

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 120

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1
2 STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE
3 BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING
4 UNIFORMITY.

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

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

10 WHEREAS, it is the finding of the Legislature that a certain rule of the
11 State Board of and State Department of Education relating to Rules Governing
12 Uniformity is not consistent with legislative intent and should be rejected.

13 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular
14 Session of the Sixty-third Idaho Legislature, the Senate and the House of
15 Representatives concurring therein, that IDAPA 08.02.02, the State Board
16 of and State Department of Education, Rules Governing Uniformity, Section
17 028., all of Subsection 04., only, adopted as a pending rule under Docket
18 Number 08-0202-1403, be, and the same is hereby rejected and declared null,
19 void and of no force and effect.