

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 120

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE  
A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULE  
DOCKETS THAT ARE NOT APPROVED.

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

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 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 leg-  
islative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the  
Board of Veterinary Medicine governing Rules of the State of Idaho Board of  
Veterinary Medicine are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the  
Sexual Offender Management Board governing Rules of the Sexual Offender Man-  
agement Board are not consistent with legislative intent; 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 First Regular  
Session of the Sixty-fourth Idaho Legislature, the Senate and the House of  
Representatives concurring therein, that all pending administrative rules  
or portions of pending administrative rules adopted by state agencies pur-  
suant to the Administrative Procedure Act during the prior calendar year,  
and submitted through the Office of the Administrative Rules Coordinator to  
the Legislature for review during the 2017 legislative session, which impose  
a fee or charge, be, and the same are approved, with the exception of the  
following enumerated pending fee rules:

IDAPA 46.01.01, Rules of the State of Idaho Board of Veterinary  
Medicine, Section 014., Subsection 02.f., only, adopted as pending  
fee rules under Docket Number 46-0101-1603.

IDAPA 57.01.01, Rules of the Sexual Offender Management Board,  
Section 150., Subsections 02. and 04., only, adopted as pending fee  
rules under Docket Number 57-0101-1601.

BE IT FURTHER RESOLVED that IDAPA 46.01.01, Rules of the State of  
Idaho Board of Veterinary Medicine, Section 014., Subsection 02.f., only,  
adopted as pending fee rules under Docket Number 46-0101-1603, and IDAPA  
57.01.01, Rules of the Sexual Offender Management Board, Section 150., Sub-  
sections 02. and 04., only, adopted as pending fee rules under Docket Number

1 57-0101-1601, are hereby rejected and not approved, and thereby pursuant to  
2 Section 67-5291 and Section 67-5224, Idaho Code, are declared null, void and  
3 of no force and effect.

4 BE IT FURTHER RESOLVED that rule provisions imposing fees or charges  
5 that were not submitted through the Office of Rules Coordinator for leg-  
6 islative review or that otherwise are not included and approved in this  
7 concurrent resolution shall be null, void and of no force and effect unless  
8 approved by adoption of a separate concurrent resolution by both houses of  
9 the Legislature as provided in Section 67-5224, Idaho Code.