

HOUSE CONCURRENT RESOLUTION NO. 50

Sixty-sixth Legislature

LEGISLATURE OF THE STATE OF IDAHO

Second Regular Session – 2022

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 50
BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND APPROVING AND EXTENDING FEE, NON FEE,
AND PROCLAMATION RULES REVIEWED BY THE HOUSE JUDICIARY, RULES, AND
ADMINISTRATION COMMITTEE AND THE SENATE JUDICIARY AND RULES COMMITTEE.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules that are not consistent with legislative intent pursuant to Section 67-5291, Idaho Code, and to approve executive agency rules under the provisions of Section 29, Article III of the Idaho Constitution; and

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; 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 Second Regular Session of the Sixty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that fee, non-fee, and proclamation rules adopted by the Department of Juvenile Corrections, Board of Correction, Idaho State Police - Public Safety, Idaho State Police - POST, Commission of Pardons and Parole, Sexual Offender Management Board, and Idaho State Police, not including IDAPA 11.10.03, Rules Governing the Sex Offender Registry, Section 012., Subsection 06.a. and 06.e., Docket Number 11-0000-2100, only, pursuant to the Administrative Procedure Act and submitted through the Office of Rules Coordinator to the Legislature for review during the 2022 legislative session and reviewed by the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee, be, and the same are approved.

BE IT FURTHER RESOLVED that, if any non-fee rule was assigned to but was not reviewed by the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee, such rule shall take effect upon conclusion of the legislative session, or as provided in rule, pursuant to Section 67-5224, Idaho Code.

BE IT FURTHER RESOLVED that, except as provided in this concurrent resolution, every rule of Department of Juvenile Corrections, Board of Correction, Idaho State Police - Public Safety, Idaho State Police - POST, Commission of Pardons and Parole, Sexual Offender Management Board, and Idaho State Police, not including IDAPA 11.10.03, Rules Governing the Sex Offender Registry, Section 012., Subsection 06.a. and 06.e., Docket Number 11-0000-39 2100, only, as that term is defined in Section 67-5201, Idaho Code, shall continue in full force and effect until July 1, 2023, at which time they shall expire and be of no further force and effect as provided in Section 67-5292, Idaho Code.

BE IT FURTHER RESOLVED that a rule or partial rule approved by this concurrent resolution shall remain in effect until it expires by its own terms, but in no event shall a rule remain in effect beyond July 1, 2023, or the conclusion of the First Regular Session of the Sixty-seventh Idaho Legislature, whichever is applicable, unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Rules or sections of rules that are excepted from approval hereunder shall expire upon adjournment of the Second Regular Session of the Sixty-sixth 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
RS29749 / HCR050

Approves fee and non-fee administrative rules for the department of juvenile corrections, board of correction, state police public safety, state police POST, and commission of pardons and parole in their entirety. Approves the rules of the Sexual Offender Management Board with one exception.

FISCAL NOTE

There will be no fiscal impact. All fee rules adopt fees that are identical than those approved in 2021.

Contact:

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Adopted: March 23, 2022.