular Session of the Sixty-sixth Idaho Legislature, un-
9 less approved by adoption of a separate concurrent resolution by both houses
10 of the Legislature.