

HOUSE CONCURRENT RESOLUTION NO. 56

LEGISLATURE OF THE STATE OF IDAHO
Sixty-fourth Legislature, Second Regular Session – 2018

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 56
BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE STATE PUBLIC DEFENSE COMMISSION
RELATING TO RULES GOVERNING STANDARDS FOR DEFENDING ATTORNEYS THAT
UTILIZE IDAHO'S PRINCIPLES OF AN INDIGENT DEFENSE DELIVERY SYSTEM.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the State Public Defense Commission relating to Rules Governing Standards for Defending Attorneys that Utilize Idaho's Principles of an Indigent Defense Delivery System are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 61.01.07, Rules Governing Standards for Defending Attorneys that Utilize Idaho's Principles of an Indigent Defense Delivery System, Section 020., Subsection 01.d., adopted as a pending rule under Docket Number **61-0107-1701**, only, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS26300

This is a Concurrent Resolution to reject Section 020., Subsection 01.d., of Docket No. 61-0107-1701 from the State Public Defense Commission. This section of the pending rule relates a Former Defending Attorney Roster.

FISCAL NOTE

There is no fiscal impact to the General Fund or the budgets of other local entities.

Contact:

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Adopted: March 21, 2018.