

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 43

BY WAYS AND MEANS COMMITTEE

1 A CONCURRENT RESOLUTION
2 STATING FINDINGS OF THE LEGISLATURE AND REJECTING AND NOT APPROVING PENDING
3 RULES OF THE DEPARTMENT OF JUVENILE CORRECTIONS REVIEWED BY THE HOUSE
4 JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE AND THE SENATE JUDI-
5 CIARY AND RULES COMMITTEE.

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

7 WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must
8 approve pending administrative rules by adoption of a concurrent resolu-
9 tion; and

10 WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any
11 pending rule that is not approved by adoption of a concurrent resolution
12 shall expire upon adjournment sine die of the legislative session during
13 which the agency submits the pending rule to the Legislature for review; and

14 WHEREAS, the House Judiciary, Rules, and Administration Committee and
15 the Senate Judiciary and Rules Committee reviewed pending rules adopted by
16 the Department of Juvenile Corrections; and

17 WHEREAS, the House Judiciary, Rules, and Administration Committee ap-
18 proved IDAPA 05.02.01, Rules for Residential Treatment Providers, Docket
19 No. 05-0201-2301, the entire docket; and

20 WHEREAS, the Senate Judiciary and Rules Committee rejected and did not
21 approve IDAPA 05.02.01, Rules for Residential Treatment Providers, Docket
22 No. 05-0201-2301, the entire docket, as not being consistent with legisla-
23 tive intent; and

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

26 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
27 sion of the Sixty-seventh Idaho Legislature, the House of Representatives
28 and the Senate concurring therein, that since IDAPA 05.02.01, Rules for Res-
29 idential Treatment Providers, Docket No. 05-0201-2301, the entire docket,
30 was not approved by both the House of Representatives and the Senate, such
31 pending rule docket adopted by the Department of Juvenile Corrections, pur-
32 suant to the Administrative Procedure Act and submitted through the Office
33 of the Administrative Rules Coordinator to the Legislature for review dur-
34 ing the 2024 legislative session and reviewed by the House Judiciary, Rules,
35 and Administration Committee and the Senate Judiciary and Rules Committee,
36 be, and the same is hereby rejected and not approved, and thereby pursuant to
37 Section 67-5291, Idaho Code, shall expire upon adjournment sine die of the
38 legislative session and be null, void, and of no force and effect.