

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 48

BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE DEPARTMENT OF FINANCE, THE DEPARTMENT OF INSURANCE, AND THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES REVIEWED BY THE HOUSE BUSINESS COMMITTEE AND THE SENATE COMMERCE AND HUMAN RESOURCES COMMITTEE, WITH EXCEPTIONS.

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

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

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

WHEREAS, both the House Business Committee and the Senate Commerce and Human Resources Committee reviewed and approved the following pending rules adopted by the Department of Finance, the Department of Insurance, and the Division of Occupational and Professional Licenses in their entirety:

(1) 12.01.04, Rules Pursuant to the Idaho Credit Union Act, Docket No. 12-0104-2301;

(2) 12.01.08, Rules Pursuant to the Uniform Securities Act (2004), Docket No. 12-0108-2301;

(3) 12.01.10, Rules Pursuant to the Idaho Residential Mortgage Practices Act, Docket No. 12-0110-2301;

(4) 18.01.02, Schedule of Fees, Licenses, and Miscellaneous Charges, Docket No. 18-0102-2301;

(5) 18.04.08, Individual and Group Supplementary Disability Insurance Minimum Standards Rule, Docket No. 18-0408-2301;

(6) 18.06.01, Rules Pertaining to Bail Agents, Docket No. 18-0601-2301;

(7) 18.06.02, Producers Handling of Fiduciary Funds, Docket No. 18-0602-2301;

(8) 18.06.03, Rules Governing Disclosure Requirements for Insurance Producers When Charging Fees, Docket No. 18-0603-2301;

(9) 18.07.06, Rules Governing Life and Health Reinsurance Agreements, Docket No. 18-0706-2301;

(10) 18.07.10, Corporate Governance Annual Disclosure, Docket No. 18-0710-2301;

(11) 18.08.01, Adoption of the International Fire Code, Docket No. 18-0801-2301;

(12) 24.01.01, Rules of the Board of Architects and Landscape Architects, Docket No. 24-0101-2301;

1 (13) 24.07.01, Rules of the Idaho State Board of Landscape Architects,  
2 Docket No. 24-0701-2301;

3 (14) 24.18.01, Rules of the Real Estate Appraiser Board, Docket No.  
4 24-1801-2301;

5 (15) 24.28.01, Rules of the Barber and Cosmetology Services Licensing  
6 Board, Docket No. 24-2801-2301;

7 (16) 24.39.30, Rules of Building Safety (Building Code Rules), Docket  
8 No. 24-3930-2302; and

9 (17) 24.39.31, Rules for Factory Built Structures, Docket No. 24-3931-  
10 2301; and

11 WHEREAS, the House Business Committee approved pending rules of the De-  
12 partment of Insurance, The Managed Care Reform Act Rule, Docket No. 18-0404-  
13 2301, the entire docket; and

14 WHEREAS, the Senate Commerce and Human Resources Committee approved  
15 pending rules of the Department of Insurance, The Managed Care Reform Act  
16 Rule, Docket No. 18-0404-2301, with the exception of Section 011., Subsec-  
17 tion 03., only; and

18 WHEREAS, the Senate Commerce and Human Resources Committee ap-  
19 proved pending rules of the Division of Occupational and Professional  
20 Licenses, Rules of the Public Works Contractors License Board, Docket No.  
21 24-3950-2301, the entire docket; and

22 WHEREAS, the House Business Committee approved pending rules of the Di-  
23 vision of Occupational and Professional Licenses, Rules of the Public Works  
24 Contractors License Board, Docket No. 24-3950-2301, with the exception of  
25 Section 100., Subsection 03.d., only; and

26 WHEREAS, it is the finding of the House of Representatives that certain  
27 rules of the Division of Occupational and Professional Licenses, Rules of  
28 the Public Works Contractors License Board, are not consistent with legisla-  
29 tive intent; and

30 WHEREAS, it is the finding of the Senate that certain rules of the De-  
31 partment of Insurance, The Managed Care Reform Act Rule, are not consistent  
32 with legislative intent; and

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

35 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-  
36 sion of the Sixty-seventh Idaho Legislature, the House of Representatives  
37 and the Senate concurring therein, that the pending rules of the Department  
38 of Insurance, The Managed Care Reform Act Rule, Docket No. 18-0404-2301, are  
39 hereby approved with the exception of Section 011., Subsection 03., only,  
40 which is hereby rejected and not approved, and thereby pursuant to Section  
41 67-5291, Idaho Code, shall expire upon adjournment sine die of the legisla-  
42 tive session and be null, void, and of no force and effect.

43 BE IT FURTHER RESOLVED that the pending rules of the Division of Occupa-  
44 tional and Professional Licenses, Rules of the Public Works Contractors Li-  
45 cense Board, Docket No. 24-3950-2301, are hereby approved with the excep-  
46 tion of Section 100., Subsection 03.d., only, which is hereby rejected and  
47 not approved, and thereby pursuant to Section 67-5291, Idaho Code, shall ex-  
48 pire upon adjournment sine die of the legislative session and be null, void,  
49 and of no force and effect.

1           BE IT FURTHER RESOLVED that all other pending rule dockets of the De-  
2   partment of Finance, the Department of Insurance, and the Division of Occu-  
3   pational and Professional Licenses reviewed by the House Business Committee  
4   and the Senate Commerce and Human Resources Committee are hereby approved.