

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 40

BY ENVIRONMENT, ENERGY AND TECHNOLOGY COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING AND EXTENDING PENDING FEE
AND PENDING NON-FEE RULES REVIEWED BY THE HOUSE ENVIRONMENT, ENERGY,
AND TECHNOLOGY AND SENATE RESOURCES AND ENVIRONMENT COMMITTEES.

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

WHEREAS, the Legislature is vested with authority to reject executive
agency rules that are not consistent with legislative intent and to approve
executive agency rules under the provisions of Section 29, Article III, of
the Idaho Constitution; and

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 finds that it is in the public interest to
adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular
Session of the Sixty-fifth Idaho Legislature, the House of Representatives
and the Senate concurring therein, that pending fee and pending non-fee
rules adopted by the Department of Environmental Quality, in Docket Nos.
58-0000-1900F, 58-0109-1901, 58-0111-1901, 58-0000-1900, 58-0102-1901,
58-0103-1902, and 58-0117-1901, pursuant to the Administrative Procedure
Act and submitted through the Office of Rules Coordinator to the Legislature
for review during the 2020 legislative session and reviewed by the House
Environment, Energy, and Technology and Senate Resources and Environment
committees, be, and the same are approved, and pending fee rules shall be
in full force and effect upon the adoption of this concurrent resolution or
upon the date specified in the administrative rule. If any non-fee rule was
assigned to but was not reviewed by the House Environment, Energy, and Tech-
nology and Senate Resources and Environment committees, such rule shall take
effect upon conclusion of the legislative session, or as provided in rule,
pursuant to Section 67-5224, Idaho Code.

BE IT FURTHER RESOLVED that a rule or partial rule approved by this con-
current resolution shall remain in effect until it expires by its own terms,
but in no event shall a rule remain in effect beyond July 1, 2021, or the con-
clusion of the First Regular Session of the Sixty-sixth Idaho Legislature,
whichever is applicable, unless it is further extended by adoption of a con-
current resolution by both houses of the Legislature as provided in Section
67-5292, Idaho Code.