

SENATE CONCURRENT RESOLUTION NO. 121

LEGISLATURE OF THE STATE OF IDAHO
Sixty-fourth Legislature, First Regular Session – 2017

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 121
BY STATE AFFAIRS COMMITTEE

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

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

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; 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 First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of the Administrative Rules Coordinator for review during the 2017 legislative session, be, and the same are approved, with the exception of the following enumerated temporary rules:

IDAPA 08.02.03, Rules of the State Board of and State Department of Education, concerning Rules Governing Thoroughness, Idaho Science Standards Incorporated by Reference, Subsections ESS-MS ESS-MS-5, ESS3-MS ESS3.C, LS2-HS LS4.D, LS4-HS LS4.D, and ESS3-HS ESS2.D, only, adopted as temporary rules under Docket Number [08-0203-1701](#).

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Sixty-fourth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2017 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-fourth Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS25473

By statute, temporary rules promulgated by state agencies under the Idaho Administrative Procedures Act expire at the end of the 2017 legislative session. This concurrent resolution approves and extends state agency temporary rules beyond the current legislative session with the exception of the following enumerated rules:

Rules Rejected:

Rule IDAPA 08.02.03, Rules of the State Board of and State Department of Education, concerning Rules Governing Thoroughness, Idaho Science Standards Incorporated by Reference, Subsections ESS-MS ESS-MS-5, ESS3-MS ESS3.C, LS2-HS LS4.D, LS4-HS LS4.D, and ESS3-HS ESS2.D, only, adopted as temporary rules under Docket Number 08-0203-1701.

FISCAL NOTE

Adoption of this concurrent resolution, in and of itself, could have no fiscal impact upon any state or local government funds or accounts beyond the scope or impact of the individual rules themselves.

Contact:

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Adopted: March 24, 2017.