LEGISLATURE OF THE STATE OF IDAHO

Sixty-sixth Legislature Second Regular Session - 2022

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 123

BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES THAT IMPOSE A FEE OR CHARGE REVIEWED BY THE SENATE RESOURCES AND ENVIRONMENT COMMITTEE AND THE HOUSE RESOURCES AND CONSERVATION COMMITTEE WITH AN EXCEPTION.

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

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 is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, the Senate Resources and Environment Committee and the House Resources and Conservation Committee reviewed rules that impose a fee or charge adopted by the Department of Fish and Game, Forest Products Commission, Department of Lands, Department of Parks and Recreation, and Department of Water Resources; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Parks and Recreation is not consistent with legislative intent; 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-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that pending fee rules adopted by the Department of Fish and Game, Forest Products Commission, Department of Lands, Department of Parks and Recreation, and Department of Water Resources, pursuant to the Administrative Procedure Act and submitted through the Office of Rules Coordinator to the Legislature for review during the 2022 legislative session and reviewed by the Senate Resources and Environment Committee and the House Resources and Conservation Committee, be, and the same are hereby approved, with the exception of the following enumerated pending fee rule.

BE IT FURTHER RESOLVED that Department of Parks and Recreation, IDAPA 26.01.33, Docket No. 26-0000-2100F, Section 010., Subsection 07., only, is hereby rejected and not approved, and thereby pursuant to Sections 67-5291 and 67-5224, Idaho Code, is declared null, void, and of no force and effect.