

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 52

BY WAYS AND MEANS COMMITTEE

1 A CONCURRENT RESOLUTION
2 STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE IDAHO
3 STATE RACING COMMISSION, THE IDAHO STATE LIQUOR DIVISION, THE IDAHO
4 PUBLIC UTILITIES COMMISSION, AND THE ENDOWMENT FUND INVESTMENT BOARD BY
5 THE HOUSE STATE AFFAIRS COMMITTEE AND THE SENATE STATE AFFAIRS COMMIT-
6 TEE, WITH AN EXCEPTION.

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

8 WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must
9 approve pending administrative rules by adoption of a concurrent resolu-
10 tion; and

11 WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any
12 pending rule that is not approved by adoption of a concurrent resolution
13 shall expire upon adjournment sine die of the legislative session during
14 which the agency submits the pending rule to the Legislature for review; and

15 WHEREAS, the House State Affairs Committee and the Senate State Affairs
16 Committee reviewed pending rules adopted by the Idaho State Racing Commis-
17 sion, the Idaho State Liquor Division, the Idaho Public Utilities Commis-
18 sion, and the Endowment Fund Investment Board; and

19 WHEREAS, the Senate State Affairs Committee approved pending rules of
20 the Idaho State Liquor Division, IDAPA 15.10.01 Rules of the Idaho State
21 Liquor Division, Docket No. 15-1001-2301, the entire docket; and

22 WHEREAS, the House State Affairs Committee approved pending rules of
23 the Idaho State Liquor Division, IDAPA 15.10.01 Rules of the Idaho State
24 Liquor Division, Docket No. 15-1001-2301, with the exception of Section
25 021., Subsection 09., only; and

26 WHEREAS, it is the finding of the House of Representatives that certain
27 rules of the Idaho State Liquor Division, Rules of the Idaho State Liquor Di-
28 vision, are not consistent with legislative intent because the Division does
29 not have authority to increase the amount of wine gallons available to sam-
30 ple; and

31 WHEREAS, the Legislature finds that it is in the public interest to
32 adopt this resolution.

33 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
34 sion of the Sixty-seventh Idaho Legislature, the House of Representatives
35 and the Senate concurring therein, that the pending rules adopted by the
36 Idaho State Racing Commission, the Idaho State Liquor Division, the Idaho
37 Public Utilities Commission, and the Endowment Fund Investment Board, pur-
38 suant to the Administrative Procedure Act and submitted through the Office
39 of the Administrative Rules Coordinator to the Legislature for review during
40 the 2024 legislative session and reviewed by the Senate State Affairs Com-
41 mittee and the House State Affairs Committee, be, and the same are hereby ap-
42 proved with the exception of IDAPA 15.10.01, Rules of the Idaho State Liquor
43 Division, Docket No. 15-1001-2301, Section 021., Subsection 09., only.