

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 147

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1 STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE
2 A FEE OR CHARGE.
3

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

5 WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must
6 approve certain administrative rules that impose a fee or charge by adoption
7 of a concurrent resolution before the rules become effective; and

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

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

14 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular
15 Session of the Sixty-second Idaho Legislature, the Senate and the House of
16 Representatives concurring therein, that all pending administrative rules
17 or portions of pending administrative rules adopted by state agencies pur-
18 suant to the Administrative Procedure Act during the prior calendar year,
19 and submitted through the Office of the Administrative Rules Coordinator to
20 the Legislature for review during the 2014 legislative session, which impose
21 a fee or charge, be, and the same are approved and shall be in full force
22 and effect upon the adoption of this concurrent resolution or upon the date
23 specified in the administrative rule.

24 BE IT FURTHER RESOLVED that rule provisions imposing fees or charges
25 that were not submitted through the Office of the Administrative Rules Co-
26 ordinator for legislative review or that otherwise are not included and
27 approved in this concurrent resolution shall be null, void and of no force
28 and effect unless approved by adoption of a separate concurrent resolution
29 by both houses of the Legislature as provided in Section 67-5224, Idaho Code.