

SENATE CONCURRENT RESOLUTION NO. 103

LEGISLATURE OF THE STATE OF IDAHO
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 103
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF ADMINISTRATION
RELATING TO RULES OF THE DIVISION OF PURCHASING.

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 Department of Administration relating to Rules of the Division of Purchasing are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.05.01, Rules of the Division of Purchasing, Section 114., Subsection 02.b., adopted as a pending rule under Docket Number **38-0501-1801**, 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 RS26921

This resolution rejects a portion of the rules governing the Rules of the Division of Purchasing within the Department of Administration under IDAPA 38.05.01, Docket 38-0501-1801 section 114.02.b related to licensing, sale, or use terms required by a third-party owner of technology sold through a reseller. Section 114.02.b was rejected in its entirety.

FISCAL NOTE

There is no fiscal impact because the portion of the rule that is being rejected is related to the method of signing purchasing contracts.

Contact:

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Adopted: March 20, 2019.