

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 46

BY WAYS AND MEANS COMMITTEE

1 A CONCURRENT RESOLUTION
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 Ses-
16 sion of the Sixty-sixth Idaho Legislature, the House of Representatives and
17 the Senate concurring therein, that fee, non-fee, and proclamation rules
18 adopted by the Department of Juvenile Corrections, Board of Correction,
19 Idaho State Police, Idaho State Police - Public Safety, Idaho State Police
20 - POST, Commission of Pardons and Parole, Sexual Offender Management Board,
21 and Idaho State Public Defense Commission pursuant to the Administrative
22 Procedure Act and submitted through the Office of Rules Coordinator to the
23 Legislature for review during the 2022 legislative session and reviewed by
24 the House Judiciary, Rules, and Administration Committee and the Senate
25 Judiciary and Rules Committee, be, and the same are approved.

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

31 BE IT FURTHER RESOLVED that, except as provided in this concurrent res-
32 olution, every rule of Department of Juvenile Corrections, Board of Correc-
33 tion, Idaho State Police, Idaho State Police - Public Safety, Idaho State
34 Police - POST, Commission of Pardons and Parole, Sexual Offender Management
35 Board, and Idaho State Public Defense Commission, as that term is defined in
36 Section 67-5201, Idaho Code, shall continue in full force and effect until
37 July 1, 2023, at which time they shall expire and be of no further force and
38 effect as provided in Section 67-5292, Idaho Code.

39 BE IT FURTHER RESOLVED that a rule or partial rule approved by this con-
40 current resolution shall remain in effect until it expires by its own terms,
41 but in no event shall a rule remain in effect beyond July 1, 2023, or the con-
42 clusion of the First Regular Session of the Sixty-seventh Idaho Legislature,
43 whichever is applicable, unless it is further extended by adoption of a con-

1 current resolution by both houses of the Legislature. Rules or sections of
2 rules that are excepted from approval hereunder shall expire upon adjourn-
3 ment of the Second Regular Session of the Sixty-sixth Idaho Legislature, un-
4 less approved by adoption of a separate concurrent resolution by both houses
5 of the Legislature.