

STATEMENT OF PURPOSE

RS27952 / H0617

This legislation revises Idaho Code section 67-5292 regarding administrative rules. It brings Idaho statutes into compliance with the Idaho Constitution. At the general election of 2016, the voters of Idaho approved the adoption of Article III, Section 29 of the Idaho Constitution. That new section of the Constitution specifically states that the Legislature's approval or rejection of an administrative rule is not subject to gubernatorial veto. However, the current language in Idaho Code Section 67-5292 requires the extension of administrative rules by statute (which is subject to gubernatorial veto), and consequently, is inconsistent with the Idaho Constitution. This legislation resolves that inconsistency by providing that the Legislature can extend rules by concurrent resolution(s)(or as provided by joint rule) which are not subject to gubernatorial veto.

This legislation also deletes some out-of-date language (Subsections (2) and (3) of the statute).

This legislation has an emergency clause and will take effect retroactively to January 1, 2020.

FISCAL NOTE

There is no fiscal impact of this legislation because the revisions to Idaho Code Section 67-5292 revise administrative workings of the Idaho Legislature.

Contact:

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).