

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 128

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1
2 STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE
3 A FEE OR CHARGE, WITH AN EXCEPTION, AND REJECTING A CERTAIN AGENCY RULE
4 DOCKET THAT IS NOT APPROVED.

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

6 WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must
7 approve certain administrative rules that impose a fee or charge by adoption
8 of a concurrent resolution before the rules become effective; and

9 WHEREAS, the Legislature is vested with authority to reject executive
10 agency rules under the provisions of Section 67-5291, Idaho Code, in the
11 event that the Legislature finds that the rules are not consistent with leg-
12 islative intent; and

13 WHEREAS, it is the finding of the Legislature that a certain rule docket
14 of the Department of Insurance governing Schedule of Fees, Licenses, and
15 Miscellaneous Charges is not consistent with legislative intent; and

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

18 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular
19 Session of the Sixty-third Idaho Legislature, the Senate and the House of
20 Representatives concurring therein, that all pending administrative rules
21 or portions of pending administrative rules adopted by state agencies pur-
22 suant to the Administrative Procedure Act during the prior calendar year,
23 and submitted through the Office of the Administrative Rules Coordinator to
24 the Legislature for review during the 2015 legislative session, which impose
25 a fee or charge, be, and the same are approved, with the exception of the
26 following enumerated pending fee rule:

27 IDAPA 18.01.44, the Department of Insurance, Rules Governing
28 the Schedule of Fees, Licenses, and Miscellaneous Charges, adopted
29 as a pending fee rule under Docket Number 18-0144-1401, the entire
30 rulemaking docket.

31 BE IT FURTHER RESOLVED that IDAPA 18.01.44, the Department of Insur-
32 ance, Rules Governing the Schedule of Fees, Licenses, and Miscellaneous
33 Charges, adopted as a pending fee rule under Docket Number 18-0144-1401, the
34 entire rulemaking docket is hereby rejected and not approved, and thereby
35 pursuant to Section 67-5291 and Section 67-5224, Idaho Code, is declared
36 null, void and of no force and effect.

37 BE IT FURTHER RESOLVED that rule provisions imposing fees or charges
38 that were not submitted through the Office of the Administrative Rules Co-
39 ordinator for legislative review or that otherwise are not included and
40 approved in this concurrent resolution shall be null, void and of no force

1 and effect unless approved by adoption of a separate concurrent resolution
2 by both houses of the Legislature as provided in Section 67-5224, Idaho Code.