

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 108

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1 STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES
2 REVIEWED BY THE LEGISLATURE.
3

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

5 WHEREAS, the Legislature by statute must approve temporary rules by
6 adoption of a concurrent resolution approving the rule if the temporary rule
7 is to remain in effect beyond the end of the current legislative session; and

8 WHEREAS, the expiration of temporary rules would occasion additional
9 expense to state agencies in readopting and republishing temporary rules
10 needed to conduct state business; and

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

13 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
14 sion of the Sixty-first Idaho Legislature, the Senate and the House of Rep-
15 resentatives concurring therein, that all temporary rules adopted by state
16 agencies pursuant to the Administrative Procedure Act and submitted to the
17 Legislature at the Legislature's request through the Office of Rules Coordi-
18 nator for review during the 2011 legislative session, and all temporary
19 rules previously approved and extended by concurrent resolution adopted in a
20 prior regular session of the Idaho Legislature, be, and the same are hereby
21 approved.

22 BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule
23 approved by this concurrent resolution shall remain in effect until it ex-
24 pires by its own terms or by operation of law or until it is replaced by a
25 final rule, but in no event shall a temporary rule remain in effect beyond
26 the conclusion of the Second Regular Session of the Sixty-first Idaho Legis-
27 lature unless it is further extended by adoption of a concurrent resolution
28 by both houses of the Legislature. Temporary rules or sections of temporary
29 rules which were not submitted to the Legislature for review during the 2011
30 legislative session shall expire by operation of statute upon adjournment of
31 the First Regular Session of the Sixty-first Idaho Legislature, unless ap-
32 proved by adoption of a separate concurrent resolution by both houses of the
33 Legislature.