

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 109

BY STATE AFFAIRS COMMITTEE

1 A CONCURRENT RESOLUTION  
2 STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES  
3 REVIEWED BY THE LEGISLATURE, WITH AN EXCEPTION.

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

5 WHEREAS, the Legislature by statute must approve temporary rules by  
6 adoption of a concurrent resolution approving the rule if the temporary rule  
7 is to remain in effect beyond the end of the current legislative session; and  
8 WHEREAS, the expiration of temporary rules would occasion additional  
9 expense to state agencies in readopting and republishing temporary rules  
10 needed to conduct state business; and

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

13 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-  
14 sion of the Sixty-sixth Idaho Legislature, the Senate and the House of Rep-  
15 resentatives concurring therein, that all temporary rules adopted by state  
16 agencies pursuant to the Administrative Procedure Act and submitted to the  
17 Legislature at the Legislature's request through the Office of the Adminis-  
18 trative Rules Coordinator for review during the 2021 legislative session,  
19 be, and the same are approved, with the exception of the following enumerated  
20 temporary rule:

21 IDAPA 08.02.01, Rules of the State Board of Education, con-  
22 cerning Rules Governing Administration, adopted as a temporary  
23 rule under Docket Number 08-0201-2101, the entire rulemaking  
24 docket.

25 BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule  
26 approved by this concurrent resolution shall remain in effect until it ex-  
27 pires by its own terms or by operation of law or until it is replaced by a  
28 final rule, but in no event shall a temporary rule remain in effect beyond  
29 the conclusion of the Second Regular Session of the Sixty-sixth Idaho Legis-  
30 lature unless it is further extended by adoption of a concurrent resolution  
31 by both houses of the Legislature. Temporary rules or sections of temporary  
32 rules that are excepted from approval hereunder or that were not submitted  
33 to the Legislature for review during the 2021 legislative session shall ex-  
34 pire by operation of statute upon adjournment of the First Regular Session of  
35 the Sixty-sixth Idaho Legislature, unless approved by adoption of a separate  
36 concurrent resolution by both houses of the Legislature.