

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 39

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING AND EXTENDING PENDING FEE RULES, PENDING NON-FEE RULES, AND TEMPORARY RULES REVIEWED BY THE HOUSE JUDICIARY, RULES, AND ADMINISTRATION AND SENATE JUDICIARY AND RULES COMMITTEES.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules that are not consistent with legislative intent and to approve executive agency rules under the provisions of Section 29, Article III, of the Idaho Constitution; and

WHEREAS, the Legislature pursuant to Sections 67-5224 and 67-5226, Idaho Code, must approve temporary rules and certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

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

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that pending fee rules, pending non-fee rules, and temporary rules adopted by the Department of Juvenile Corrections in Docket No. 05-0000-1900, by the Idaho State Police in Docket Nos. 11-0000-1900 and 11-0000-1900F, by the Idaho State Police, Forensic Services in Docket No. 11-0301-1901, by the Commission of Pardons and Parole in Docket No. 50-0101-1900, by the Public Defense Commission in Docket No. 61-0000-1900, by the Idaho State Police, Idaho Public Safety and Security Information System in Docket No. 11-1001-1900F, by the Idaho State Police, Peace Officer Standards and Training Council in Docket No. 11-1101-1900F, by the Sexual Offender Management Board in Docket Nos. 57-0101-1900F and 57-0101-1901, and by the Board of Correction in Docket Nos. 06-0000-1900 and 06-0202-1901, pursuant to the Administrative Procedure Act and submitted through the Office of Rules Coordinator to the Legislature for review during the 2020 legislative session and reviewed by the House Judiciary, Rules, and Administration and Senate Judiciary and Rules committees, be, and the same are approved, and pending fee rules and temporary rules shall be in full force and effect upon the adoption of this concurrent resolution or upon the date specified in the administrative rule. If any non-fee rule was assigned to but was not reviewed by the House Judiciary, Rules, and Administration and Senate Judiciary and Rules committees, such rule shall take effect upon conclusion of the legislative session, or as provided in rule, pursuant to Section 67-5224, 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, 2021, or the con-  
4 clusion of the First Regular Session of the Sixty-sixth 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 as provided in Section  
7 67-5292, Idaho Code.