

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 1

BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

1  
2 PROPOSING AN AMENDMENT TO ARTICLE III, OF THE CONSTITUTION OF THE STATE OF  
3 IDAHO, BY THE ADDITION OF A NEW SECTION 29, ARTICLE III, RELATING TO  
4 LEGISLATIVE DELEGATION OF RULEMAKING AUTHORITY; STATING THE QUESTION  
5 TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO  
6 PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF  
7 STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

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

9 SECTION 1. That Article III, of the Constitution of the State of Idaho,  
10 be, and the same is hereby amended by the addition thereto of a NEW SECTION,  
11 to be known and designated as Section 29, Article III, of the Constitution of  
12 the State of Idaho and to read as follows:

13 SECTION 29. LEGISLATIVE DELEGATION OF RULEMAKING AUTHOR-  
14 ITY. The legislature may delegate rulemaking authority to exec-  
15 utive agencies as provided by law. No rule shall supersede the  
16 legislature's authority under this Constitution. The legisla-  
17 ture may approve or reject administrative rules issued pursuant  
18 to authority delegated hereunder without compliance with section  
19 10, article IV.

20 SECTION 2. The question to be submitted to the electors of the State of  
21 Idaho at the next general election shall be as follows:

22 "Shall, Article III, of the Constitution of the State of Idaho be  
23 amended by the addition of a New Section 29, to provide for legislative dele-  
24 gation of rulemaking authority?".

25 SECTION 3. The Legislative Council is directed to prepare the state-  
26 ments required by Section 67-453, Idaho Code, and file the same.

27 SECTION 4. The Secretary of State is hereby directed to publish this  
28 proposed constitutional amendment and arguments as required by law.