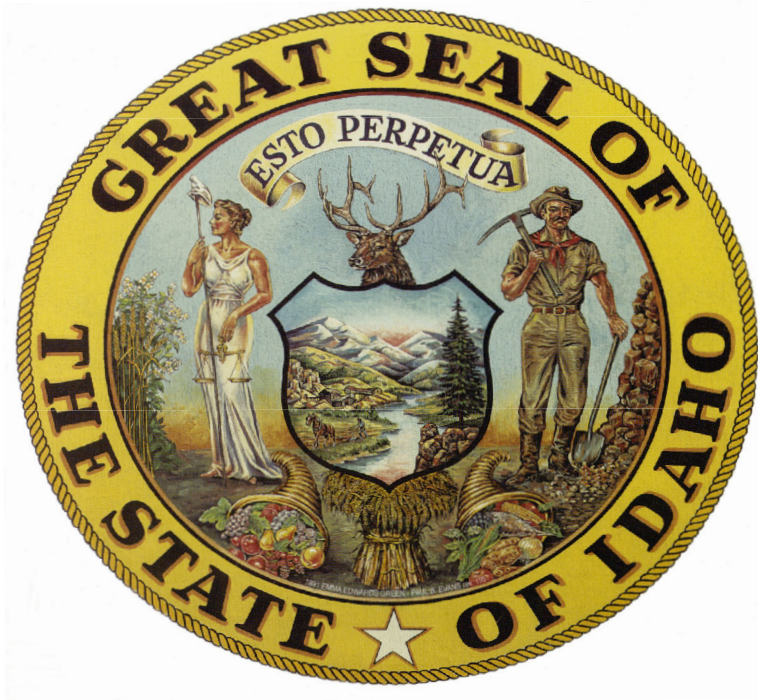


IDAHO ADMINISTRATIVE BULLETIN

October 6, 2021 – Vol. 21-10

Office of the Governor
Division of Financial Management
Office of the Administrative Rules Coordinator



The Idaho Administrative Bulletin is published monthly by the Office of the Administrative Rules Coordinator, Division of Financial Management, Office of the Governor, pursuant to Title 67, Chapter 52, Idaho Code.

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IDAHO ADMINISTRATIVE BULLETIN

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PREFACE

The Idaho Administrative Bulletin is an electronic-only, online monthly publication of the Office of the Administrative Rules Coordinator, Division of Financial Management, that is published pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all official rulemaking notices, official rule text, executive orders of the Governor, and all legislative documents affecting rules that are statutorily required to be published in the Bulletin. It may also include other rules-related documents an agency may want to make public through the Bulletin.

State agencies are required to provide public notice of all rulemaking actions and must invite public input. This is done through negotiated rulemaking procedures or after proposed rulemaking has been initiated. The public receives notice that an agency has initiated proposed rulemaking procedures through the Idaho Administrative Bulletin and a legal notice (Public Notice of Intent) that publishes in authorized newspapers throughout the state. The legal notice provides reasonable opportunity for the public to participate when a proposed rule publishes in the Bulletin. Interested parties may submit written comments to the agency or request public hearings of the agency, if none have been scheduled. Such submissions or requests must be presented to the agency within the time and manner specified in the individual “Notice of Rulemaking - Proposed Rule” for each proposed rule that is published in the Bulletin.

Once the comment period closes, the agency considers fully all comments and information submitted regarding the proposed rule. Changes may be made to the proposed rule at this stage of the rulemaking, but changes must be based on comments received and must be a “logical outgrowth” of the proposed rule. The agency may now adopt and publish the pending rule. A pending rule is “pending” legislative review for final approval. The pending rule is the agency’s final version of the rulemaking that will be forwarded to the legislature for review and final approval. Comment periods and public hearings are not provided for when the agency adopts a temporary or pending rule.

CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN

The Bulletin is identified by the calendar year and issue number. For example, Bulletin **19-1** refers to the first Bulletin issued in calendar year **2019**; Bulletin **20-1** refers to the first Bulletin issued in calendar year **2020**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **19-1** refers to January 2019; Volume No. **20-2** refers to February 2020; and so forth. Example: The Bulletin published in January 2019 is cited as Volume **19-1**. The December 2019 Bulletin is cited as Volume **19-12**.

RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

The **Idaho Administrative Code** is an electronic-only, online compilation of all final and enforceable administrative rules of the state of Idaho that are of full force and effect. Any temporary rule that is adopted by an agency and is of force and effect is codified into the Administrative Code upon Bulletin publication. All pending rules that have been approved by the legislature during the legislative session as final rules and any temporary rules that are extended supplement the Administrative Code. These rules are codified into the Administrative Code upon becoming effective. Because proposed and pending rules are not enforceable, they are published in the Administrative Bulletin only and cannot be codified into the Administrative Code until approved as final.

To determine if a particular rule remains in effect or whether any amendments have been made to the rule, refer to the **Cumulative Rulemaking Index**. Link to it on the Administrative Rules homepage at adminrules.idaho.gov.

THE DIFFERENT RULES PUBLISHED IN THE ADMINISTRATIVE BULLETIN

Idaho’s administrative rulemaking process, governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, comprises distinct rulemaking actions: negotiated, proposed, temporary, pending and final rulemaking. Not all rulemakings incorporate or require all of these actions. At a minimum, a rulemaking includes proposed, pending and final rulemaking. Many rules are adopted as temporary rules when they meet the required statutory criteria and agencies must, when feasible, engage in negotiated rulemaking at the beginning of the process to facilitate consensus building. In the majority of cases, the process begins with proposed rulemaking and ends with the final rulemaking. The following is a brief explanation of each type of rule.

1. NEGOTIATED RULEMAKING

Negotiated rulemaking is a process in which all interested persons and the agency seek consensus on the content of a rule through dialogue. Agencies are required to conduct negotiated rulemaking whenever it is feasible to do so. The agency files a “Notice of Intent to Promulgate – Negotiated Rulemaking” for publication in the Administrative Bulletin inviting interested persons to contact the agency if interested in discussing the agency’s intentions regarding the rule changes. This process is intended to result in the formulation of a proposed rule and the initiation of regular rulemaking procedures. One result, however, may also be that regular (proposed) rulemaking is not initiated and no further action is taken by the agency.

2. PROPOSED RULEMAKING

A proposed rulemaking is an action by an agency wherein the agency is proposing to amend or repeal an existing rule or to adopt a new rule. Prior to the adoption, amendment, or repeal of a rule, the agency must publish a “Notice of Rulemaking – Proposed Rule” in the Bulletin. This notice must include very specific information regarding the rulemaking including all relevant state or federal statutory authority occasioning the rulemaking, a non-technical description of the changes being made, any associated costs, guidance on how to participate through submission of written comments and requests for public hearings, and the text of the proposed rule in legislative format.

3. TEMPORARY RULEMAKING

Temporary rules may be adopted only when the governor finds that it is necessary for:

- a) protection of the public health, safety, or welfare; or
- b) compliance with deadlines in amendments to governing law or federal programs; or
- c) conferring a benefit.

If a rulemaking meets one or more of these criteria, and with the Governor’s approval, the agency may adopt and make a temporary rule effective prior to receiving legislative authorization and without allowing for any public input. The law allows an agency to make a temporary rule immediately effective upon adoption. A temporary rule expires at the conclusion of the next succeeding regular legislative session unless the rule is extended by concurrent resolution, is replaced by a final rule, or expires under its own terms.

4. PENDING RULEMAKING

A pending rule is a rule that has been adopted by an agency under regular rulemaking procedures and remains subject to legislative review before it becomes a final, enforceable rule. When a pending rule is published in the Bulletin, the agency is required to include certain information in the “Notice of Rulemaking – Pending Rule.” This includes a statement giving the reasons for adopting the rule, a statement regarding when the rule becomes effective, a description of how it differs from the proposed rule, and identification of any fees being imposed or changed.

Agencies are required to republish the text of the pending rule when substantive changes have been made to the proposed rule. An agency may adopt a pending rule that varies in content from that which was originally proposed if the subject matter of the rule remains the same, the pending rule change is a logical outgrowth of the proposed rule, and the original notice was written so as to assure that members of the public were reasonably notified of the subject. It is not always necessary to republish all the text of the pending rule.

5. FINAL RULEMAKING

A final rule is a rule that has been adopted by an agency under the regular rulemaking procedures and is of full force and effect.

HOW TO USE THE IDAHO ADMINISTRATIVE BULLETIN

Rulemaking documents produced by state agencies and published in the **Idaho Administrative Bulletin** are organized by a numbering schematic. Each state agency has a two-digit identification code number known as the “**IDAPA**” number. (The “IDAPA” Codes are listed in the alphabetical/numerical index at the end of this Preface.) Within each agency there are divisions or sections to which a two-digit “TITLE” number is assigned. There are “CHAPTER” numbers assigned within the Title and the rule text is divided among major sections that are further subdivided into subsections. An example IDAPA number is as follows:

IDAPA 38.05.01.200.02.c.ii.

“**IDAPA**” refers to Administrative Rules in general that are subject to the Administrative Procedures Act and are required by this act to be published in the Idaho Administrative Code and the Idaho Administrative Bulletin.

“**38.**” refers to the Idaho Department of Administration

“**05.**” refers to Title **05**, which is the Department of Administration’s Division of Purchasing

“**01.**” refers to Chapter **01** of Title 05, “Rules of the Division of Purchasing”

“**200.**” refers to Major Section **200**, “Content of the Invitation to Bid”

“**02.**” refers to Subsection 200.02.

“**c.**” refers to Subsection 200.02.c.

“**ii.**” refers to Subsection 200.02.c.ii.

DOCKET NUMBERING SYSTEM

Internally, the Bulletin is organized sequentially using a rule docketing system. Each rulemaking that is filed with the Coordinator is assigned a “DOCKET NUMBER.” The docket number is a series of numbers separated by a hyphen “-”, (**38-0501-1401**). Rulemaking dockets are published sequentially by IDAPA number (the two-digit agency code) in the Bulletin. The following example is a breakdown of a typical rule docket number:

“DOCKET NO. 38-0501-1901”

“**38-**” denotes the agency’s **IDAPA** number; in this case the Department of Administration.

“**0501-**” refers to the **TITLE AND CHAPTER** numbers of the agency rule being promulgated; in this case the Division of Purchasing (**TITLE 05**), Rules of the Division of Purchasing (**Chapter 01**).

“**1901**” denotes the year and sequential order of the docket being published; in this case the numbers refer to the first rulemaking action published in **calendar year 2019**. A subsequent rulemaking on this same rule chapter in calendar year 2019 would be designated as “**1902**”. The docket number in this scenario would be 38-0501-**1902**.

Within each Docket, only the affected sections of chapters are printed. (See **Sections Affected Index** in each Bulletin for a listing of these.) The individual sections affected are printed in the Bulletin sequentially (e.g. Section “200” appears before Section “345” and so on). Whenever the sequence of the numbering is broken the following statement will appear:

(BREAK IN CONTINUITY OF SECTIONS)

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2020

Vol. No.	Monthly Issue of Bulletin	ARRF Due to DFM	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
20-1	January 2020	November 15, 2019	*November 29, 2019	January 1, 2020	January 22, 2020
20-2	February 2020	December 20, 2019	January 3, 2020	February 5, 2020	February 26, 2020
20-3	March 2020	January 22, 2020	February 7, 2020	March 4, 2020	March 25, 2020
20-4	April 2020	February 21, 2020	March 6, 2020	April 1, 2020	April 22, 2020
20-5	May 2020	March 20, 2020	April 3, 2020	May 6, 2020	May 27, 2020
20-6	June 2020	April 24, 2020	May 1, 2020	June 3, 2020	June 24, 2020
20-7	July 2020	May 22, 2020	June 5, 2020	July 1, 2020	July 22, 2020
20-8	August 2020	June 19, 2020	July 3, 2020	August 5, 2020	August 26, 2020
20-9	September 2020	July 24, 2020	August 7, 2020	September 2, 2020	September 23, 2020
20-10	October 2020	August 21, 2020	**August 28, 2020	October 7, 2020	October 28, 2020
20-11	November 2020	September 18, 2020	October 2, 2020	November 4, 2020	November 25, 2020
20-12	December 2020	October 23, 2020	November 6, 2020	December 2, 2020	December 23, 2020

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2021

Vol. No.	Monthly Issue of Bulletin	ARRF Due to DFM	Closing Date for Agency Filing	Bulletin Publication Date	21-day Comment Period End Date
21-1	January 2021	November 16, 2021	*November 30, 2020	January 6, 2021	January 27, 2021
21-2	February 2021	December 24, 2021	January 8, 2021	February 3, 2021	February 24, 2021
21-3	March 2021	January 22, 2021	February 5, 2021	March 3, 2021	March 24, 2021
21-4	April 2021	February 19, 2021	March 5, 2021	April 7, 2021	April 28, 2021
21-5	May 2021	March 19, 2021	April 2, 2021	May 5, 2021	May 26, 2021
21-6	June 2021	April 23, 2021	May 7, 2021	June 2, 2021	June 23, 2021
21-7	July 2021	May 21, 2021	June 4, 2021	July 7, 2021	July 28, 2021
21-8	August 2021	June 18, 2021	July 2, 2021	August 4, 2021	August 25, 2021
21-9	September 2021	July 16, 2021	July 30, 2021	September 1, 2021	September 22, 2021
21-10	October 2021	August 16, 2021	**August 30, 2021	October 6, 2021	October 27, 2021
21-11	November 2021	September 24, 2021	October 8, 2021	November 3, 2021	November 24, 2021
21-12	December 2021	October 22, 2021	November 5, 2021	December 1, 2021	December 22, 2021

***Last day to submit a proposed rulemaking before moratorium begins AND last day to submit a pending rule to be reviewed by upcoming legislature.**

****Last day to submit a proposed rule to remain on course for rulemaking to be completed and submitted for review by upcoming legislature.**

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IDAPA 40	Arts , Idaho Commission on the
IDAPA 04	Attorney General , Office of the
IDAPA 53	Barley Commission , Idaho
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IDAPA 47	Vocational Rehabilitation, Division of
IDAPA 37	Water Resources, Department of
IDAPA 42	Wheat Commission, Idaho

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2021-11

**ACTIVATION OF THE IDAHO NATIONAL GUARD TO PROVIDE SUPPORT
IN RESPONSE TO THE COVID-19 PANDEMIC**

WHEREAS, the health and safety of all Idahoans is the greatest priority of our state and its leaders; and

WHEREAS, the Centers for Disease Control and Prevention has labeled the 2019 novel coronavirus (COVID-19) a pandemic that poses a serious public health threat; and

WHEREAS, as of August 30, 2021, there have been over 39 million confirmed cases of COVID-19 and approximately 639,000 deaths in the United States and 220,163 confirmed or probable cases of COVID-19 and 2,331 deaths in Idaho due to COVID-19; and

WHEREAS, rapid community spread has caused some local hospitals to significantly reduce operations to protect its health care workers and caused patients to have to travel or be transported into other counties to be treated for COVID-19 or other illnesses and injuries; and

WHEREAS, the Delta variant of COVID-19 is currently the predominant strain in the United State and Idaho. This variant is more infectious and transmissible when compared to previous variants. Vaccines remain the safest and most effective mitigation tool against COVID-19, including the Delta variant; and

WHEREAS, Idaho's case rate and positivity rate are increasing. As a result, 55 percent of Idaho hospitals are currently reporting stresses on their operations and 62percent of hospitals are reporting stress due to overall staffing issues. As of August 28, 2021, 500 people were hospitalized with COVID-19 and 155 people were in intensive care. Idaho's rural communities are particularly at risk because of limited health care capacity and staff; and

WHEREAS, due to the increase in COVID-19 patients, some hospitals are diverting patients to other hospitals within the state and, in some instances, to neighboring states. Hospitals in surrounding states are also experiencing a surge of COVID-19 cases and may not be able to receive Idaho patients; and

WHEREAS, the recent surge of COVID-19 cases in Idaho has put a significant strain on health care workers, resulting in staffing shortages across the State. Without health care workers and support staff, hospitals are not able to utilize their full capacity; and

WHEREAS, the Idaho Military Division is committed to maintaining domestic emergency response readiness in the Idaho National Guard and guiding the state, through the Office of Emergency Management, in effectively preparing for, responding to, and recovering from all hazards; and

WHEREAS, Idaho is committed to being prepared and protecting Idahoans from COVID-19. There continues to be a risk to life and the continued operation of public infrastructure as a result of cases of COVID-19 throughout the State of Idaho, and the activation of the Idaho National Guard will assist in our State's battle against this deadly virus.

WHEREAS, on August 17, 2021, I declared an emergency in the state of Idaho due to the ongoing occurrence and imminent threat to public health and safety arising from the effects of COVID-19; and

NOW, THEREFORE L Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution and laws of this state do hereby order:

- 1. The activation of members of the Idaho National Guard pursuant to Idaho Code § 46-1008(4) in*

order to protect life from the occurrence of, and imminent threat from, COVID-19. Up to 150 National Guardsmen are ordered on State Active Duty for a period of thirty (30) days to provide additional support to the State of Idaho in its emergency response to the COVID-19 pandemic.

2. *Funding for the activation of National Guardsmen pursuant to this Executive Order will initially be provided from the Disaster Emergency Account established in Idaho Code § 46-1005A and made available to the state in accordance with Idaho Code § 46-1008(5)(b).*
3. *The Adjutant General of Idaho is authorized to direct activated Idaho Guardsmen as necessary to assist in efforts to respond to and combat the COVID-19 pandemic in Idaho.*
4. *This Executive Order will remain in effect unless rescinded or amended in writing by the Governor.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capital in Boise on this 31st day of August in the year of our Lord two thousand twenty-one.

BRAD LITTLE
GOVERNOR

LAWRENCE DENNEY
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2021-12

REPEALING EXECUTIVE ORDER 2021-01

WHEREAS, I signed Executive Order 2019-13, which was later repealed and replaced by Executive Order 2021-01, to temporarily resolve the conflict between state and federal law with respect to interstate transportation of hemp until a more permanent solution on interstate transportation and production could be enacted by the Legislature; and

WHEREAS, the Idaho State Legislature passed and I signed H B. 126 into law on April 16, 2021, which went into full force and effect immediately upon my signature. In addition to authorizing the production, processing, transportation, and research of industrial hemp in Idaho pursuant to the federal law and requiring the submission of a state plan to the US Department of Agriculture, H B. 126 regulates the interstate transportation of industrial hemp in a manner that does not make Idaho vulnerable to the illicit drug trade; and

WHEREAS, because of the enactment of H B. 126, the promulgation of rules at the Idaho State Department of Agriculture under the authority of H B. 126, and the submission of a state plan to the US. Department of Agriculture, special executive action is no longer needed to faithfully carry out the laws of the State of Idaho.

NOW, THEREFORE, I Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me under the Constitution and the laws of the State of Idaho, do hereby repeal Executive Order 2021-01; provided that the repeal of such order shall not invalidate, rescind, or otherwise alter any action taken by the Idaho State Police, the Idaho State Department of Agriculture, or any peace officer or local law enforcement agency in this state pursuant to such order or the rules promulgated thereunder, while such order was in effect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capital in Boise on this 31st day of August in the year of our Lord two thousand twenty-one.



**BRAD LITTLE
GOVERNOR**

**LAWRENCE DENNEY
SECRETARY OF STATE**

IDAPA 08 – STATE BOARD OF EDUCATION

08.01.02 – RULES GOVERNING THE POSTSECONDARY CREDIT SCHOLARSHIP PROGRAM

DOCKET NO. 08-0102-2101 (NEW CHAPTER)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 33-105, 33-4601A, 33-4605, and Chapter 46, Title 33, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 20, 2021.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In accordance with [Executive Order No. 2020-01](#), this rulemaking will remove language that is duplicative of the statutory language authorizing the Postsecondary Credit Scholarship Program in Section 33-4605, Idaho Code, and simplify administrative functions.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the July 7, 2021 Idaho Administrative Bulletin, [Vol. 21-7, page 16](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: None.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Tracie Bent at tracie.bent@osbe.idaho.gov or (208)332-1582.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 27, 2021.

DATED this 6th day of October, 2021.

Tracie Bent
Chief Planning and Policy Officer
State Board of Education
650 W State ST.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)332-1582
Fax: (208)334-2632
Email: tracie.bent@osbe.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0102-2101
(New Chapter – Zero-Based Regulation Rulemaking)

08.01.02 – RULES GOVERNING THE POSTSECONDARY CREDIT SCHOLARSHIP PROGRAM

000. LEGAL AUTHORITY.

In accordance with Sections 33-105, 33-4601A, and 33-4605, Idaho Code the Board is authorized to promulgate rules implementing the provisions of Title 33, Chapter 46, Idaho Code. ()

001. SCOPE.

These rules constitute the requirements for the Postsecondary Credit Scholarship Program. ()

002. -- 009. (RESERVED)

010. DEFINITIONS.

For the purposes of this rule the following definitions apply: ()

01. Board. Idaho State Board of Education. ()

02. Business Scholarship. A competitive scholarship awarded from a business entity registered with the Idaho Secretary of State or other state or federal entity that registers businesses and whose purpose is not postsecondary education nor is the entity affiliated with a postsecondary educational institution; or an association representing businesses as described herein. ()

03. Executive Director. Executive Director for the Idaho State Board of Education. ()

04. Grade Point Average (GPA). Average secondary grade earned by a student, figured by dividing the grade points earned by the number of credits attempted. ()

05. Industry Scholarship. A competitive scholarship in which the recipient must enter into a program of study for a specific occupational area. ()

011. -- 100. (RESERVED)

101. APPLICATION PROCESS.

Applications must be made on a form and in the timelines set by the Executive Director. Failure to respond within the specified time period will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved and approved by the Executive Director or designee. ()

102. -- 299. (RESERVED)

300. SCHOLARSHIP AWARDS.

01. Selection Process. Scholarship awards will be based on the availability of scholarship program funds. In the event more eligible applications are received than funds are available, awards will be based upon GPA ranking. ()

02. Payment. Payment of scholarship award will be made in the name of the recipient and will be sent to the designated official at the eligible Idaho postsecondary educational institution in which the recipient is enrolled. The official must transmit the payment to the recipient student's account within a reasonable time following receipt of the payment. ()

301. -- 999. (RESERVED)

IDAPA 08 – STATE BOARD OF EDUCATION
08.01.10 – IDAHO COLLEGE WORK STUDY PROGRAM
DOCKET NO. 08-0110-2101 (NEW CHAPTER)
NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 33-105, 33-107, and Chapter 44, Title 33, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 20, 2021.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In accordance with [Executive Order No. 2020-01](#), this rulemaking will remove language that is duplicative of the statutory language authorizing the state work study program contained in chapter 44, title 33.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the July 7, 2021 Idaho Administrative Bulletin, [Vol. 21-7, page 17](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: None.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Tracie Bent at tracie.bent@osbe.idaho.gov or (208)332-1582.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 27, 2021.

DATED this 6th day, October 2021.

Tracie Bent
Chief Planning and Policy Officer
State Board of Education
650 W State ST.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)332-1582
Fax: (208)334-2632
Email: tracie.bent@osbe.idaho.gov

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0110-2101
(New Chapter – Zero-Based Regulation Rulemaking)**

08.01.10 – IDAHO COLLEGE WORK STUDY PROGRAM

000. LEGAL AUTHORITY.

The following rules are made under authority of Sections 33-105, 33-107, and 33-4402, Idaho Code. ()

001. SCOPE.

This rule establishes the administrative procedures necessary to implement a student financial and educational aid program as called for by Chapter 44, Title 33, Idaho Code. ()

002. -- 101. (RESERVED)

102. ALLOCATION OF FUNDS.

Funds appropriated to the Office of the State Board of Education (Board) for the Idaho College Work Study Program shall be allocated to participating institutions based on enrollment data submitted by each institution on the Student Enrollment Form (PSR-1) for the fall semester prior to the previous fiscal year of participation that is based on the appropriation for that fiscal year multiplied by an enrollment factor. The enrollment factor shall be calculated by dividing the headcount of resident degree-seeking students at the participating institutions by the total headcount of resident degree-seeking students for all participating institutions. ()

103. (RESERVED)

104. AUDIT.

Participating institutions shall agree in advance to submit to regular, periodic audits by the legislative auditor or the auditor for the Board to ensure compliance with the statutes, rules, and policies governing the Idaho College Work Study Program, including provision of accurate enrollment information. ()

105. CARRYOVER FUNDS.

Participating institutions may carry over up to ten percent (10%) of the work study program funds received in one (1) fiscal year to the next fiscal year, provided however, that any carryover funds shall be used exclusively in the work study program. Any unexpended funds in excess of the ten percent (10%) provided herein shall be returned to and redistributed by the Board. ()

106. -- 999. (RESERVED)

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

DOCKET NO. 16-0000-2100

NOTICE OF OMNIBUS RULEMAKING – AMENDMENT TO TEMPORARY RULE

EFFECTIVE DATE: A temporary rule was adopted under this docket number in the July 21, 2021, Idaho Administrative Bulletin, [Vol. 21-7SE, pages 1384 through 2440](#). The effective date of the amendments to the temporary rule is August 19, 2021.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has amended a temporary rule. The action is authorized pursuant to Section 56-1023, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for amending the temporary rule and a statement of any change between the text of the temporary rule and text of the amended temporary rule with an explanation for any changes:

Amendments are being made to the following temporary rule chapter:

IDAPA 16.01.03, *Emergency Medical Services (EMS) - Agency Licensing Requirements.*

To best protect the public's health and safety, the document incorporated in this chapter, the "Emergency Medical Services (EMS) - Agency Licensing Requirements," is being revised in this chapter. These changes provide a waiver process to our clinical level agency licensure model to allow part-time Advance Life Support (ALS) or Intermediate Life Support (ILS) coverage for prehospital ambulances struggling with staffing issues, or agencies that sometimes have personnel available who can offer more advanced patient care services. The current rule requires that the highest clinical level be available on a 24/7 basis, and it does not provide authorization for the Bureau to issue a waiver to those agencies. This temporary rule change has been endorsed by the EMS Physicians Commission, EMS Advisory Committee, and the EMSP Bureau Chief. This temporary rule change needs to be implemented immediately to allow agencies the flexibility they need to provide the best care they can while maintaining compliance with IDAPA. This issue cannot be resolved by non-regulatory measures.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1) and 67-5226(2), Idaho Code, the Governor has found that temporary adoption of the rules is appropriate for the following reasons:

These temporary rules are necessary to protect the public health, safety, and welfare of the citizens of Idaho, and confer a benefit on its citizens. If this is not implemented, several primary prehospital agencies, mostly rural, will be noncompliant with IDAPA personnel staffing requirements that they simply are not able to meet, resulting in possible enforcement action by the State for violations outside of their control. Additionally, the current rule disallows ALS-licensed personnel from using the full scope of their skills based on the license level requirements of the agencies. The rule change allowing the Bureau to grant waivers to this rule for 911 agencies will help mitigate both problems.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: NA

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rules, contact Jathan Nalls, (208)334-4007.

DATED this 19th day of August, 2021.

Tamara Prisock
DHW Administrative Rules Unit
450 W. State Street – 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5500; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE AMENDED TEXT FOR TEMPORARY RULE CHAPTER 16.01.03
(Only Those Sections With Amendments Are Shown.)

16.01.03 – EMERGENCY MEDICAL SERVICES (EMS) – AGENCY LICENSING REQUIREMENTS

(BREAK IN CONTINUITY OF SECTIONS)

PERSONNEL REQUIREMENTS FOR EMS AGENCY LICENSURE
(Sections 300 - 399)

300. EMS AGENCY -- GENERAL PERSONNEL REQUIREMENTS.

Personnel must be licensed according to IDAPA 16.01.07, “Emergency Medical Services (EMS) -- Personnel Licensing Requirements.” (7-1-21)T

01. Personnel Requirements for EMS Agency Licensure. Each agency must ensure availability of affiliated personnel licensed and credentialed at or above the clinical level for the entire anticipated call volume for each of the agency’s operational declarations, except that an agency holding a prehospital operational declaration may request a waiver of this requirement from the EMS Bureau. ~~(7-1-21)T~~(8-19-21)T

02. Personnel Requirements for an Agency Utilizing Emergency Medical Dispatch. An agency dispatched by a consolidated emergency communications system that uses an emergency medical dispatch (EMD) process to determine the clinical needs of the patient must ensure availability of personnel licensed and credentialed at clinical levels appropriate to the anticipated call volume for each of the clinical levels the agency provides. (7-1-21)T

03. Personnel Requirements for Prehospital ALS. A licensed Paramedic must be present whenever prehospital, prehospital support, or air medical transport ALS services are provided. (7-1-21)T

IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION

31.01.01 – RULES OF PROCEDURE OF THE IDAHO PUBLIC UTILITIES COMMISSION

DOCKET NO. 31-0101-2101 (NEW CHAPTER)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections general legal authority of the Public Utilities Law, Chapters 1 through 7, Title 61, Idaho Code. Chapters 8 through 10, 13, 15 through 17, Title 61, Idaho Code; Chapters 3 and 4, Title 62, Idaho Code; the Telecommunications Act of 1988, as amended, Chapter 6, Title 62; Chapters 12 and 13, Title 62, Idaho Code; and the particular authority of Sections 56-904, 61-304, 61-305, 61-306, 61-307, 61-308, 61-309, 61-501, 61-502, 61-503, 61-504, 61-505, 61-507, 61-516, 61-538, 61-541, 61-601, 61-602, 61-603, 61-604, 61-605, 61-606, 61-607, 61-608, 61-609, 61-610, 61-611, 61-612, 61-613, 61-614, 61-615, 61-616, 61-617, 61-618, 61-619, 61-621, 61-622, 61-623, 61-624, 61-625, 61-626, 61-803, 61-804, 61-805, 61-806, 61-902, 61-903, 61-904, 61-905, 61-909, 61-1003, 61-1004, 61-1005, 61-1007, 61-1305, 61-1306, 61-1603, 61-1604, 61-1605, 61-1606, 61-1607, 61-1703, 61-1704, 61-1705, 61-1706, 61-1707, 61-1708, 61-1709, 62-304, 62-305, 62-424, 62-602, 62-603, 62-604, 62-605, 62-606, 62-607, 62-608, 62-609, 62-610, 62-611, 62-612, 62-613, 62-614, 62-615, 62-616, 62-619, 62-622, 62-1201, 62-1202, 61-1203, 61-1204, 61-1205, 61-1206, 62-1207, 62-1303, 62-1304, 63-3029I, and 67-6528, Idaho Code, and Executive Order No. 20201-01.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

Wednesday, October 27, 2021 @ 10:00 a.m. (MT)
Idaho Public Utilities Commission Hearing Room 11331 W. Chinden Blvd. Building 8, Suite 201-A Boise, Idaho 83714

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The Idaho Public Utilities Commission initiated this rulemaking in compliance with [Executive Order No. 2020-01](#): Zero-Based Regulation, issued by Governor Little on January 16, 2020. Pursuant to Executive Order No. 2020-01, each rule chapter effective on June 30, 2020, shall be reviewed by the agency that promulgated the rule. The review will be conducted according to a schedule established by the Division of Financial Management, Office of the Governor (DFM), posted at https://adminrules.idaho.gov/rulemaking_templates/index.html. This is the Idaho Public Utilities Commission's rule chapter up for review in 2021.

The goal of the rulemaking is to perform a critical and comprehensive review of the entire chapter in an attempt to reduce overall regulatory burden, streamline various provisions, and increase clarity and ease of use.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the June 2, 2021 Idaho Administrative Bulletin, [Vol. 21-6 page 61](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: Rule 43 incorporates by reference Idaho Bar Commission Rule 227 (Pro Hac Vice Admission). Bar Rule 227 is promulgated by the Idaho State Bar and adopted by order of the Idaho Supreme Court.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Stephen Goodson at (208) 334-0323. Materials pertaining to the proposed rulemaking, including any available preliminary rule drafts, can be found on the Idaho Public Utilities Commission web site at the following web address: www.puc.idaho.gov.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 27, 2021.

DATED: August 30, 2021.

Jan Noriyuki
Commission Secretary
11331 West Chinden Blvd, Ste 201-A
Boise, ID 83714
(208) 334-0323
Secretary@puc.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 31-0101-2101
(New Chapter – Zero-Based Regulation Rulemaking)

31.01.01 – RULES OF PROCEDURE OF THE IDAHO PUBLIC UTILITIES COMMISSION

SUBCHAPTER A – GENERAL PROVISIONS
(Rules 0-20)

000. LEGAL AUTHORITY (RULE 0).

These rules are adopted under the general legal authority of the Public Utilities Law, Chapters 1 through 7, Title 61, Idaho Code. Chapters 8 through 10, 13, 15 through 17, Title 61, Idaho Code; Chapters 3 and 4, Title 62, Idaho Code; the Telecommunications Act of 1988, as amended, Chapter 6, Title 62; Chapters 12 and 13, Title 62, Idaho Code; and the particular authority of Sections 56-904, 61-304 through 61-309, 61-501 through 61-505, 61-507, 61-516, 61-538, 61-541, 61-601 through 61-607, 61-610 through 61-619, 61-621 through 61-626, 61-803 through 61-806, 61-902 through 61-905, 61-909, 61-1003 through 61-1005, 61-1007, 61-1305, 61-1306, 61-1603 through 61-1607, 61-1703 through 61-1709, 62-304, 62-305, 62-424, 62-602 through 62-616A, 62-619, 62-622, 62-622A, 62-1201 through 62-1207, 62-1303, 62-1304, 63-3029I, and 67-6528, Idaho Code. ()

001. TITLE AND SCOPE (RULE 1).

The name of this chapter is “Rules of Procedure of the Idaho Public Utilities Commission.” This chapter has the following scope: These rules govern all procedure before the Idaho Public Utilities Commission (the Commission). ()

002. WRITTEN INTERPRETATIONS – AGENCY GUIDELINES (RULE 2).

Written interpretations to these rules can be obtained from the Commission Secretary. ()

003. ADMINISTRATIVE APPEALS (RULE 3).

There are no provisions for administrative appeals within the Commission under these rules, except that under Rules

253 and 265 a presiding officer may, in the presiding officer's discretion refer a ruling on evidence or a motion to the full Commission. ()

004. PUBLIC RECORDS ACT COMPLIANCE (RULE 4).

Except as provided by statute and Rules 26, 67, 233, and 287, all materials filed with or issued by the Commission under these rules are public documents subject to inspection, examination and copying. ()

005. DEFINITIONS (RULE 5).

Terms of art in these rules are defined within the rules themselves. Other terms are defined in Chapter 1, Title 61, Idaho Code, and Section 62-603, Idaho Code. ()

006. -- 009. (RESERVED)

010. THESE RULES SUPERSEDE THE ATTORNEY GENERAL'S RULES OF PROCEDURE (RULE 10).

These rules are affirmatively promulgated to supersede the Idaho Rules of Administrative Procedure of the Attorney General, IDAPA 04.11.01.000 et seq. The Attorney General's Idaho Rules of Administrative Procedure do not apply to Commission proceedings. ()

011. PROCEEDINGS GOVERNED (RULE 11).

Rules 11 through 356 govern Commission procedure in investigations, contested cases, licensing, rulemaking, and other matters specifically addressed by these rules, unless otherwise directed by the Commission. ()

012. OFFICE – OFFICE HOURS – FAX NUMBER – MAILING, ELECTRONIC AND STREET ADDRESSES – DROP BOX (RULE 12).

The Commission's office is in Boise, Idaho. This office is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The Commission's telephone number is (208) 334-0300. The hearing or speech impaired may reach the Commission through the Idaho Telecommunications Relay Service by dialing 711. The Commission has no drop box for filing documents after the close of business. ()

01. Fax Number, Mailing and Street Addresses, and Email. The Commission's FAX number is (208) 334-3762. The Commission's mailing address is: Idaho Public Utilities Commission, PO Box 83720, Boise, Idaho 83720-0074. The Commission's street address is: 11331 W. Chinden Blvd, Bldg 8, Suite 201-A, Boise, Idaho 83714. The Commission's email address is secretary@puc.idaho.gov. All documents filed in all proceedings must be filed with the Commission at one (1) of these addresses. ()

02. Internet Homepage. The Commission's webpage is <http://www.puc.idaho.gov>. ()

013. LIBERAL CONSTRUCTION (RULE 13).

These rules will be liberally construed to secure just, speedy and economical determination of all issues presented to the Commission. Unless prohibited by statute, the Commission may permit deviation from these rules when it finds compliance with them is impracticable, unnecessary or not in the public interest. ()

014. COMMISSION SECRETARY -- COMMUNICATIONS WITH COMMISSION (RULE 14).

01. The Commission Secretary. The Commission Secretary is the custodian of the Commission's public records and is responsible for service of all orders and notices and of all complaints filed with the Commission. Unless otherwise directed by order, the Commission Secretary issues the Commission's official notices. All written communications and documents that are intended to be part of an official Commission record (other than a hearing record) must be filed with the Commission Secretary. ()

02. Timely Filing. Unless otherwise provided by statutes, these rules, order or notice, documents are considered filed when received by the Commission Secretary, not when mailed or otherwise transmitted. ()

03. Case Information. Information concerning proceedings before the Commission or the status of any matter before the Commission is available from the Commission Secretary or the Commission's Internet homepage. ()

015. IDENTIFICATION OF COMMUNICATIONS (RULE 15).

Parties' communications pertaining to a case must be written under that case caption and case number. General communications by other persons should refer to case captions, case numbers, permit numbers, or the like, if this information is known. ()

016. SERVICE BY COMMISSION - DESIGNATION OF AGENT (RULE 16).

The Commission Secretary serves all notices, orders, summonses, and complaints issued by the Commission or by the Secretary. ()

01. Service of Orders and Notices. All notices and orders served by the Commission may be served by email. Notices and orders may also be served by United States mail in cases designated by the Commission. Unless otherwise provided by statute, these rules, order or notice, service of orders and notices is complete when a copy, properly addressed and stamped, is either deposited in the United States mail or transmitted electronically. All orders and notices shall be affixed with the Commission Secretary's official service date on the first page. The Commission Secretary will serve all orders and notices in a proceeding on the representatives of each party designated under Rule 41 for that proceeding and upon other persons designated by these rules or by the Commission or any Commissioner. ()

02. Service of Summonses and Complaints. The Commission Secretary will serve complaints against utilities upon the person designated for that purpose by the utility. Summonses and complaints directed to regulated utilities or other persons shall be served by registered or certified mail. Writs of summons or subpoena and warrants of attachments directed to all other persons must be served by a person authorized to serve process by statute or by the Idaho Rules of Civil Procedure. ()

03. Designation of Agent for Service. All utilities shall designate a person as their agent to be served with summonses and complaints. Utilities shall be responsible for maintaining on file with the Commission Secretary the current name, mailing address and e-mail address of the person designated as the agent to receive service. ()

017. COMPUTATION OF TIME (RULE 17).

Whenever statute, these or other rules, order, or notice requires an act to be done within a certain number of days of a given day, the given day is not included in the count. If the day the act must be done is a Saturday, Sunday or legal holiday, the act may be done on the first day following that is not a Saturday, Sunday or legal holiday. ()

018. PAYMENT OF FEES AND REMITTANCES (RULE 18).

01. Payments. Fees and remittances to the Commission must be paid by money order, bank draft or check payable to "Idaho Public Utilities Commission." Remittances in currency or coin are wholly at the remitter's risk, and the Commission assumes no responsibility for their loss. ()

02. Annual Regulatory Fees. Utilities and railroads shall pay their annual special regulatory fees as required by Chapter 10, Title 61 and Section 62-611, Idaho Code. Utilities and railroads that fail to pay their special regulatory fees and, are no longer conducting business in Idaho, may be administratively removed from the list of utilities and railroads subject to the annual regulatory fee. ()

019. INCORPORATED BY REFERENCE -- IDAHO BAR COMMISSION RULE (RULE 19).

Rule 43 incorporates by reference Idaho Bar Commission Rule 227 (Pro Hac Vice Admission). Bar Rule 227 is promulgated by the Idaho State Bar and adopted by order of the Idaho Supreme Court. Bar Rule 227 may be obtained from the Idaho State Bar, PO Box 895, Boise, ID 83701, or online at <http://www.isb.idaho.gov>. ()

020. DISCONTINUANCE OF TELECOMMUNICATIONS SERVICE (RULE 20).

A telephone corporation that intends to discontinue service in Idaho shall file a notice with the Commission at least ninety (90) days in before the date that it intends to cease operations. The telephone corporation proposing to discontinue basic local exchange or message telecommunications services shall also publish a notice of such discontinuance in a legal newspaper circulated in its service area under Section 62-612, Idaho Code. If the telephone corporation held any customer deposits or advance payments, the telephone corporation shall indicate in the notice how the deposits are to be returned to customers. See also IDAPA 31.41.01, "Customer Relations Rules for

Telephone Corporations Providing Services in Idaho Subject to Customer Service Regulation by the Idaho Public Utilities Commission,” Section 312. ()

SUBCHAPTER B – CONTESTED CASES
(Rules 21-400)

PART 1 – DEFINITIONS AND GENERAL PROVISIONS
(Rules 21-100)

INFORMAL AND FORMAL PROCEEDINGS
(Rules 21-30)

021. INFORMAL PROCEEDINGS DEFINED (RULE 21).

Informal proceedings are proceedings in cases authorized by statute, rule or order of the Commission to be conducted using informal procedures, i.e., procedures without a record to be preserved for later Commission or judicial review, without the necessity of representation according to Rule 43, without formal designation of parties, without the necessity of presiding officers, or without other formal procedures required by these rules for formal proceedings. Unless prohibited by statute, the Commission may provide that informal proceedings may precede formal proceedings in the consideration of a rulemaking or a case. ()

022. INFORMAL PROCEDURE (RULE 22).

These rules encourage the use of informal proceedings to settle or determine cases. Unless prohibited by statute, the Commission may provide for the use of informal procedure at any stage of a case. Informal procedure may include individual contacts by or with the Commission staff asking for information, advice or assistance from the Commission staff, or proposing informal resolution of formal disputes. Informal procedures may be conducted in writing, by telephone, or in person. ()

023. FURTHER PROCEEDINGS (RULE 23).

Except as provided in Rule 24, any person participating in an informal proceeding must be given an opportunity for a later formal administrative proceeding before the Commission, at which time the parties may fully develop the record before the Commission. ()

024. INFORMAL PROCEEDINGS DO NOT EXHAUST ADMINISTRATIVE REMEDIES (RULE 24).

Unless all parties agree to the contrary in writing, informal proceedings do not substitute for formal proceedings and do not exhaust administrative remedies, and informal proceedings are conducted without prejudice to the parties’ right to present the matter formally to the Commission. The Commission Staff will consider and investigate informal inquiries or complaints without prejudice to the interested persons right to present the matter formally to the Commission, unless all affected persons agree in writing to be bound by the informal decision. Settlement offers made during informal proceedings are confidential and shall be excluded from the agency record of any later formal proceedings. The Commission prefers informal procedure for informal inquiries or complaints. But, the Commission may formally consider any informal inquiry or complaint presented to it or to the Staff. ()

025. FORMAL PROCEEDINGS (RULE 25).

Formal proceedings, which are governed by rules of procedure other than Rules 21 through 24, must be initiated by a pleading listed in Rules 51 through 58. ()

026. INFORMAL FILES MAY BE INVESTIGATIVE RECORDS (RULE 26).

Files created by the Commission and its Staff in response to informal inquiries or complaints are investigatory records and are generally exempt from disclosure according to Section 74-105(1), Idaho Code, but are available under Section 74-113(1), Idaho Code, to the customer, applicant, utility, carrier, etc., that are the subjects of the investigation. ()

027. -- 030. (RESERVED)

PARTIES – OTHER PERSONS
(Rules 31-40)

031. PARTIES LISTED (RULE 31).

Parties to proceedings before the Commission are called applicants, petitioners, complainants, respondents, or intervenors. Applicants, petitioners, complainants, and respondents are original parties. On reconsideration parties are called by their original titles listed above. ()

032. APPLICANTS (RULE 32).

Persons who seek any right, license, award, or authority (except intervenors requesting intervenor funding) from the Commission are called “applicants.” ()

033. PETITIONERS (RULE 33).

Persons not applicants who seek to modify, amend or stay existing orders or rules, to clarify their rights or obligations under law administered by the Commission, to ask the Commission to initiate a proceeding (other than an application or a complaint), or to otherwise take action that will result in the issuance of an order or rule, but not seeking a right or authority from the Commission, are called “petitioners.” ()

034. COMPLAINANTS (RULE 34).

Persons charging other person(s) with any act or omission are called “complainants.” In any proceeding which the Commission charges an act or omission, the Commission is called “complainant.” ()

035. RESPONDENTS (RULE 35).

Persons against whom complaints or petitions are filed or about whom investigations are initiated are called “respondents.” ()

036. INTERVENORS (RULE 36).

Persons, not original parties to a proceeding, permitted to participate as parties under Rules 71 through 75, are called “intervenors.” ()

037. COMMISSION STAFF (RULE 37).

Commission Staff may appear in any Commission proceeding as an impartial representative of the public interest with all rights of participation as a party would have. If counsel is desired, a Deputy Attorney General for the Commission represents the Staff. ()

038. RIGHTS OF PARTIES AND OF COMMISSION STAFF (RULE 38).

Subject to Rules 249, 251 and 261, all parties and the Commission Staff may appear at hearing or argument, introduce evidence, examine witnesses, make and argue motions, state positions, and otherwise fully participate in hearings or arguments. ()

039. PERSONS -- PERSONS NOT PARTIES -- INTERESTED PERSONS -- PUBLIC INVOLVEMENT (RULE 39).

01. Persons and Person Not Parties. The term “person” includes natural persons, partnerships, corporations, associations, municipalities, government entities and subdivisions, and any other entity authorized by law to participate in administrative proceedings. Persons other than the persons named in Rules 32 through 37 are not parties for the purpose of any statute or rule addressing rights or obligations of parties. ()

02. Interested Persons. For purposes of the Commission Secretary’s service of notice under Rules 113, 123, and 202 interested persons are: (1) municipalities, counties, and chambers of commerce in the area affected by a proceeding and (2) persons who were parties to any similar proceeding involving the same utility or railroad in the preceding three (3) years. This rule does not define interested persons for purposes of Section 61-626, Idaho Code. ()

03. Public Involvement. Persons may subscribe to the Commission’s Rich Site Summary (RSS) feed on the Commission home page at www.puc.idaho.gov to receive periodic updates about filings in certain groups of cases, in individual cases, or the issuance of press releases, orders and notices Subscription to general information

will be available at the home page at “Keep Me Updated” and case specific subscription will be available at each case summary page. The Commission’s home page also links to other utility or Commission topics. ()

040. (RESERVED)

REPRESENTATIVES OF PARTIES
(Rules 41-50)

041. INITIAL PLEADING BY PARTY – LISTING OF REPRESENTATIVES (RULE 41).

01. Designation of Representative Required. The initial pleading of each party to a proceeding (be it an application, petition, complaint, motion, or answer) must name the party’s representative(s) for service and state each representative’s mailing and electronic (if available) address for purposes of receipt of all official documents. Service of documents on the named representative(s) is valid service upon the party for all purposes in that proceeding. If no person is explicitly named as a party’s representative, the person signing the pleading will be considered the party’s representative if the person meets the requirement of Rule 43. ()

02. Number of Representatives. No more than two (2) persons may be designated as a party’s representatives for purposes of service or receipt of official documents unless otherwise authorized by order. The Commission may condition such an order upon reasonable terms concerning payment of copying costs and mailing costs to additional representatives. ()

042. TAKING OF APPEARANCES (RULE 42).

The presiding officer at hearing or prehearing conference will take appearances to identify the representatives of all parties at the hearing. Parties whose pleadings have not been received by or distributed to all other parties may be required to state their interests at the hearing. ()

043. REPRESENTATION OF PARTIES (RULE 43).

Proceedings before the Commission are sometimes administrative in nature or quasi-judicial in nature. General requirements for the representation of parties are outlined below. ()

01. Administrative Proceedings. Administrative proceedings before the Commission include matters such as the filing of tariff schedules, tariff advices, price lists, certificates to provide local exchange service, interconnection agreements, rulemaking, written comments in modified procedure, or written comments provided at a customer hearing. These filings may be made by a natural person pro se, a partner in a partnership, an employee or officer of a corporation, or a licensed attorney. ()

02. Quasi-Judicial Proceedings. The representation of parties at quasi-judicial proceedings for the purpose of adjudicating the legal rights or duties of a party is restricted as set out below. Quasi-judicial proceedings before the Commission include matters such as formal complaints, petitions, motions, applications for modified procedure or technical/evidentiary hearings. Representation of parties of these types of proceedings shall be as follows: ()

a. A natural person may represent himself or herself or be represented by a licensed attorney. ()

b. A partnership or corporation shall be represented by a licensed attorney. ()

c. A municipal corporation; a state, federal, tribal, or local government agency; an unincorporated association; a non-profit organization, or other entity shall be represented by a licensed attorney. ()

03. Attorney Representation. Only active Idaho State Bar members may represent a party as an attorney except as provided by Idaho Bar Commission Rule 227 (Pro Hac Vice Admission). The Commission adopts by incorporation Bar Rule 227 as modified below. ()

a. Limited admission by out-of-state attorneys will not be necessary in conjunction with administrative proceedings. Out-of-state attorneys representing the same party in one (1) or more quasi-judicial proceedings must request limited admission at least one (1) time per calendar year. ()

b. An attorney applying for limited admission to appear before the Commission in a representative capacity shall file a written motion with the Commission Secretary and serve a copy on all parties. The motion shall be substantially in the form set out in Bar Rule 227(j) with references to the Commission instead of the court. ()

c. A copy of the written motion shall be submitted to the Idaho State Bar accompanied by the fee prescribed in Bar Rule 227. ()

044. SERVICE ON REPRESENTATIVES OF PARTIES AND OTHER PERSONS (RULE 44).

From the time a party files its initial pleading in a proceeding, that party must serve and all other parties must serve all future documents listed in Rule 51 upon all other parties' representatives designated pursuant to Rule 41, unless otherwise directed by order or notice or by the presiding officer on the record. The Commission may order parties to serve past documents filed in the case upon those representatives. The Commission may order parties to serve past or future documents filed in the case upon persons not parties to the proceedings before the Commission. ()

045. WITHDRAWAL OF PARTIES (RULE 45).

Any party must move the Commission in writing or at hearing to withdraw from a proceeding. ()

046. SUBSTITUTION OF REPRESENTATIVE -- WITHDRAWAL OF REPRESENTATIVE (RULE 46).

If proceedings will not be unreasonably delayed, parties may change their representative by filing written notice of substitution with the Commission. The presiding officer at hearing may permit substitution of representatives at hearing in the presiding officer's discretion. Persons representing a party who wish to withdraw their representation must immediately file written a notice of withdrawal of representation and serve that notice on the party represented and all other parties. ()

047. CONDUCT REQUIRED (RULE 47).

Parties and their representatives must be respectful, act ethically, and be courteous in a Commission hearing or proceeding. Persons disrupting any hearing shall be asked to leave by the presiding officer. See Section 18-6409(1), Idaho Code. ()

048. FORMER EMPLOYEES -- RESTRICTION ON REPRESENTATION OF PARTIES (RULE 48).

No former employee of the Commission or member of the Attorney General's staff may appear in a representative capacity or as an expert witness on behalf of other parties in a formal proceeding in which he or she previously took an active part. ()

049. NOTICE OF PARTIES (RULE 49).

As reasonably necessary in a proceeding, and in any event, at least once in every proceeding, the Commission Secretary will issue to the parties a notice of parties. The notice of parties will list all parties, their representative(s) under Rule 41, their representative's(s) mailing or electronic address(es), exhibit numbers assigned to the parties, and any other information required by the Commission. The Commission Secretary will maintain on file a current list of all parties to a proceeding and issue a revised notice of parties as reasonably necessary to reflect changes in the previous notice of parties. ()

050. (RESERVED)

PLEADINGS – IN GENERAL
(Rules 51-60)

051. PLEADINGS LISTED -- MISCELLANEOUS (RULE 51).

Pleadings before the Commission are called applications, petitions, complaints, motions, answers and consent agreements. Affidavits may be filed in support of any pleading. Initial pleadings must comply with Rule 41. All pleadings must be filed in accordance with Rules 61 through 66. A party may adopt or join any other party's pleading. Two (2) or more separately stated grounds, claims or answers concerning the same subject matter may be included in one (1) pleading. ()

052. APPLICATIONS -- DEFINED -- FORM AND CONTENTS (RULE 52).

All pleadings requesting a right, certificate, permit, or authority from the Commission are called "applications."

Applications must: ()

01. State Facts. Fully state the facts upon which they are based, ()

02. Refer to Provisions. Refer to the particular provisions of statute, rule, order, or other controlling law upon which they are based, and ()

03. Pray for the Action Sought. Request the action desired. ()

053. PETITIONS -- DEFINED -- FORM AND CONTENTS (RULE 53).

01. Petitions. Petitions are all pleadings requesting: ()

a. Modification, Amendment or Stay of Existing Orders or Rules. ()

b. Clarification or Construction of Orders, Rules or Statute. ()

c. Initiation of Proceeding. The initiation of a proceeding not an application or a proceeding that will lead to the issuance of an order. ()

d. Reconsideration. ()

e. Request for Intervenor Funding. ()

02. Form and Content. Petitions must: ()

a. Fully state the facts upon which they are based, ()

b. Refer to the particular provisions of statute, rule, order or other controlling law upon which they are based, ()

c. Pray for the relief desired, and ()

d. State the name of the person petitioned against (the respondent), if any. ()

054. FORMAL COMPLAINTS -- DEFINED -- CONTENTS AND PROCESS (RULE 54).

All pleadings charging utilities or other person(s) with acts or omissions under law administered by the Commission are called "formal complaints." Formal complaints must be in writing and: ()

01. Name the Respondent. State the name of the utility or person complained against (the respondent). ()

02. State the Facts. Fully state the facts constituting the acts or omissions of the utility or person against whom the complaint is filed and the dates when the acts or omissions occurred. ()

03. Refer to Applicable Provisions. Refer to the specific provision of statute, rule, order, notice, tariff or other controlling law that the utility or person has violated. ()

04. State the Relief Desired. State what action or outcome should be taken to resolve the complaint. ()

05. Process. The Commission encourages the use of informal proceeding (see Rules 21 through 26) to resolve or settle formal complaints. The Commission shall determine how a formal complaint should be processed, e.g., issuance of a summons, open an investigation, informal procedure with Staff. The Commission Secretary may serve a copy of the formal complaint upon the utility or person to which the formal complaint is directed. ()

055. INFORMAL INQUIRIES OR COMPLAINTS (RULE 55).

Informal inquiries or complaints are addressed in Rules 21 through 26. ()

056. MOTIONS -- DEFINED -- FORM AND CONTENTS -- TIME FOR FILING (RULE 56).

All other pleadings requesting the Commission to take any other action, except consent agreements or pleadings specifically answering other pleadings, are called "motions." Motions must: ()

01. State the Facts. Fully state the facts upon which they are based. ()

02. Refer to Provisions. Refer to the particular provision of statute, rule, order, notice, or other controlling law upon which they are based. ()

03. Pray for the Relief Sought. If the moving party desires oral argument or hearing on the motion, the moving party must so state in the motion. Any motion to dismiss, strike or limit a complaint or petition must be filed before the answer is due or be included in the answer, if the movant is obligated to file an answer. If a motion is directed to an answer, it must be filed within fourteen (14) days after service of the answer. Other motions may be filed at any time upon compliance with Rule 256. The Commission will act on motions as provided in Rule 256. ()

057. ANSWERS -- DEFINED -- FORM AND CONTENTS -- TIME FOR FILING (RULE 57).

01. Answers Defined. All pleadings responding to the allegations or requests of applications, complaints, petitions or motions are called "answers." All pleadings responding to the allegations or prayers of complaints, petitions or motions are called "answers." ()

02. Answers to Complaints or Petitions. Answers to complaints or petitions must be filed with the Commission and served on all parties of record within twenty-one (21) days after service of the complaint or petition, unless the Commission modifies the time within which answer may be made or a motion to dismiss is made within twenty-one (21) days. ()

a. Answers to complaints or petitions must admit or deny each material allegation of the complaint or petition. Any material allegation not specifically admitted shall be deemed denied. Matters alleged by cross-complaint or affirmative defense must be separately stated and numbered. ()

b. A party that fails to answer a complaint or petition within the prescribed time will be treated as generally denying the allegations of the complaint or petition and will be precluded, except for good cause shown, from setting up any affirmative defense in the proceeding. In these cases, the Commission may proceed with the matter solely upon the issues set forth in the complaint or petition. The complainant or petitioner must offer evidence of its allegations regardless of whether the complaint or petition is answered or denied. ()

03. Answers to Motions. Answers to motions may be filed by persons or parties who are the object of a motion or by parties opposing a motion. The person or party answering the motion should do so with all deliberate and reasonable speed. In no event is a party entitled to more than fourteen (14) days after a motion is served to answer a motion or to file a motion for additional time to answer. The Commission may act upon a motion under Rule 256. ()

058. CONSENT AGREEMENTS -- DEFINED -- FORM AND CONTENTS (RULE 58).

01. Definition of Consent Agreement. Agreements between a regulated utility or carrier and the Commission Staff, a customer or another utility or regulated carrier in which one (1) or more parties agree prospectively to engage in certain conduct mandated by statute, rule, order, tariff, or other provision of law, or to refrain from engaging in certain conduct prohibited by statute, rule, order, tariff, or other provision of law, are called "consent agreements." Consent agreements are intended to require compliance with existing law. Settlements of differing positions in ongoing cases under Rules 271 through 277 in the development of new rules, orders, tariffs, etc., are not consent agreements. ()

02. Form and Content of Consent Agreement. Consent agreements must state: ()

- a. The parties to the agreement; and ()
- b. The conduct proscribed or prescribed by the consent agreement. In addition, consent agreements may provide; ()
- c. The consequences of failure to abide by the consent agreement; ()
- d. For payment of civil or administrative penalties authorized by law; ()
- e. For payment of reparations of overcharges authorized by law; ()
- f. For loss of rights, licenses, awards or authority; ()
- g. For consent to adjustment of rates, charges, certificates, permits, tariffs, or other action as authorized by law; or ()
- h. That parties waive all further procedural rights (including hearing, consultation with counsel, etc.) with regard to enforcing the consent agreement. ()

059. -- 060. (RESERVED)

FILING, SERVICE, AMENDMENT AND WITHDRAWAL OF DOCUMENTS
(Rules 61-70)

061. FILING DOCUMENTS WITH THE COMMISSION -- NUMBER OF COPIES -- DISCOVERY -- ELECTRONIC FILING (RULE 61).

The following numbers of documents shall be filed with the Commission Secretary: ()

- 01. Printed Filings.** When filing printed material: ()
 - a. In utilities cases (other than those cases specified in Subsections 061.01.b. and 061.01.c. of this rule): ()
 - i. Pleadings (applications, petitions, complaints, motions, answers and consent agreements)--an original (unbound and unstapled) and seven (7) copies. ()
 - ii. Briefs, proposed orders, statements of position, and exceptions under Rule 312--an original (unbound and unstapled) and seven (7) copies. ()
 - iii. Prepared testimony and exhibits--nine (9) copies (one (1) copy designated as reporter's copy) plus CD-ROM as required by Rule 231.05. ()
 - b. Security issuance cases: ()
 - i. Pleadings--an original (unbound and unstapled) and four (4) copies. ()
 - ii. Other documents except for discovery-related documents -- three (3) copies. ()
 - c. Telecommunication interconnection agreements: ()
 - i. Pleadings--an original (unbound and unstapled) and three (3) copies. ()
 - ii. All other documents -- two (2) copies. ()
- 02. Filing Discovery.** Discovery-related documents shall be filed in printed or electronic format. ()

a. If printed filing -- three (3) copies to the Commission Secretary. ()

03. Electronic Filings. Subject to Rules 61.04, all filings may be filed electronically with the Commission Secretary as an attachment to an e-mail or on a CD-ROM. The electronic document shall be in a computer searchable form of Adobe Acrobat (PDF) without password protection. ()

04. Commission Secretary's Authority to Require Printed Filings. The Commission Secretary is authorized to require an electronic filing be also filed in printed form. The Commission Secretary may specify the number of printed copies. ()

062. FORM OF DOCUMENTS (RULE 62).

01. Format. All documents listed in Rule 61 submitted by a party and intended to be part of the record must: ()

a. Be submitted on white eight and one-half inch by eleven inch (8 1/2" by 11") paper copied on either one (1) side or both sides (duplexed); ()

b. State the case caption, case number and title of the document; ()

c. Include on the upper left corner of the first page: ()

i. The name(s); ()

ii. Mailing, street and email address(es); and ()

iii. Telephone number(s) of the person(s) filing the document or the person(s) to whom questions about the document can be directed; and ()

d. Have at least one-inch (1") left and top margins. ()

02. Example. These documents complying with this rule will be in the following form:

Name of Representative (State Bar No. if applicable)
Mailing Address of Representative
Street Address of Representative (if different)
Telephone Number of Representative
E-mail address (if available)
Attorney/Representative (for Name of Party)

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

(Title of Proceeding)

)
)
)

CASE NO. ABC-X-XX-XX
TITLE OF DOCUMENT

()

03. Party Identification. Every document filed under this rule must identify the party filing it in its title. The party must be identified by both the party's designation as a party (e.g., intervenor) and the party's name. For example, the Intervenor ABC Company would title its motion to strike as "Motion to Strike of Intervenor ABC Company." A short title of the document must appear at the bottom left corner of each page of the document. For example, the short title of the motion above could be: "ABC's Motion to Strike." ()

04. Original Documents. All original documents filed with the Commission Secretary shall be unbound and unstapled. Printed copies of original documents may be bound or stapled. ()

063. SERVICE ON PARTIES AND OTHER PERSONS (RULE 63).

01. Generally. All documents referred to in Rule 61 (except as noted below) must be served upon the representatives of every party of record concurrently with filing with the Commission Secretary. When a document has been filed with the Commission Secretary by email, it must be served upon all other parties or by email. For parties without email capability, service shall be made by overnight mail, hand delivery, or the next best available service if these services are not available. The Commission may direct that some or all of these documents be served on interested or affected persons who are not parties. The Commission Secretary's notice of parties (and revisions to it) will list all persons whom the parties must serve and their representatives as of the date of the notice or its revision. ()

02. Service of Discovery. The service of discovery documents on parties shall be accomplished by email (as attachments to email). For parties without email capability, service shall be made by overnight mail, hand delivery, or the next best available service if these services are not available. See Rule 229. ()

064. PROOF OF SERVICE (RULE 64).

Every document that is filed with the Commission and intended to be part of the record for decision must be attached to or accompanied by proof of service by the following or similar certificate: ()

I HEREBY CERTIFY (swear or affirm) that I have this day of, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy of it in person: (list names)) (by mailing a copy of it, properly addressed with postage prepaid, to: (list names)).

(Signature)

Each certificate of service must list the names and addresses of each person served. ()

065. DEFECTIVE, INSUFFICIENT OR LATE PLEADINGS (RULE 65).

Defective, insufficient or late pleadings may be returned or dismissed, except that applications under Rule 121 cannot be dismissed during the period of suspension of rates under Rule 123, but can only be returned for correction once the suspension period has begun. ()

066. AMENDMENTS TO PLEADINGS (RULE 66).

The Commission may allow any pleading to be amended or corrected or any omission to be supplied. Pleadings will be liberally construed, and defects that do not affect parties' substantial rights will be disregarded. ()

067. INFORMATION EXEMPT FROM PUBLIC REVIEW -- DEFINITIONS -- FORM -- PROCEDURES (RULE 67).

01. Definitions. ()

a. "Trade secrets" filed with the Commission are exempt from public inspection, examination, and copying under Section 74-107(1), Idaho Code. Trade secrets means information, including a formula, pattern, compilation, program, computer program, device, method, technique, process, or unpublished or in progress research that: ()

i. Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and ()

ii. Is the subject of reasonable efforts to maintain its secrecy. ()

b. "Confidential information" means information, documents, or records filed with the Commission that are specifically exempt from public inspection, examination and copying under Sections 74-104 through 74-109, Idaho Code. ()

02. Form. In addition to the requirements of Rule 62 (except Subsection 062.01.a.), information that is alleged to be trade secrets, confidential or otherwise exempt from public disclosure shall be served upon the Commission and other parties who have entered into a protective agreement under Subsection 067.04 in either printed or electronic format. ()

a. If in printed form, the page(s) containing the trade secret or confidential information shall be reproduced on yellow paper. Each page shall be marked as “TRADE SECRETS” or “CONFIDENTIAL.” See Rule 61 for the number of printed copies. ()

b. If in electronic form, the trade secret or confidential information shall be reproduced separately on a CD-ROM or other electronic storage format approved by the Commission Secretary; and not included with other material electronically filed. Each CD-ROM or other storage device containing trade secret or confidential information shall be clearly identified with the case caption, case number, title of document and marked as “TRADE SECRETS” or “CONFIDENTIAL.” ()

03. Procedure. Whenever a party believes that information contained in pleadings or other documents are trade secrets, confidential or otherwise exempt from public disclosure, the attorney of such party designated by Rule 41 must state in writing that the information is protected by law from public inspection, examination or copying, citing the specific grounds and legal authority for that assertion. Documents containing trade secrets or confidential information shall be separated from documents not containing trade secrets or confidential information. Trade secrets or confidential information contained in documents will be removed and replaced with a page marked: “This page allegedly contains trade secrets or confidential material and is separately filed.” All materials for which no assertion of protection from public inspection, examination and copying is made will be placed in files available for public inspection. Trade secrets, confidential information and other records exempt from public inspection shall be separately stored in a secured location with limited access and safeguarded from unauthorized disclosure. ()

04. Protective Agreements. In proceedings before the Commission involving trade secrets or other confidential information, parties may enter into protective agreements to facilitate and safeguard the exchange of necessary information. Protective agreements may include procedures for copying, exchanging, serving, safeguarding, or challenging the characterization of trade secrets or confidential information. The Commission shall not be a party and will not be bound by the terms of a protective agreement. ()

068. WITHDRAWAL OF PLEADINGS (RULE 68).

A party desiring to withdraw a pleading must file a notice of withdrawal of the pleading with the Commission and serve all parties with it. Unless otherwise ordered by the Commission, the notice is effective fourteen (14) days after filing. ()

069. -- 070. (RESERVED)

INTERVENTION – PUBLIC WITNESSES
(Rules 71-80)

071. PETITIONS TO INTERVENE REQUIRED (RULE 71).

Persons not original parties to a proceeding who claim a direct and substantial interest in the proceeding may petition to intervene as a party. A person cannot become an intervenor without filing a petition to intervene. ()

072. FORM AND CONTENTS OF PETITIONS TO INTERVENE (RULE 72).

Petitions to intervene must comply with Rules 41, 61, and 62. The petition must (a) state the petitioner’s name and address (b) clearly and concisely state the petitioner’s direct and substantial interest in the proceeding and (c) state that allowing the petitioner to intervene would not unduly broaden the issues. If affirmative relief is sought, the petition must state the relief sought and the basis for granting it. Petitions for intervenor funding should be made in a separate document from the petition to intervene. ()

073. TIMELY FILING OF PETITIONS TO INTERVENE (RULE 73).

Unless otherwise provided by Commission notice or order, petitions to intervene must be filed at least fourteen (14) days before (1) the deadline for filing initial comments, if the case is being processed by modified procedure under Rules 201-204; or (2) the earlier of the dates set for the technical hearing or prehearing conference in cases in which

a technical hearing is scheduled to occur. Petitions not timely filed must state a substantial reason for delay. The Commission may deny or conditionally grant untimely petitions for failure to state good cause for untimely filing, to prevent disruption, prejudice to existing parties or unduly broadening the issues, or for other reasons. If the Commission grants an untimely petition, then the petitioner is bound by the prior orders and notices in the proceeding. ()

074. GRANTING PETITIONS TO INTERVENE (RULE 74).

If a petition to intervene shows direct and substantial interest in any part of the subject matter of a proceeding and does not unduly broaden the issues, the Commission or the presiding officer will grant intervention, subject to reasonable conditions. If it later appears that an intervenor has no direct or substantial interest in the proceeding, or that the intervention is not in the public interest, the Commission may dismiss the intervenor from the proceeding. ()

075. ORDERS GRANTING INTERVENTION -- OPPOSITION (RULE 75).

No order granting a petition to intervene will be acted upon fewer than seven (7) days after its filing, except in a hearing in which any party may be heard. Any party opposing a petition to intervene must do so by motion in opposition filed within seven (7) days after receipt of the petition to intervene and served upon all parties of record and upon the person petitioning to intervene. ()

076. PUBLIC WITNESSES (RULE 76).

“Public witnesses” are persons not parties and not called by a party to testify at a hearing. Public witnesses do not have parties’ rights to examine witnesses or otherwise participate in the proceedings. Subject to Rules 249 and 251, public witnesses have a right to introduce evidence at hearing by their written or oral statements and exhibits introduced at hearing, except that public witnesses offering expert opinions at hearing or detailed analysis or detailed exhibits must comply with Rule 231 with regard to filing and service of testimony and exhibits to the same extent as witnesses of parties. Public witnesses’ written or oral statements and exhibits are subject to examination and objection. ()

077. -- 100. (RESERVED)

PART 2 – SPECIFIC REQUIREMENTS OF CERTAIN FILINGS – RELATED RULES
(Rules 101-200)

PETITIONS FOR DECLARATORY ORDERS
(Rules 101-110)

101. FORM AND CONTENTS OF PETITION FOR DECLARATORY ORDERS (RULE 101).

01. Form of Petition. Any person petitioning for a declaratory ruling must substantially follow this form. ()

02. Contents of Petition. The petition shall: ()

a. Identify the petitioner and state the petitioner’s interest in the matter, ()

b. State the declaratory ruling that the petitioner seeks, and ()

c. Indicate the statute, order, rule, or other controlling law, and the factual allegations upon which the petitioner relies to support the petition. Legal assertions in these paragraphs may be accompanied by citations of cases and/or statutory provisions. ()

102. NOTICE OF PETITION FOR DECLARATORY ORDERS (RULE 102).

Notice of petition for declaratory ruling will be issued to all affected utilities. Orders disposing of the petition will be served on all affected utilities. ()

103. -- 110. (RESERVED)

APPLICATIONS FOR CERTIFICATES OF CONVENIENCE AND NECESSITY
(Rules 111-120)

111. FORM AND CONTENTS -- NEW UTILITY (RULE 111).

Applicants for a certificate of convenience and necessity for a new utility under Section 61-526, Idaho Code, or Commission order, must submit the data required by this rule (where relevant) with their applications. ()

- 01. Name, Address and Form of Business.** ()
- a.** If the applicant is a sole proprietor, the applicant’s personal name and any assumed business name, ()
- i.** Business address (street and mailing), and email address (if available) ()
- b.** If the applicant is a partnership: ()
- i.** The partner’s names, business addresses (street and mailing), and email addresses (if available); and ()
- ii.** The partnership’s business name (including assumed business name). ()
- c.** If the applicant is a corporation or limited liability company (LLC): ()
- i.** A short statement of the character of public service in which the entity may engage; ()
- ii.** The entity’s name (including any assumed business name) and state in which it is incorporated or organized; ()
- iii.** The street and mailing address of the entity’s principal, office and of its principal office in Idaho, and email address (if available); ()
- iv.** A certified copy of the entity’s articles of incorporation or certificate of organization if an LLC; and ()
- v.** If not incorporated or organized in Idaho, a certificate of authority from the Idaho Secretary of State, a certificate of good standing issued by the secretary of state of the state in which the entity is incorporated or organized, and the name and street address of the entity’s registered agent for service in Idaho. ()
- 02. Written Explanation Why Service Is Proposed.** A statement or prepared testimony and exhibits explaining why the proposed utility service is or will be in the public convenience and necessity. ()
- 03. Proposed Operations.** A full description of the proposed location, route or routes of the utility service, including a description of the manner of construction, and the names of all public utilities, corporations, or persons with whom the proposed new utility is likely to compete. ()
- 04. Maps.** A map of suitable scale showing the location of the utility service and its relation to other public utilities in the area that offer or provide similar utility service. ()
- 05. Financing of Construction.** A statement of the manner in which the applicant proposes to finance new utility service construction, the time when the applicant proposes to begin construction and the time when the applicant proposes to begin service. ()
- 06. Cost of Service.** Estimates of the cost of extending to and the annual cost of serving the territory for which the certificate is sought, of the number of service connections already made or to be made, of the annual revenue from them or expected annual revenue from them, and of anticipated rates and charges. ()

07. Financial Statement. A financial statement of the applicant. ()

112. FORM AND CONTENTS -- EXISTING UTILITY (RULE 112).

Existing utilities applying for the issuance or amendment of a certificate of convenience and necessity under Section 61-526, Idaho Code, must submit the following data (where relevant): ()

01. Statement and Explanation. A statement or prepared testimony and exhibits explaining why the proposed construction or expansion is or will be in the public convenience and necessity. ()

02. Description of Construction or Expansion. A full description of the proposed construction or expansion, including the manner of construction or expansion, and if an expansion, the names of all public utilities, corporations, or persons with whom the expanded utility is likely to compete. ()

03. Map. A map of suitable scale showing the location of the construction or expansion and its relation to other public utilities in the area(s) that offer or provide similar utility service. ()

04. Financial Statement and Construction Timelines. A statement of the manner in which the applicant proposes to finance the construction or expansion, the time when the applicant proposes to begin the construction or expansion, and the time when the applicant proposes to complete the construction or expansion. ()

05. Cost Estimates and Revenue Requirements. Estimates of the cost of the construction or expansion, the number of additional customers to be served by the construction or expansion, the revenues to be derived from the construction or expansion, and of the effects of the construction or expansion on revenue requirements. ()

113. NOTICE OF APPLICATION -- ORDERS (RULE 113).

Notice of application for a certificate of convenience and necessity will be issued to all interested persons (see rule 39.02) in all cases in which statute requires formal consideration of the application or in which the Commission intends to conduct formal proceedings to consider the application. ()

114. APPLICATION FOR NEW COMPETITIVE LOCAL EXCHANGE CARRIER (CLEC) – FORM AND CONTENT (RULE 114).

The Commission issues Certificates of Public Convenience and Necessity to competitive local exchange carriers (CLECs) seeking to provide local exchange services in Idaho. The Commission uses certification to register and review applications to provide local telecommunications services. See Commission Order No. 26665. Each CLEC application shall include the following information: ()

01. Name, Address and Form of Business. ()

a. If the applicant is a sole proprietor, the applicant's personal name and any assumed business name and business address (street and mailing) and email address (if available). ()

b. If the applicant is a partnership: ()

i. Provide a list of the partners' names, and business addresses (street and mailing) of all the partners, and email addresses (if available); and ()

ii. The partnership's business name (including any assumed business name). ()

c. If the applicant is a corporation or limited liability company (LLC): ()

i. A short statement of the character of public service in which the entity is engaged; ()

ii. The entity's name (including any assumed business name) and the state in which it is incorporated or organized; ()

iii. The street and mailing addresses of the entity's principal office and of its principal office in Idaho, and email address (if available); ()

iv. A certified copy of the entity's articles of incorporation or certificate of organization if an LLC; ()

v. The names, titles, and addresses of the entity's officers and directors if the entity is a corporation, or of at least one (1) governor if the entity is an LLC (i.e. a manager of a manager-managed LLC or a member of a member-managed LLC); ()

vi. The names and addresses of subsidiaries the entity owns or controls; ()

vii. If not incorporated or organized in Idaho, a certificate of authority from the Idaho Secretary of State, a certificate of good standing issued by the secretary of state in the state the entity is incorporated or organized, and the name and street address of the entity's registered agent for service in Idaho; and ()

viii. The name and address of any corporation, association, or similar organization holding a five percent (5%) or greater ownership interest or a managerial interest in it, and the amount and nature of the ownership interest, and nature of the management interest. Include a copy of any management agreement with the application. ()

02. Services and Territory. ()

a. A description of customer classes and customer services that the applicant proposes to offer to the public. The application shall indicate the date on which the applicant proposes to begin construction or anticipates it will begin to provide service in Idaho. ()

b. A description sufficient to determine whether service is to be offered in a particular location and the names of incumbent local exchange corporations (ILECs) with whom the proposed utility is likely to compete. The application shall also describe the intended manner of service, e.g., resold services or facilities-based services; and a general description of the property owned or controlled by applicant. ()

c. A reasonably sized and detailed map showing where the applicant proposes to provide service including exchanges (if different from existing exchanges), rural zones, and local calling areas. If the service area is identical to an incumbent LEC's service area, then applicant may refer to the incumbent's service area. ()

03. Financial Information. ()

a. The current detailed balance sheets, including detailed income and profit and loss statements of applicant reflecting current and prior year balance for the twelve (12) months ending as of the date of the balance sheet, or if not readily available, for the period since the close of the preceding calendar year. If a balance sheet and income statement are not available, the applicant shall submit financial data sufficient to establish it possesses adequate financial resources to provide the proposed services. ()

b. The latest annual report, if any. ()

04. Tariffs and Price Lists. Proposed initial tariffs or price sheets setting forth rates, rules, terms, and regulations applicable to the contemplated service. Initial tariffs and price lists filings shall be in an electronic form as well as paper. The tariffs and price lists in electronic format will be in computer searchable Adobe Acrobat (PDF), or submitted on a CD-ROM or other format as prescribed by the Commission Secretary. ()

05. Tariff and Customer Contact. The name, address, and telephone number for those persons responsible for tariff and price list questions, as well as customer complaints and inquiries. The application shall state the toll-free telephone number for customer inquiries and complaints. ()

06. Interconnection Agreements. Whether the applicant has initiated interconnection negotiations and, if so, when and with whom. Include copies of any interconnection contracts which have been completed for the

provision of telecommunication services. ()

07. Compliance with Commission Rules. A written statement that the applicant has reviewed the Commission's rules and will comply, or request for waiver of those rules believed to be inapplicable, or both. ()

08. Conservation of Telephone Numbers. An acknowledgment that non-paging telecommunications carriers with telephone numbering resources in Idaho shall be subject to numbering conservation measures including mandatory one thousand (1,000) block pooling. See Commission Order No. 30425. All CLECs shall evaluate their numbering resources and donate to the numbering resource pool unused one thousand (1,000) number blocks and one thousand (1,000) number blocks that have fewer than ten percent (10%) of the telephone numbers assigned. Applicable carriers shall also file the necessary utilization reports with NeuStar and semi-annual report their number resource utilization/forecast (NRUF) data at the one thousand (1,000) block level for each rate center within their service territory. The Federal Communications Commission has appointed NeuStar to manage the assignment and conservation of telephone area codes and telephone numbers in North America. ()

115. -- 120. (RESERVED)

APPLICATIONS TO CHANGE RATES OR RULES
(Rules 121-130)

121. FORM AND CONTENTS OF APPLICATION TO CHANGE RATES (RULE 121).

01. Utility Applications to Change Rates. Applications by any public utility to change any rate, fare, toll, rental or charge or any classification, contract, practice, rule or regulation resulting in any such increase, decrease or change must include the following data: ()

a. An exhibit fully showing each proposed change in rates, tolls, rentals, charges, rules or regulation by striking over proposed deletions to existing tariffs and underlining proposed additions or amendments to existing tariffs, except applications to increase or decrease all or almost all rates and charges by a uniform percentage or by a uniform amount may be made by filing a tariff listing the proposed change and all unchanged rates and charges or rates and charges not changed by a uniform percentage or a uniform amount, or by using another designation previously approved by the Commission that clearly calls attention to all proposed changes in numbers or wording. ()

b. A complete justification of the proposed increase in the form of testimony and exhibits or a narrative exposition. ()

c. A statement showing how and when the application has been or will be brought to the attention of affected customers and a copy of the press release and customer notice required by Rule 125. ()

d. A statement that the applicant stands ready for immediate consideration of the application. ()

e. Testimony and exhibits showing financial statements, cost of capital and appropriate cost of service studies. ()

f. Workpapers or documentation showing how test year data were adjusted. ()

g. If the applicant provides utility service in states besides Idaho or that is subject to federal regulation, a jurisdictional separation of all investments, revenues and expenses allocated or assigned in whole or in part to Idaho intrastate utility business regulated by this Commission showing allocations or assignments to Idaho. ()

02. Proposals Based upon Computer Modeling. In addition, in any application in which a computer model is used to represent or simulate processes from which the revenue requirement is derived or upon which allocations of the revenue requirement to different customer classes are based, complete documentation of all those computer models must be supplied to the Staff, upon request, and be available in the utility's office or other depository. The Staff may request that the computer model itself be provided. A computer model includes the

representation or simulation of a process, but does not mean or include the compilation of actual data. The application must state that (a) the models' documentation on file in the applicant's office or another depository fully describes the models or (b) necessary updates or additions to prior documentation that will fully describe the models is on file and will be supplied on request. ()

03. Grounds for Returning or Dismissing Application. Failure to comply with Rule 121.01 and 121.02 is grounds to return or dismiss an application under Rule 65. ()

122. NOTICE OF INTENT TO FILE A GENERAL RATE CASE (RULE 122).

01. Which Utilities Must File Notice. Utilities with annual gross revenues from retail customers in Idaho exceeding three million dollars (\$3,000,000) must file with the Commission a "notice of intent to file a general rate case" at least sixty (60) days before filing a general rate case. If the general rate case described in the notice is not filed within one-hundred twenty (120) days after filing the notice the notice will be deemed withdrawn unless the utility files a written statement that the utility still intends to file a general rate case of the kind described in the notice. ()

02. Exceptions for Trackers or Annual Cost Adjustments. Rule 122 applies only to general rate increases. Examples of cases outside the scope of Rule 122 include (but are not limited to) fuel cost adjustments (e.g., PGA), power cost adjustment (PCA), commodity or purchased power tracker rate increases, emergency or other short-notice increases caused by disaster or weather-related or other conditions unexpectedly increasing a utility's expenses, rate increases designed to recover governmentally-imposed increases in costs of doing business, such as changes in tax laws or ordinances, or other increases designed to recover increased expenses arising on short notice and beyond the utility's control. ()

123. PROPOSED CHANGES TO RATES OR RULES -- EFFECTIVE DATE -- NOTICE OF APPLICATION -- SUSPENSION (RULE 123).

01. Statutory Notice of Rate Changes. If a public utility applies to change any rate, fare, toll, rental, charge or classification, or any rule, regulation, or contract relating to or affecting any rate, fare, toll, rental, charge, classification, or service, or in any privilege or facility, on fewer than thirty (30) days after the application is filed, the proposed effective date is delayed until thirty (30) days after the application is filed by operation of Section 61-307, Idaho Code, unless the Commission approves an earlier effective date for good cause shown. Absent an order approving or suspending any or all of the proposed changes, the changes not suspended or approved take effect thirty (30) days after filing or on their proposed effective date, whichever is later. If no effective date is proposed for the changes, the changes do not take effect until approved by order. ()

02. Notice of Application. Within twenty-one (21) days of the date of any application to change any rate, fare, toll, charge, or classification, or any rule, regulation or contract relating to or affecting any rate, fare, toll, rental, charge, classification, or service, or in any privilege or facility, the Commission Secretary should issue a notice of application to all interested persons (see Rule 39.02), unless notice is issued under modified procedure or the application is earlier approved or described by order. ()

03. Suspension of Proposed Rate Changes. At any time before proposed changes take effect under Sections 61-307, Idaho Code and Rule 123.01 of this rule, the Commission may suspend the effectiveness of the changes under Sections 61-622, Idaho Code. Whenever the Commission suspends proposed changes for less than the maximum period of suspension allowed by statute, it may extend the period of the suspension to the statutory maximum consistent with the statutory standards. ()

124. DESIGNATION AS GENERAL RATE CASE IN NOTICE OF APPLICATION (RULE 124).

When a notice of application designates a proceeding as a general rate case, all persons are put on notice that the following are at issue and the Commission may make decisions addressing them, whether the notice explicitly repeats the following or not: ()

01. Revenue Requirement. The utility's Idaho intrastate revenue requirement, and every component of it, both rate base and expense, are at issue. The Commission may grant, deny, or modify the revenue requirement requested and may find a revenue requirement different from that proposed by any party is just, fair and reasonable.

()

02. Rates, Charges, and Service. The rates and charges of all Idaho retail customers, both recurring and non-recurring, including those of special contract customers, are at issue, and every component of every existing and proposed rate and charge is at issue. The Commission may approve, reject or modify the rates and charges proposed and may find that rates and charges different from those proposed by any party are just, fair and reasonable.

()

a. The Commission may approve, reject or modify existing or proposed relationships between and among rates and charges within, between or among customer classes or rate groupings and may approve, reject or modify existing or proposed relationships among and between customer classes or rate groupings.

()

b. The Commission may abolish, reduce or create rate blocks or categories of rates and charges, abolish, create or reduce components of rates and charges, abolish, reduce or create customer classes or rate groupings, and abolish, reduce or create absolute or relative differences among and between existing classes or rate groupings of customers.

()

c. The tariffs, practices, rules and regulations, service, instrumentalities, equipment, facilities, classifications, and customer relations of the utility are at issue, and the Commission may address any of them in its order.

()

125. NOTICES TO CUSTOMERS OF PROPOSED CHANGES IN RATES (RULE 125).

01. Contents of Customer Notice. A public utility must notify its customers whenever it requests to change rates.

()

a. If a utility requests a rate increase, the customer notice must briefly explain the utility's need for additional revenue and the dollar amount requested, and give the proposed overall percentage change from current rates as well as the proposed percentage increase in revenue for each major customer class.

()

b. If the utility requests a rate decrease, customer notice must briefly explain the reason for the decrease, the overall dollar amount of the proposed decrease, and the proposed percentage decrease for each major customer class.

()

c. The customer notice must clarify that the application is a proposal, subject to public review and a Commission decision. It shall also inform customers that a copy of the utility's application is available for public review at the offices of both the Commission and the utility, and on the Commission's homepage at www.puc.idaho.gov.

()

d. The customer notice shall inform customers that they may file written comments about the utility's application with the Commission. It shall also inform customers that they may subscribe to the Commission's RSS feed (Subsection 039.03) for periodic updates via email.

()

02. Timing of Notice for Trackers or Annual Cost Adjustments. Tracker adjustment prompted by federal action that result in rate change may be brought to customers' attention in compliance with this rule after approval by the Commission. Other tracker or annual cost adjustment cases that result in a rate increase remain subject to this rule's advance notice requirements. Other tracker or annual cost adjustment cases that result in a rate decrease in rates may be brought to customers' attention in compliance with this rule after being approved by the Commission.

()

03. Timely Distribution of Customer Notices. The customer notices referenced in Subsection 125.01 may be mailed separately to customers or included in the customer's regular bill as a bill stuffer. At the customer's option, the customer notice may be provided electronically. The information required by this rule must be clearly identified, easily understood, and pertain to the proposed rate change. The utility must start distributing customer notices when it files its application or as soon as possible thereafter.

()

04. Press Release. In instances covered by Subsection 125.01, the utility shall also send a press release

with at least the same information presented in the customer notices to all newspapers, radio, and television stations listed on the Commission's news organization list for that utility. The press releases shall be mailed or delivered simultaneously with filing of the application. ()

05. Purposes and Effects of This Rule. Subsections 125.01 through 125.04 are intended to encourage wide dissemination to customers of information concerning proposed rate changes. These subsections do not expand, contract, or otherwise modify customers notice and due process rights under the Public Utilities Law and the Commission's Rules of Procedure, IDAPA 31.01.01. Accordingly, Subsections 125.01 through 125.05 create no due process or procedural rights for any customer that would give rise to a due process or other procedural claim cognizable by the Commission. A public utility's failure to comply with Subsections 125.01 through 125.05 of this rule can be grounds for returning an application for incompleteness. ()

126. APPLICATION TO APPROVE INTERCONNECTION AGREEMENTS (RULE 126).

01. Uncontested Agreements. A telephone corporation may apply to the Commission to approve voluntarily negotiated, adopted or amended interconnection agreements under Section 252 of the federal Telecommunications Act of 1996, <http://www.fcc.gov/telecom.html>. The Commission may act on adopted or negotiated interconnection agreements and uncontested amendments to previously approved agreements with the assistance of Commission Staff's ex parte recommendation. ()

02. Contested Agreements. Petitions to arbitrate, mediate or otherwise resolve interconnection disputes between or among telecommunication carriers shall be processed under Rule 53. ()

127. PUBLIC WORKSHOPS ON APPLICATIONS TO INCREASE RATES (RULE 127).

01. Public Workshop. When a public utility applies to increase any rate, fare, toll, rental or charge regarding any classification or service, the Commission will determine if the staff should conduct a public workshop. The workshop's purpose is for the staff to dispense information concerning the utility's application and to receive written or oral comments from the public before the staff files testimony or comments. ()

02. Notice and Location of Workshop. Notice of the public workshop should be disseminated at least seven (7) days before the workshop to newspapers of general circulation and radio and television stations in the affected area. The Commission shall determine the location for the workshop. A workshop may be held in-person or telephonically. The notice shall also be posted on the Commission's website. ()

03. Exemptions. Subsection 127.01 shall not apply to applications regarding uniform statewide surcharges under Sections 56-904, 62-610 and 62-610F, Idaho Code, or to utility tariff advices. ()

128. -- 130. (RESERVED)

TARIFF SCHEDULES
(Rules 131-140)

131. FORM OF TARIFFS (RULE 131).

Utility tariff schedules must state "Idaho Public Utilities Commission" on their title page. A blank space about three by one and one-half inches (3" x 1-1/2") must be provided for the Commission's stamp of approval in the upper right or lower right corner of each schedule. ()

132. NUMBER OF TARIFF COPIES FILED (RULE 132).

The Commission encourages public utilities to file their tariff schedules via electronic mail. ()

01. Electronic Tariffs. For electronically filed tariffs, each utility shall submit its tariff schedules prepared in searchable Adobe Acrobat in portable document format (PDF) as an attachment to an e-mail, to the Commission Secretary at secretary@puc.idaho.gov. Electronic tariff schedules may also be submitted as PDF documents on CD-ROM or other electronic storage format approved by the Commission Secretary. ()

02. Printed Tariffs. To file printed tariffs, each utility shall file an original and two (2) copies of their

tariff schedules with the Commission Secretary. ()

03. Approval. The Commission will stamp its approval on each copy of an approved tariff, placing the original in its files and returning one (1) copy to the public utility. ()

133. TARIFFS SUBMITTED PURSUANT TO ORDER (RULE 133).

01. Order May Require Tariff Submission. When the Commission orders that tariffs be filed, the order may require the tariff to be accompanied by explanatory documents, summaries, workpapers, or similar material. When the Commission authorizes a utility to file new tariffs pursuant to a general rate case order, the Commission may require the utility to file a complete tariff set containing pages with and without changed rates and charges. ()

02. Staff Review of Tariffs Filed Pursuant to Order. When a utility files tariffs with the Commission pursuant to an order of the Commission in a proceeding in which other persons are party, the responsibility for reviewing the tariff submission to determine whether it complies with the Commission's order is upon the Commission Staff, which shall promptly report to the Commission whether the tariffs do comply. The review of tariffs filed pursuant to order is an ex parte, ministerial responsibility of the Commission Staff. Tariffs may be approved in the minutes of the Commission's decision meetings or by minute entry after Staff review without further order. ()

03. Motions With Regard to Tariffs Submitted Pursuant to Order. If the Commission has approved tariffs, parties or persons contending that approved tariffs are inconsistent with the Commission's orders may file appropriate motions asking that approval be reviewed. ()

134. TARIFF ADVICES (RULE 134).

01. Tariff Advices Authorized. Public utilities may file tariffs adding new or modifying existing services, providing for new or modified rules, or otherwise making minor changes to existing schedules by tariff advice. The tariff advice must include a transmittal letter from the utility listing all tariff pages changed or added by the tariff advice and briefly stating the reason for the tariff advice. If existing tariffs are changed, the advice must contain two (2) copies of each changed page: one (1) showing all the changes with appropriate symbols for deletions, additions, etc., and one (1) showing the pages after the changes as they will appear in the proposed new tariffs. ()

02. Filing of Tariff Advice. No tariff advice can be effective unless notice is given to the Commission and the public under Sections 61-307 and 61-622, Idaho Code. Tariff advices typically do not take effect on less than thirty (30) day notice. If the tariff advice proposes an effective date fewer than thirty (30) days after it is filed, the proposed effective date is delayed until thirty (30) days after the tariff advice is filed by operation of Sections 61-307 and 61-622, Idaho Code, unless the Commission finds good cause to approve an earlier effective date. Absent an order approving or suspending the tariff advice, the tariff advice takes effect thirty (30) days after filing or on the proposed effective date, whichever is later. If no effective date is proposed for the tariff advice, the tariff advice does not take effect until approved by order or minute entry. If a tariff advice is suspended, the Commission will open a formal proceeding and treat the tariff advice as an application. ()

03. Ex Parte Action. Ordinarily, the Commission acts upon tariff advices with the assistance of a written ex parte recommendation of the Commission Staff. The Commission acts upon tariff advices at its open meetings. If Staff believes the tariff advice proposes non-minor changes, then Staff should recommend the Commission process the tariff advice as an application, suspending the proposed effective date as needed. ()

135. -- 140. (RESERVED)

APPLICATIONS TO ISSUE SECURITIES
(Rules 141-150)

141. FORM AND CONTENTS OF APPLICATION TO ISSUE SECURITIES (RULE 141).

Except as provided in Rule 142, 147 or Section 61-909, Idaho Code, any utility applying to issue securities under

Sections 61-901 through 61-904, Idaho Code, must submit an application with the following information: ()

- 01. Description.** A general description of the applicant’s field of operations. ()
- 02. A Full Description of the Securities.** Including the proposed: ()
 - a.** Amount; ()
 - b.** Interest or dividend rates; ()
 - c.** Date of issue (or statement that the securities will be a shelf registration); ()
 - d.** Date of maturity; ()
 - e.** Voting privileges; ()
 - f.** Call or redemption provisions; and ()
 - g.** Sinking fund or other provisions for securing payment. ()
- 03. A Statement of the Proposed.** ()
 - a.** Method of marketing; ()
 - b.** Terms of sale; ()
 - c.** Underwriting discounts or commissions; ()
 - d.** Sale price; and ()
 - e.** Net proceeds to the applicant, including itemized statements of all fees and expenses (estimated if not known) to be paid in connection with the proposed transaction. ()
- 04. A Statement of the Purposes.** Statement of the purposes for which the proceeds from the securities will be used, including: ()
 - a.** A description of the property to be acquired or constructed and a statement of its cost or value (estimated if not known); ()
 - b.** A description of obligations to be refunded or expenditures for which reimbursement is intended; or ()
 - c.** Other information advising the Commission of the nature and purposes of the proposed transaction. ()
- 05. Statement of Explanation.** A statement explaining why the proposed transaction is consistent with the public interest and necessary or appropriate for or consistent with the applicant’s proper performance of service as a public utility. ()
- 06. Financial Statement.** A financial statement showing the authorized and outstanding classes of the applicant’s securities and certified copies of the resolutions of stockholders or directors authorizing the proposed transaction and other instruments relating to the transaction. ()
- 07. Proposed Order.** A proposed order granting the application, captioned proposed order of applicant, suitable for adoption by reference if the application is granted. ()
- 08. Statement of Public Notice Application.** A statement that notice of the application has been

published in those newspapers in general circulation in the applicant's service area in Idaho or nearest applicant's service area in Idaho or will be published within seven (7) days of the application. These newspapers are: the Coeur d'Alene Press (Coeur d'Alene), the Idaho Business Review (Boise), the Idaho State Journal (Pocatello), the Idaho Statesman (Boise), the Lewiston Morning Tribune (Lewiston), the Post Register (Idaho Falls), the Preston Citizen (Preston), the Bonner County Daily Bee (Sandpoint), and the Times News (Twin Falls). The Commission may require the applicant to furnish further necessary information. ()

142. APPLICATIONS FILED WITH OTHER AGENCY (RULE 142).

If the applicant files a similar application with any federal or other state agency, it may file a copy of the federal or other state application in lieu of the application required by this rule. The Commission may require the applicant to furnish further necessary information. ()

143. REPORTS (RULE 143).

When the information becomes available, the applicant must file with the Commission a verified report or a copy of a verified report filed with another regulatory agency showing the amount realized by the applicant, including the itemized costs and expenses incurred in connection with the transaction. ()

144. HEARING -- MODIFIED PROCEDURE -- SUMMARY ACTION (RULE 144).

The Commission may consider applications to issue securities without hearing, place the matter on modified procedure, or set the matter for formal hearing. ()

145. REQUESTS FOR EXPEDITIOUS ACTION (RULE 145).

If a pleading requests the Commission to issue a securities order sooner than thirty (30) days after initial filing with the Commission, each copy of the pleading making that request must be accompanied by a cover letter stating the following:

ATTENTION COMMISSION SECRETARY AND HEAD LEGAL SECRETARY:

(Name of party) requests that the Commission issue an Order approving issuance of these securities on or before (date). ()

146. FEES MUST BE PAID BEFORE ORDER ISSUED (RULE 146).

No orders authorizing security issuances will be issued until fees required by Section 61-905, Idaho Code, are paid. ()

147. EXEMPTION (RULE 147).

Under Section 61-909, Idaho Code, the Commission may, by order, exempt any security or a class of security or a class of public utility from Sections 61-902 through 61-905, Idaho Code, if it finds the public interest will not be adversely affected. See Commission Order No. 26959. ()

148. -- 150. (RESERVED)

CABLE POLE ATTACHMENTS
(Rules 151-160)

151. TIMETABLE FOR DECISION -- CABLE POLE ATTACHMENT PROCEEDINGS (RULE 151).

Whenever a public utility, as defined in Section 61-538, Idaho Code, and a cable television company, as defined in Section 61-538, Idaho Code, are unable to agree upon the rates, terms, or conditions for pole attachments or the terms, conditions, or cost of production of space needed for pole attachments, and either the public utility or the cable television company files an application, complaint, or petition asking the Commission to establish and regulate rates, terms, or conditions, the Commission shall decide the case within thirty (30) days; provided, the Commission shall have the right, upon reasonable notice, to enter upon a hearing concerning the propriety of such proposed rate, term, or condition and to extend its period for considering the application, complaint, or petition an additional thirty (30) days plus five (5) months and, for good cause shown on the record, an additional sixty (60) days. ()

152. RULES OF PROCEDURE TO BE USED (RULE 152).

These Rules of Procedure apply to all proceedings concerning the rates, terms, or conditions for cable pole

attachments, provided, that any such proceeding, whether denominated an application, complaint or petition, shall be processed according to the timetable of Rule 151. ()

153. -- 160. (RESERVED)

APPLICATIONS FOR INTERVENOR FUNDING
(Rules 161-170)

161. CASES IN WHICH INTERVENORS MAY APPLY FOR FUNDING (RULE 161).

In any case involving regulated electric, gas, water or telephone utilities with gross Idaho intrastate annual revenues exceeding three million five hundred thousand dollars (\$3,500,000), intervenors may apply for intervenor funding. ()

162. FORM AND CONTENTS OF PETITION FOR INTERVENOR FUNDING (RULE 162).

A petition for intervenor funding must contain the following: ()

01. Itemized List of Expenses. An itemized list of expenses that the intervenor requests to recover broken down into categories such as legal fees, witness fees, or reproduction fees. Legal and witness fees shall, where applicable, indicate hourly rates. ()

02. Statement of Proposed Findings. A statement of the intervenor's proposed finding or recommendation that the intervenor wishes the Commission to adopt. ()

03. Statement Showing Costs. A statement showing that the intervenor's listed expenses are reasonable. ()

04. Explanation of Cost Statement. A statement explaining why the listed expenses would constitute a significant financial hardship for the intervenor. ()

05. Statement of Difference. A statement showing how the intervenor's recommendation or position in the case differed materially from that of Commission Staff. ()

06. Statement of Recommendation. A statement showing how the intervenor's recommendation or position addressed issues of concern to the general body of utility users or consumers, and ()

07. Statement Identifying Customer Class. A statement identifying the customer class on whose behalf the intervenor appeared. ()

163. PROHIBITION ON APPLICATION BY COMPETITOR (RULE 163).

No intervenor in direct competition with a public utility involved in a proceeding is entitled to intervenor funding for that proceeding. ()

164. TIME TO APPLY (RULE 164).

Unless otherwise provided by order, an intervenor requesting intervenor funding must apply no later than fourteen (14) days after the last evidentiary hearing in a proceeding or the deadline for submitting briefs, proposed orders, or statements of position, whichever is last. Motions in opposition to intervenor funding must be filed within fourteen (14) days after the request for intervenor funding is filed. ()

165. AWARDS (RULE 165).

01. Order Awarding Intervenor Funding. The Commission may by order award intervenor funding pursuant to Section 61-617A, Idaho Code. ()

02. Payment of Awards. Awards of intervenor funding must be paid within twenty-eight (28) days of the order of the Commission awarding intervenor funding, unless the order of the Commission is stayed. ()

03. Recovery of Awards of Intervenor Funding. Awards of intervenor funding paid by electric, gas,

water or telephone utilities will be an allowable business expense in the pending rate case or, if the proceeding is not a rate case, in the utility's next rate case. Awards of intervenor funding shall be chargeable to the class of customers represented by the intervenors. ()

166. -- 200. (RESERVED)

PART 3 – POST-PLEADING PROCEDURE
(Rules 201-300)

MODIFIED PROCEDURE
(Rules 201-210)

201. SCOPE OF MODIFIED PROCEDURE (RULE 201).

The Commission may preliminarily find that the public interest may not require a technical hearing to consider the issues presented in a proceeding and that the proceeding may be processed under modified procedure, i.e., through written filings in which persons views are expressed through written comments rather than by hearing. ()

202. NOTICE OF MODIFIED PROCEDURE (RULE 202).

01. Notice of Modified Procedure. When the Commission finds that it may not be in the public interest to hold a hearing in a matter, notice of modified procedure will be issued. It will: ()

a. Describe the issues presented in the proceeding; ()

b. Summarize the moving party's justification for the proposed changes and its position; ()

c. State that the Commission finds that it may be in the public interest not to hold a hearing in the proceeding and will not do so unless it receives written comments specifically requesting a hearing and explaining why written comments alone are insufficient; and ()

d. Establish the deadline for filing written protests or comments, and a reply by the moving party. ()

02. Distribution of Notice. Copies of the notice of modified procedure will be provided to all interested persons (see rule 390.02), including newspapers, municipalities, counties, and chambers of commerce located within the territorial scope of the application, petition or complaint whose readers, citizens or members may be affected by the proceedings and to all parties. Unless otherwise provided by the notice of modified procedure, all interested persons will have at least twenty-one (21) days from the date of the notice to file a written protest or comment. ()

203. COMMENTS (RULE 203).

Any person affected by the moving party's proposal may file a written protest, support or comment. Comments must state and explain the person's position on the proposal. Persons desiring a hearing must specifically request a hearing in their written comments and explain why written comments alone are insufficient. A copy of the person's comment must be served on the moving party's representative. ()

204. ACTION BY COMMISSION (RULE 204).

If no comments are received within the deadline, the Commission may consider the matter and enter its order without a hearing. If comments or a reply are filed within the deadlines, the Commission will consider them and may set the matter for hearing or may decide the matter and issue its order based on the written submissions. ()

205. -- 210. (RESERVED)

PREHEARING CONFERENCES
(Rules 211-220)

211. PURPOSES OF PREHEARING CONFERENCES (RULE 211).

The Commission may by order or notice issued to all parties and to all interested persons (see Rule 39) convene a prehearing conference to formulate or simplify the issues, obtaining concessions of fact or of document identification to avoid unnecessary proof, schedule discovery, arrange for the exchange of proposed exhibits or prepared testimony, limiting witnesses, schedule hearings, establish hearing procedure, discussing settlement offers or make settlement offers, and addressing other matters that may expedite orderly conduct and disposition of the proceeding. ()

212. NOTICE OF PREHEARING CONFERENCES (RULE 212).

Notice of a prehearing conference's place, date and hour will be served at least fourteen (14) days before the time set for the conference, unless the Commission finds by order that the public necessity requires the conference to be held earlier. Prehearing conference notice must contain the same information as hearing notices with regard to the Americans with Disabilities Act. See Rule 242. ()

213. RECORD OF CONFERENCE (RULE 213).

Prehearing conferences may be held formally (on the record) or informally (off the record) with or without a Commissioner or hearing examiner, according to order or notice. Agreements by the parties to the conference may be recorded by the reporter during formal conferences or may be reduced to writing and filed with the Commission Secretary after formal or informal conferences. ()

214. PREHEARING CONFERENCE ORDER (RULE 214).

The Commission may issue a prehearing order or notice based upon the results of the agreements reached at a prehearing conference. The order or notice will bind all persons who could have participated in the prehearing conference, but did not, and all those who later file untimely interventions. A prehearing order will control the course of subsequent proceedings unless modified by the Commission for good cause. ()

215. CONFERENCE PROCEEDINGS PRIVILEGED (RULE 215).

Facts disclosed, offers made and all other aspects of negotiation (except agreements reached) in prehearing conferences are privileged and are not part of the record. Except by agreement, facts disclosed cannot be used against participating parties, before the Commission or elsewhere, unless proved by independent evidence. Offers made and other aspects of negotiations or settlement other than a final agreement itself are privileged. ()

216. -- 220. (RESERVED)

DISCOVERY – RELATED PREHEARING PROCEDURE
(Rules 221-240)

221. KINDS AND SCOPE OF DISCOVERY (RULE 221).

The kinds of discovery recognized and authorized by these rules are: ()

01. Depositions. ()

02. Production Requests or Written Interrogatories. ()

03. Requests for Admission. ()

04. Subpoenas. ()

05. Statutory Examination and Audit. Unless otherwise provided by these rules, order, or notice, the scope and procedure of discovery, other than statutory examination and audit, is governed by the Idaho Rules of Civil Procedure. (See Idaho Rule of Civil Procedure 26(b)). ()

222. DISCOVERY AUTHORIZED (RULE 222).

The Commission, individual Commissioners, and all parties to a proceeding have a right of discovery of all other parties to a proceeding. The Commission may by order authorize or compel necessary discovery not listed in these rules. ()

223. RIGHTS TO DISCOVERY RECIPROCAL (RULE 223).

All parties to a proceeding and the Commission Staff have a right of discovery of all other parties to the proceeding and the Commission Staff according to these rules. The Commission may by order direct further discovery not provided by these rules. ()

224. DEPOSITIONS (RULE 224).

Depositions may be taken in accordance with Section 61-605, Idaho Code, and the Idaho Rules of Civil Procedure for any purpose allowed by statute, Idaho Rule of Civil Procedure, rule of the Commission, order or notice. Depositions may be taken of expert witnesses notwithstanding contrary provisions of the Idaho Rules of Civil Procedure. Depositions rather than production requests or written interrogatories should be used to obtain statements of opinion or policy not previously written or published. Unless otherwise provided by order or notice or agreed to by the deponent or the deponent's attorney, notice of deposition must be given at least fourteen (14) days before deposition is taken. ()

225. PRODUCTION REQUESTS OR WRITTEN INTERROGATORIES AND REQUESTS FOR ADMISSION (RULE 225).

01. When Requests May Be Used. Production requests or written interrogatories and requests for admission may be taken in accordance with the Idaho Rules of Civil Procedure for any purpose allowed by statute, Idaho Rule of Civil Procedure, rule of the Commission, order or notice, except: ()

a. Production requests or written interrogatories should not be used to obtain statements of opinion or policy not previously written or published and may be objected to on that ground; and ()

b. Requests for admission concerning a matter of opinion or policy or the application of law, order or rule to fact may be denied generally and the reasons for denial required to be discovered by deposition rather than by request for admission, but a request for admission on any matter of opinion or policy or application of law to fact on an uncontested matter must be answered. ()

02. Form of Requests. The caption of a production request or written interrogatory and of a request for admission must identify the party making the request or interrogatory, the party to whom the request or interrogatory is directed, and the number of the request or interrogatory to that party. Separate questions within a production request or written interrogatory or within a request for admission must be numbered consecutively within the request or interrogatory and consecutively with earlier production requests or written interrogatories and requests for admission, respectively, from the same party submitting the questions to the same party answering them. For example, if the last question of the Third Production Request of the Commission Staff to XYZ Electric Company is numbered 33, the first question of the Fourth Production Request of the Commission Staff to XYZ Electric Company must be numbered 34. But, if the Staff's next production request is its first to intervenor ABC Company, that request must begin with question one (1) to that intervenor. ()

03. Time for Objection and Answer. Unless otherwise provided by order, notice, or these rules, or by agreement with or acquiescence of the answering party, parties have fourteen (14) days to object or explain why a question cannot be answered and twenty-one (21) days to answer. ()

04. Numbers of Requests. The number of production requests, interrogatories and requests for admission are not limited by the provisions of the Idaho Rules of Civil Procedure but may be limited by Commission order. ()

226. SUBPOENAS (RULE 226).

01. Issuance of Subpoenas. Upon a motion in writing, or upon a Commissioner's own initiative without motion, any Commissioner may issue subpoenas requiring: ()

a. The attendance of a witness from any place in Idaho; ()

b. The production of documents from any place in Idaho; or ()

c. The production of any books, accounts, papers or records of a utility or carrier kept within or

without Idaho to any designated place of deposition, hearing or investigation for the purpose of taking testimony or examining documents before the Commission, a Commissioner or hearing examiner. ()

02. Witness or Travel Fees. A party's motion to issue a subpoena must be accompanied by a statement that the party will tender to the subpoenaed person all fees required by statute and rules if the subpoena is issued. ()

03. Motions to Quash. The Commission upon motion to quash made promptly, and in any event, before the time to comply with the subpoena, may: ()

a. Quash the subpoena; or ()

b. Condition denial of the motion to quash upon reasonable terms. ()

227. STATUTORY EXAMINATION AND AUDIT -- CONTRASTED WITH OTHER DISCOVERY (RULE 227).

Statutory examination and audit refers to the right of the Commission, an individual Commissioner, or Commission Staff to review and inspect the books, records and premises of regulated utilities and carriers pursuant to statute. This right of statutory examination and audit is independent of any right of discovery in formal proceedings and may be exercised whether or not a formal proceeding is ongoing or a regulated utility or carrier is party to a formal proceeding before the Commission. Information obtained from statutory examination and audit may be used in formal proceedings or for any other regulatory purpose. The rights of deposition, production request or written interrogatory, request for admission, and subpoenas can be used by parties only in connection with formal proceedings before the Commission. ()

228. ANSWERS TO PRODUCTION REQUESTS OR WRITTEN INTERROGATORIES AND TO REQUESTS FOR ADMISSION (RULE 228).

01. When Answers Not Filed. Answers to production requests or written interrogatories and to requests for admission need not be filed and served in the following circumstances: ()

a. Voluminous answers may be filed in a depository designated and agreed to by the parties or designated by the Commission, and an explanation notifying the parties of the availability of the answers at the depository must be filed and served in their stead. ()

b. Answers involving data compiled by computer may be transmitted in computer-readable form (e.g., by disk or other mutually agreed means) to the party requesting them and to all other parties requesting them in similar computer-readable forms and an explanation notifying the parties of their distribution must be filed and served in their stead. ()

02. Filing of Answers. Except as provided in Rule 228.01, answers to production requests or written interrogatories and to requests for admission must restate in full each question asked, then state in full the party's response to the question and the persons who will be able to answer questions about or sponsor the answer at hearing. Answers to production requests or interrogatories need not be separately answered under oath by each person preparing the party's response to the question or each witness who will be able to answer questions about or sponsor the answer, but instead can be generally subscribed by the party's representative. The restatement of the question and its accompanying answer must begin on a new page whenever the preceding answer refers to other documents or whenever the preceding question in the particular production request or written interrogatory is not answered in full in that document. ()

229. FILING AND SERVICE OF DISCOVERY AND RELATED DOCUMENTS (RULE 229).

Deposition notices, production requests or written interrogatories, requests for admission, and corresponding answers, and objections must be filed with the Commission Secretary and served on all parties according to Rules 61, 62, 63, and 64. ()

230. EXHIBIT NUMBERS -- PREPARED TESTIMONY AND EXHIBITS (RULE 230).

The Commission Secretary assigns exhibit numbers to each party. Applicants, petitioners, or complainants are

assigned exhibit nos. 1-100. If the Commission is complainant, the Staff is assigned exhibit nos. 1-100. In all other cases, the Staff is assigned exhibit nos. 101-200. Respondents and intervenors are assigned exhibit nos. 201-300, 301-400, etc., as they make their first pleading, but the lower series are reserved first for respondents, then for intervenors. These assigned numbers should be used in all prepared testimony. ()

231. PREPARED TESTIMONY AND EXHIBITS (RULE 231).

01. Prepared Testimony May Be Required. Order, notice or rule may require a party or parties to submit prepared testimony and exhibits to be presented at hearing. ()

02. Format for Prepared Testimony. ()

a. Prepared testimony and exhibits must be accompanied by a cover sheet showing the case caption and case title, the person testifying, the party for whom the testimony is offered, and the nature of the testimony (direct, rebuttal, etc.). ()

b. The first page of prepared testimony should contain testimony only (i.e., it should begin with the first question to the witness and not repeat the information on the cover page). ()

c. Prepared testimony must be submitted on white eight and one-half by eleven inch (8-1/2" x 11") paper, be double-spaced (except for quoted material and tables or other collections of numerical data), and contain no more than ten (10) characters per inch and no less than twenty-five (25) lines of double-spaced testimony or more than thirty (30) lines per page. Each page may be printed on the front and back (duplexed). ()

d. Each line of prepared testimony must be numbered at the left margin (except single-spaced quotations or tables of numerical data, which may be numbered at the left margin as though they were double-spaced). Each page of testimony must have a one and one-half (1-1/2) inch left margin that will allow the page to be bound on its left side without obscuring the printed material. Indentations for paragraphing and for "Q" and "A" must be seven (7) spaces. ()

e. Each page of prepared testimony must be numbered at the lower right corner and must be blank in the center of the bottom margin to allow the reporter to insert transcript page numbers there. Each page of prepared testimony must have at least a one-inch (1") top and bottom margin. ()

f. Each page of prepared testimony must contain the witness's surname followed by the designation "Di" (signifying direct testimony) or "Di-Reb" (signifying direct testimony on rebuttal) and the name of the party sponsoring the testimony printed in the lower right margin. For example, the marginal notation on page 5 of the testimony of the witness Lynn Accountant of ABC Company would be:

5	or	Accountant, Di 5
Accountant, Di		ABC Company
ABC Company		

()

03. References to Exhibits. All references to exhibits in prepared testimony must refer to the exhibits by their number as assigned by the Commission Secretary. Exhibits accompanying prepared testimony must be consecutively numbered from the first exhibit number assigned to the party by the Commission Secretary if the party has not previously identified exhibits, or from the highest exhibit number previously identified by that party. Exhibits must be filed on eight and one-half by eleven inch (8-1/2" x 11") paper unless it is impractical to make them that size. Exhibits accompanying prepared testimony must comply with Rule 267. ()

04. Number of Copies -- Filing and Service. Unless otherwise provided by order, notice or agreement of the parties, nine (9) legible copies of prepared testimony and exhibits must be filed with the Commission Secretary and copies filed on all parties under Rules 61, 62, 63 and 64 at least fourteen (14) days before the hearing at which they will be presented. The original, if there is an original, or one (1) of the copies, if there is not, must be specifically designated as the reporter's copy by cover sheet, attached note or otherwise, and be included with the copies filed with the Commission Secretary. In special circumstances, notice or order may provide that the reporter's copy of

prepared testimony and exhibits be served directly on the reporter rather than the Commission Secretary. ()

05. Computer-Searchable Copies of Testimony. In addition to the paper copies of prepared testimony, the Commission Secretary may also require or the parties may agree that some or all of the prepared testimony to be submitted to the Secretary, parties and the reporter as computer searchable PDF without password protection. ()

232. SANCTIONS FOR FAILURE TO OBEY ORDER COMPELLING DISCOVERY (RULE 232).
The Commission may impose all sanctions recognized by the Public Utilities Law for failure to comply with an order compelling discovery. ()

233. ASSERTIONS THAT DISCOVERED MATERIAL IS PROTECTED FROM PUBLIC INSPECTIONS -- PROCEDURES (RULE 233).

01. Assertion of Protection. Whenever any party to a discovery request believes that material otherwise discoverable is protected by statute or rule of law from inspection, examination or copying by the general public, the attorney for the party asserting the material is protected by law from inspection, examination or copying must state that the answer or some portion of it is protected, citing the specific statute or other legal authority for that position. The attorney's assertion constitutes a representation that the attorney is familiar with the material claimed not to be available for public inspection, examination and copying and in good faith believes there is a basis in law for that claim. ()

02. Procedures. When an answer contains material, some of which is protected by law from public inspection, examination, and copying and some of which is not, the protected material must be reproduced on yellow paper and separated from material available for public review. Each page of the material exempt from public review must be marked "Trade Secrets" or "Confidential." All material exempt from public review shall be filed with the Commission Secretary and served on all parties under seal pursuant to Rule 229. Material exempt from public review shall be separately stored in a secure location with limited access and safeguarded from unauthorized disclosure. All material for which no assertion of protection against public inspection, examination and copying is made will be placed in files available for public inspection. ()

234. ASSERTION OF RIGHT AGAINST SELF-INCRIMINATION DURING DISCOVERY -- IMMUNITY (RULE 234).

01. Assertion of Right. During discovery any person may assert the right not to testify or not to produce documents upon the ground that the testimony or production of documents may tend to incriminate or subject them to penalty or forfeiture. ()

02. Granting of Immunity. The Commission or any Commissioner may direct that person to testify or produce documents by written order or upon the record at hearing. In such case, that person shall not be prosecuted, punished or subjected to any forfeiture or penalty for or on account of any act, transaction, matter or thing concerning which they shall under oath have testified or produced documentary evidence: provided, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed in that testimony. ()

03. No Immunity Without Assertion of Right. No immunity is granted under this rule or under Section 61-606, Idaho Code, absent of a specific assertion of the persons' rights under Section 61-606, Idaho Code, and the Commission's or a Commissioner's written order or direction on the record at hearing compelling the person to testify or produce written documents and immunizing the person from prosecution, punishment, forfeiture or penalty according to this rule and Section 61-606, Idaho Code. No immunity granted under this rule or Section 61-606, Idaho Code, shall extend to any public utility. ()

235. -- 240. (RESERVED)

HEARINGS – MISCELLANEOUS PROCEDURE
(Rules 241-260)

241. NOTICE OF HEARING (RULE 241).

01. Timing of Notice. Notice of the place, date and hour of hearing will be served at least fourteen (14) days, or in the case of formal complaints, twenty-one (21) days, before the time set for hearing, unless the Commission finds by order that the public necessity requires the hearing to be held earlier. ()

02. Contents of Notice. Notices must comply with Rule 242's requirements. Notices must list the names of the parties (or the lead parties if the parties are too numerous to name), the case number, and the name of the hearing officer who will conduct the hearing if the case will not be heard by one (1) or more Commissioners. If no document previously issued by the Commission has listed the legal authority of the Commission to conduct the hearing, the notice of hearing must do so. The notice of hearing shall state that the hearing will be conducted under these Rules of Procedure and inform the parties where they may read or obtain a copy. ()

03. Locations of Hearing. Hearings may be held in Boise, Idaho, or at other places designated by notice or order. ()

04. Types of Formal Hearings. The Commission generally conducts two (2) types of formal public hearings. ()

a. A technical hearing is a public hearing where parties present witnesses and their prepared testimony and exhibits. ()

b. A customer hearing is a public hearing for customers, public officials, and other persons not related to parties in the case to provide testimony. Unless otherwise ordered by the presiding officer, parties are prohibited from presenting evidence at the customer hearing. ()

242. FACILITIES AT OR FOR HEARING AND ADA REQUIREMENTS (RULE 242).

All hearings must be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). All notices of hearing must inform the parties that the hearing will be conducted in facilities meeting the ADA accessibility requirements. All notices of hearing must inform the parties and other persons notified that if they require assistance of the kind that the Commission is required to provide under the ADA (e.g., sign language interpreters, Braille copies of documents) in order to participate in or understand the hearing, the Commission will supply that assistance upon request made seven (7) days before hearing. ()

243. HOW HEARINGS ARE HELD (RULE 243).

01. All Hearings Presumed Open. All Commission hearings are open to the public except when a hearing may be partially closed to safeguard trade secrets or other confidential information protected from public disclosure. If parties intend to cross-examine or offer testimony that may necessitate the partial closure of a hearing, they shall advise the Commission or presiding officer at the beginning of the hearing or as soon as thereafter as practical. The Commission disfavors closed hearings and parties shall take all reasonable measures to avoid the need to close a public hearing. Such measures include: ()

a. Using references to page and line or column numbers; ()

b. Using summaries or generalizations; ()

c. Stipulating that the evidence be offered in the public hearing; or ()

d. Offering testimony in writing. ()

02. Methods of Conducting Hearings. Hearings may be held in person or by telephone or other electronic means, if each participant has an opportunity to participate in the entire proceeding while it is taking place. ()

244. (RESERVED)

245. CONFERENCE AT HEARING (RULE 245).

The presiding officer may convene the parties before hearing or recess the hearing to discuss formulation or simplification of the issues, admissions of fact or identification of documents to avoid unnecessary proof, exchanges of documents, exhibits or prepared testimony, limitation of witnesses, establishment of order of procedure, and other matters that may expedite orderly conduct of the hearing. The presiding officer should state the results of the conference on the record. ()

246. PRELIMINARY PROCEDURE AT HEARING (RULE 246).

Before taking evidence, the presiding officer should call the hearing to order, take appearances of parties, and act upon any pending motions or petitions. The presiding officer may allow opening statements to explain a party's presentation. ()

247. CONSOLIDATION OF PROCEEDINGS (RULE 247).

The Commission may consolidate two (2) or more proceedings for hearing when it finds that they present related issues and that the parties' rights will not be prejudiced. In consolidated hearings the presiding officer determines the order of the proceeding. ()

248. STIPULATIONS (RULE 248).

Parties may stipulate among themselves to any fact at issue by written statement filed with the Commission Secretary or presented at hearing or by oral statement on the hearing record. The Commission may regard a stipulation as evidence, but the Commission may require proof by evidence of the facts stipulated. The Commission is not bound to adopt the parties' stipulation, but may by order do so. If the Commission rejects a stipulation, it will do so before issuing a final order, and it will provide an additional opportunity for the parties to present evidence and arguments on the subject matter of the rejected stipulation. ()

249. PROCEDURAL SEQUENCE (RULE 249).

- 01. Evidence Presentation.** Parties' evidence will ordinarily be introduced in this sequence: ()
 - a.** Upon applications: ()
 - i. Applicant; ()
 - ii. Intervenors; ()
 - iii. Commission Staff; and ()
 - iv. Rebuttal by applicant. ()
 - b.** Upon formal complaints or petitions (except when the Commission is complainant): ()
 - i. Complainant or petitioner; ()
 - ii. Intervenors; ()
 - iii. Commission Staff; ()
 - iv. Respondents; and ()
 - v. Rebuttal by complainant or petitioner. ()
 - c.** Upon complaints by Commission: ()
 - i. Commission Staff; ()
 - ii. Intervenors; ()
 - iii. Respondents; and ()

- iv. Rebuttal by Commission Staff. ()
- v. The Commission or presiding officer may modify this sequence. Additional evidence may be taken in the discretion of the Commission or presiding officer. Evidence of public witnesses may be taken at any time. ()
- 02. Witness Examination.** Witnesses will ordinarily be examined in this sequence: ()
 - a. Direct examination by sponsoring party or direct statement of public witness; ()
 - b. Examination by applicants, petitioners or complainants; ()
 - c. Examination by intervenors; ()
 - d. Examination by respondents; ()
 - e. Examination by Commission Staff (except when the Staff acts as complainant); ()
 - f. Examination by Commissioners or hearing examiners; and ()
 - g. Redirect examination or rebuttal statement. ()
 - h. The presiding officer may allow additional examination of witnesses or vary the examination of witnesses. The presiding officer may vary the examination sequence (e.g. by allowing parties with interests adverse to the witness to examine the witness after parties with interests similar to the witness.) ()
- 250. TESTIMONY UNDER OATH (RULE 250).**
All testimony will be under oath, with each witness swearing/affirming that their testimony is truthful. ()
- 251. SIMILARLY INTERESTED PARTIES AND PERSONS (RULE 251).**
If two (2) or more parties or persons have substantially like interests or positions, to expedite the proceeding and avoid duplication the presiding officer may limit the number of them who testify, examine witnesses, or make and argue motions and objections. ()
- 252. CONTINUANCES (RULE 252).**
The Commission or presiding officer may continue hearings. When a hearing for an application described by Rule 121 is continued per applicant request, the applicant may be required, as a condition of granting the motion for continuance, to consent to an order tolling the running of any suspension period if the Commission ultimately finds that a final order cannot be issued within the suspension period because the applicant's request for a continuance was granted. ()
- 253. RULINGS AT HEARINGS (RULE 253).**
The presiding officer rules on motions presented at hearing. The full Commission may review the presiding officer's rulings in determining the matter on its merits. In extraordinary circumstances, the presiding officer may refer or defer these matters to the full Commission for determination. ()
- 254. ORAL ARGUMENT (RULE 254).**
The Commission may set and hear oral argument on any matter before it on reasonable notice. ()
- 255. BRIEFS -- PROPOSED ORDERS OF THE PARTIES -- STATEMENTS OF POSITION -- PROPOSED ORDER OF THE COMMISSION (RULE 255).**
In any proceeding, any party may move to file briefs, memoranda, proposed orders of the parties or statements of position, and the Commission or presiding officer may request briefs, proposed orders of the parties, or statements of position. The Commission or presiding officer may issue a proposed order and ask the parties for comment upon the proposed order. ()

256. PROCEDURE ON MOTIONS (RULE 256).

01. Argument. The Commission may consider and decide prehearing motions with or without oral argument or hearing. If oral argument or hearing on a motion is requested and denied, the Commission must state its grounds for denying the request. ()

02. Requirements for Motion for Expeditious Substantive Relief. A motion requesting substantive relief on fewer than fourteen (14) days' notice will not be acted upon on fewer than fourteen (14) days' notice unless it states: ()

a. The facts supporting its request to act on shorter notice; and ()

b. 1) That at least one (1) representative of all parties has received actual notice, by telephone or personal delivery of the motion; or 2) stating the efforts made to reach representatives of those parties not contacted and what efforts will continue to be made to contact them. Except as otherwise provided in this paragraph, the Commission will allow at least two (2) days (excluding Saturdays, Sundays and legal holidays) after notification by telephone or actual receipt of the motion for parties to inform the Commission Secretary, either in writing personally delivered to the Secretary or by telephone, whether they support or oppose the motion and whether they desire to be heard on the motion in person, in writing or by telephone. Except in extraordinary circumstances where the Commission states good cause for ruling on a motion without allowing two (2) days for parties to state their positions or to present their position on the motion either in person, in writing or by telephone, the Commission will not rule on a substantive motion. Whenever an order is issued in such extraordinary circumstances, it will expire in no more than seven (7) days. ()

03. Motions for Procedural Relief. A motion requesting procedural relief on fewer than fourteen (14) days' notice is properly filed if it complies with provisions of Rule 256.02.a. and 256.02.b. The Commission may act on the motion without waiting for responses of other parties. ()

04. Support or Opposition to Prehearing Motion. When a prehearing motion has been filed, all parties seeking similar substantive or procedural relief must join in the motion or file their own motions within seven (7) days after receiving the original motion. The party answering to or responding to the motion(s) will have fourteen (14) days from the time of filing of the last motion or joinder under the requirements of the previous sentence in which to respond, except as provided in Rule 256.02 and 256.03. ()

257. JOINT HEARINGS (RULE 257).

When the Commission participates jointly with a federal regulatory agency, the rules of practice and procedure of the federal agency govern. When the Commission participates jointly with an administrative body of another state or other states, the rules of the state where the hearing is held govern unless otherwise agreed upon by the participating agencies. Any person entitled to appear in a representative capacity for any of the agencies involved in a joint hearing may do so in such joint hearing. ()

258. COMMISSIONERS -- HEARING EXAMINERS -- PROCEDURE (RULE 258).

01. Officers Holding Hearings. Hearings are held before one (1) or more Commissioners or one (1) or more hearing examiners appointed by the Commission. The presiding officer is designated by the Commission. Any Commissioner or hearing examiner may administer oaths. ()

02. Procedure When Hearing Examiner Holds Hearing. When a hearing examiner hears a proceeding, the examiner must prepare and file recommended findings of fact with the Commission Secretary and serve copies on all parties of record within fourteen (14) days after receiving the hearing record, unless the examiner's recommended findings are stated on the record at hearing. Unless otherwise provided by order or notice, the Commission will issue its decision based upon its review of the record and of the examiner's recommended findings of fact. ()

259. ASSERTION OF RIGHT AGAINST SELF-INCRIMINATION AT HEARING -- IMMUNITY (RULE 259).

01. Assertion of Right. At hearing any person may assert the right not to testify or not to produce documents upon the ground that the testimony or production of documents may tend to incriminate the person or subject him or her to penalty or forfeiture. ()

02. Granting of Immunity. The Commission or any Commissioner may direct that person to testify or produce the document by written order or on the record at hearing. In such case, that person shall not be prosecuted, punished, or subjected to any forfeiture or penalty for or because of any act, transaction, matter, or thing concerning which the person shall under oath have testified or produced documentary evidence: provided, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by the person in that testimony. ()

03. No Immunity Without Assertion of Right. No immunity is granted under this rule or Section 61-606, Idaho Code, unless the person specifically asserts their rights under Section 61-606, Idaho Code, and the Commission's or a Commissioner order in writing or directs on the record at hearing that the person must testify or produce written documents and shall be immunized from prosecution, punishment, forfeiture or penalty according to this rule and Section 61-606, Idaho Code. No immunity shall extend to a public utility. ()

260. SUMMARY OF POSITION(S) AND TESTIMONY (RULE 260).

Each utility shall make available to the public at all Commission hearings a brief written summary of the utility's position(s) and testimony filed in the case under consideration except when the Commission has determined that a summary is not necessary. If the utility is requesting a rate increase, its summary shall address the utility's need for additional revenue, the total dollar amount requested, and the proposed percentage increase or decrease in rates for each major customer class. The Commission Staff and intervenors shall also provide a brief summary of their recommendations and the testimony filed in the case under consideration. These summaries and presentations are provided solely for the convenience of the public and will not be allowed as evidence or form the basis for cross-examination of any witness. ()

EVIDENCE
(Rules 261-270)

261. RULES OF EVIDENCE -- EVALUATION OF EVIDENCE (RULE 261).

The Idaho Rules of Evidence do not bind the presiding officer at hearing. No informality in a proceeding or in how testimony is taken invalidates any order made, approved, or confirmed by the Commission. The Commission generally follows rules on the admissibility of evidence that an Idaho district court would use in non-jury civil cases. But evidence (including hearsay) not admissible in non-jury civil cases may be admitted to determine facts not reasonably susceptible of proof under the Idaho Rules of Evidence. The presiding officer, with or without objection, may exclude evidence that is irrelevant, unduly repetitious, inadmissible on constitutional or statutory grounds, or inadmissible based on any evidentiary privilege recognized in Idaho courts, and order the presentation of such evidence to stop. All other evidence may be admitted if it is a type generally relied upon by prudent persons when conducting their affairs. The Commission may use its expertise, technical competence and special knowledge when evaluating evidence. ()

262. DOCUMENTARY EVIDENCE -- INTRODUCTION OF RECORDS IN THE COMMISSION SECRETARY'S OFFICIAL FILE (RULE 262).

Documentary evidence may be received in the form of copies or excerpts. Upon request, parties shall be given an opportunity to compare the copy with the original if available. When a party offers in evidence any portion of a transcript, exhibit, or other record from another Commission proceeding the part offered must be specifically described and, if admitted, will be made an exhibit. The party offering the exhibit must comply with Rule 267. ()

263. OFFICIAL NOTICE (RULE 263).

01. Matters That May Be Officially Noticed. The Commission may officially note at hearing and in its orders: ()

a. Its own orders, notices, rules, certificates and permits, and those of any other regulatory agency, state or federal; ()

b. Matters of common knowledge, technical, financial, or scientific facts established and published in accepted authorities or in the Commission's specialized knowledge, and matters judicially noticeable; and ()

c. Data in periodic reports utilities filed with the Commission or federal regulatory agencies. ()

02. Procedure for Taking Official Notice. When officially noting on its own motion matters described in Rule 263.01.b.(2) or 263.01.c. or adjudicative facts under Rule 263.01.b.(3) of this rule, the Commission will give the parties appropriate opportunity to respond or refute such matters noticed. Unless otherwise agreed by the parties and approved by the presiding officer, parties requesting the Commission to take official notice of documents must submit those documents to the Commission as prescribed in Rule 262. ()

264. DEPOSITIONS (RULE 264).

Depositions may be offered into evidence as allowed by Section 61-605, Idaho Code, and the Idaho Rules of Civil Procedure. ()

265. OBJECTIONS -- OFFERS OF PROOF (RULE 265).

Grounds for objection to the admission or exclusion of evidence must be stated briefly when the evidence is offered. Formal exceptions to rulings admitting or excluding evidence are unnecessary and need not be taken. An offer of proof consists of a statement of the substance of the excluded evidence. When a party objects to the admission of evidence, the presiding officer may rule on the objection, receive the evidence subject to the later ruling by the full Commission or refer the objection to the full Commission. ()

266. PREPARED TESTIMONY (RULE 266).

If a witness's prepared testimony has been timely filed and previously made available to all parties the presiding officer may order that it be incorporated in the transcript as if read. Without objection, the presiding officer may direct other prepared testimony to be incorporated in the transcript as if read. Admissibility of prepared testimony is subject to the Rule 261. ()

267. EXHIBITS (RULE 267).

01. Exhibit Numbers. Exhibit numbers are assigned to the parties before hearing according to Rule 230. ()

02. Form of Exhibits. Public exhibits offered at hearing must ordinarily be typed or printed on eight and one-half by eleven inch (8 1/2" x 11") white paper. But maps, charts, photographs, and non-documentary exhibits may be introduced on the size or kind of paper customarily used for them. Exhibits that are trade secrets, confidential information or otherwise exempt from public disclosure shall be printed on yellow paper. The party offering the exhibit must give a copy of it to each party present, to the reporter, and to each Commissioner or hearing examiner. A party who offers an unusually bulky or voluminous exhibits should allow the parties to inspect it before offering it at the hearing. Copies must be of good quality. ()

03. Timely Filing of Exhibits. Exhibits offered as part of a party's direct case (except exhibits offered on redirect) must be timely filed. Exhibits filed pursuant to any order, notice or rule requiring their filing before hearing are timely filed as specified in the order, notice or rule. Otherwise, exhibits must be distributed or made available to all parties long enough before their introduction into evidence to allow the parties a reasonable opportunity to review them and to prepare to examine their substance, except exhibits that update exhibits previously timely filed may be filed if the other parties are afforded fair opportunity to examine the sponsoring witnesses. ()

04. Objection -- Admission. Exhibits identified at hearing are subject to appropriate and timely objection before the close of proceedings. Exhibits to which no objection is made are automatically admitted into evidence without motion of the sponsoring party. ()

05. Labeling of Exhibits. All exhibits accompanying prepared testimony, exhibits introduced during direct examination, and, to the extent practicable, all other exhibits introduced at hearing must label the exhibit number, case number, party and witness sponsoring the exhibit, and any subdivisions within the exhibit, such as

separate schedules or charts. Examples of labeling required by this rule are:

Exhibit No. 101	Exhibit No. 507
Case No. XXX-X-XX-XX	Case No. XXX-X-XX-XX
P. Engineer, Staff L.Accountant, ABC Company	
Schedule 1, p. 1 of 3	

Exhibits prepared for the proceeding must contain this labeling on each page of the exhibit. Exhibits reproducing previously existing documents may contain a cover page with this labeling, but need not be labeled on each page. ()

06. Sources for Exhibits. Exhibits prepared from data in workpapers, answers to discovery, periodicals, reports or other documentable sources of information must contain a statement of sources. Examples of the statements of sources required by this rule are: ()

P. Engineer, Workpapers -- Answer of XYZ Utility
to First Tab A, pages 1 - 47 Production Request of ABC
Company, Question 13

Moody's Public Utility -- XYZ Utility,
FERC Form 1 (1993)
Manual p. 402a 1993 Vol. 1, p. 606

Exhibits especially prepared for introduction into evidence in a proceeding (i.e., exhibits not otherwise prepared or in existence) should be descriptively titled to show their contents and purpose. ()

07. Certain Exhibits Require Presiding Officer's Approval. Neither motion pictures, slides, opaque projections, video tapes, audio tapes nor other materials not capable of duplication by still photograph or reproduction on paper shall be presented as exhibits without prior approval of the presiding officer. Writings, or drawings by testifying witnesses are not an exhibit or evidence unless reproduced, photographed, or otherwise preserved for the record. ()

268. -- 270. (RESERVED)

SETTLEMENTS **(Rules 271-280)**

271. PASSIVE SETTLEMENTS (RULE 271).

Settlements in formal proceedings in which a party agrees to concur in, accept, or not to oppose another party's positions previously on record with the Commission are called passive settlements. Any party may reach a passive settlement with any other party on any issue without prior notification to the Commission or any other party. ()

272. PROCEDURES FOR ACTIVE SETTLEMENTS (RULE 272).

Settlements in formal proceedings in which one (1) or more parties negotiate an agreement differing from positions of one (1) or more of the parties previously on record with the Commission are called active settlements. Any party other than the Commission Staff may enter into an active settlement with any party other than the Commission Staff without prior notification to the Commission or other parties. The Commission Staff, however, is precluded from entering into an active settlement without first notifying all other parties and the Commission that it intends to begin or has begun settlement negotiations. The Commission Staff must give all other parties an opportunity to participate in or be apprised of the course of the settlement negotiations before a final settlement agreement is reached. Settlement negotiations are confidential, unless all participants to the negotiation agree to the contrary. ()

273. SUGGESTION FOR OR INQUIRY ABOUT SETTLEMENTS (RULE 273).

Through notice or order or on the record at prehearing conference or hearing, the Commission or an individual Commissioner may inquire of the parties in any proceeding whether settlement negotiations are in progress or

contemplated or invite settlement of an entire proceeding or certain issues. In issuing such an invitation for settlement, the Commission or an individual Commissioner may indicate acceptable ranges of settlement, preclude certain issues from settlement, or otherwise inform the parties of his, her or their views on settlement in aid of securing a just, speedy and economical determination of the issues presented to the Commission. Neither the Commission nor individual Commissioners will indicate ex parte their views on the merits of any proposed settlement. ()

274. CONSIDERATION OF SETTLEMENTS (RULE 274).

Settlements must be reviewed under this rule. When a settlement, be it active or passive, is presented to the Commission, the Commission will prescribe procedures appropriate to the nature of the settlement to consider the settlement. For example, the Commission may summarily accept settlement of an essentially private dispute that has no significant implications for regulatory law or policy or for other utilities or customers upon the written request of the affected parties. On the other hand, when one (1) or more parties to a proceeding is not party to the settlement or when the settlement presents issues of significant implication for other utilities, other customers or the public interest, the Commission may convene an evidentiary hearing to consider the reasonableness of the settlement and whether acceptance of the settlement is just, fair, and reasonable, in the public interest, or otherwise in accordance with law or regulatory policy. ()

275. BURDENS OF PROOF (RULE 275).

Proponents of a proposed settlement carry the burden of showing that the settlement is reasonable, in the public interest, or otherwise in accordance with law or regulatory policy. In any instance in which parties or affected persons oppose the settlement, proponents of the settlement should be prepared to call witnesses and argue in favor of the settlement. Opponents of the settlement should be prepared to examine supporting witnesses, offer their own witnesses, or argue against the settlement. The Commission may require the development of an appropriate record in support of or opposition to a proposed settlement as a condition of accepting or rejecting the settlement. ()

276. SETTLEMENT NOT BINDING (RULE 276).

The Commission is not bound by settlements. It will independently review any settlement proposed to it to determine whether the settlement is just, fair and reasonable, in the public interest, or otherwise in accordance with law or regulatory policy. When a settlement is presented for decision, the Commission may accept the settlement, reject the settlement, or state additional conditions under which the settlement will be accepted. In the last instance, the parties will have twenty-one (21) days to state their acceptance or rejection of the additional conditions imposed by the Commission. If the Commission rejects the settlement or if the Commission's conditional acceptance of a settlement is rejected by the parties to the settlement, the Commission will notify the parties of procedures to be followed to decide the issues for which settlement was rejected by the Commission. ()

277. CONSENT AGREEMENTS NOT SETTLEMENTS (RULE 277).

Consent agreements under Rule 58 are not settlements under Rules 271-277. ()

278. -- 280. (RESERVED)

OFFICIAL RECORDS AND FILES
(Rules 281-290)

281. RECORDS FOR DECISION -- RELATIONSHIP TO OFFICIAL FILE (RULE 281).

The Commission bases its decisions and issues its orders on the hearing record (excluding exhibits denied admission), the Commissioners' record and items officially noted. The hearing record and the Commissioners' record are part of the Commission Secretary's official file. ()

282. THE COMMISSION SECRETARY'S OFFICIAL FILE (RULE 282).

01. Documents in File. The Commission Secretary's official file for a proceeding is the public file maintained by the Commission Secretary. This file includes all documents filed by parties or other persons regarding a proceeding, and includes pleadings, discovery and related materials, briefs, proposed orders, statements of position, correspondence concerning the proceeding directed to the Commission, a Commissioner, or the Commission Secretary (whether by parties or persons not parties), prepared testimony and exhibits, workpapers, transcripts, exhibits presented at hearing, orders, notices, press releases, and other matters related to a proceeding and included in

the public files of that proceeding by the Commission Secretary. ()

02. Public Records. Except as provided in Rules 26, 67, 233, and 287, which refer to statutory exemptions from disclosure, all material in the Commission Secretary’s Official File is subject to inspection, examination and copying under Section 74-102, Idaho Code. Information obtained in an application for a certificate issued by this Commission inquiring into a person’s fitness to be granted or to retain a certificate is not exempted from examination or copying under Sections 74-106(8) and 74-106(9), Idaho Code. ()

283. THE HEARING RECORD (RULE 283).

The hearing record in a proceeding consists of all transcripts of hearings, conferences, arguments and other proceedings on the record and of all exhibits identified, offered, admitted or denied admission at hearing or prehearing conference. Workpapers, requests for discovery, answers to discovery and other documents filed with the Commission Secretary and served on the parties, whether or not discussed at hearing, are not part of the hearing records unless introduced as exhibits at hearing. The Commission or an individual Commissioner may add to the hearing record by reference to any document in the Commission Secretary’s official file, but only after notifying the parties of that intention and giving them reasonable opportunity to object, review, examine, and rebut or contest the document. ()

284. THE COMMISSIONERS' RECORD (RULE 284).

01. Documents in File. The Commissioners’ record in a proceeding automatically includes all pleadings, orders, notices, briefs, proposed orders and position papers. The Commission may add documents officially noticed to the Commissioners’ record. ()

02. Materials Available at Hearing. The Commissioner(s) or hearing examiner(s) conducting a hearing will have the Commissioners’ record and all prepared testimony and exhibits available at hearing. Parties desiring to refer to additional documents at hearing should notify the Commission Secretary and all other parties of their intention so that these other documents will be available to the Commissioner(s) or hearing examiner(s) at hearing or should themselves provide copies at hearing to all other parties and to the Commissioner(s) or hearing examiner(s). ()

285. THE REPORTER (RULE 285).

The reporter at all hearings, conferences, arguments and other proceedings on the record must transcribe all oral proceedings on the record and collect all exhibits identified at hearing. Except as otherwise directed by the Commission, presiding officer at hearing, or the Commission Secretary, the reporter must file the complete hearing record of transcripts and exhibits with the Commission Secretary within fourteen (14) days of the close of hearing. ()

286. TRANSCRIPTS (RULE 286).

01. Form of Transcripts -- Cover Sheet. Transcripts must be prepared on white eight and one-half by eleven-inch (8 1/2” x 11”) paper. The lines of each page shall be double-spaced with at least twenty-five (25) lines and no more than thirty (30) lines per page. Quotations, citations, and parenthetical notes may be single-spaced. Each line shall be numbered on the left margin. The cover page of each volume of transcript must show the title of the proceeding, the case number, the presiding officer, the time, and place of hearing, and other information as shown below:

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION
(TITLE OF PROCEEDING))
CASE NO. XXX-X-XX-XX)
)
)
(COMMISSIONER Able Baker, Presiding)

(HEARING OFFICER Charlie Dog, Presiding)

(Date, e.g., January 21, 1983)

(Hearing Room, e.g., Commission Hearing Room)

(Address, e.g., 472 West Washington, Boise, Idaho)

()

02. Volumes of Transcript -- Indices to Volumes. Each day of hearing must be transcribed in a volume or volumes separate from other days of hearing. Each volume of transcript must begin with a list of the parties who appeared that day and their representatives at hearing that day. This list must be followed with a list of all witnesses whose testimony is reported in that volume, showing the pages at which each witness's testimony begins, what party (if any) called the witness, the pages upon which each other party's examination begins, the pages upon which each Commissioner's or hearing examiner's examination begins, and the pages upon which redirect examination or any party's, Commissioner's or hearing examiner's re-examination begins. These lists must be followed with a list showing all exhibits identified in that volume of transcript (including exhibits accompanying prepared testimony), the pages upon which they are first identified, and, if any exhibits are denied admission, the pages upon which the exhibits are denied admission. ()

03. Matters Included in Transcript. The transcript must contain all discussions on the record while the hearing is in order. Unless otherwise directed by the Commission, the presiding officer, or the Commission Secretary, prepared testimony must be included in the transcript without change or retyping. Witness's corrections to prepared testimony should be made by distributing replacement pages to the reporter and describing those corrections on the record and/or distributing an errata sheet; unless otherwise directed, no corrections other than replacement pages will be made in the prepared testimony before it is incorporated in the transcript, except the reporter may make minor corrections by interlineation in the prepared testimony. Witnesses may have seven (7) days after hearing to distribute replacement pages to all parties and to the reporter, unless the Commission, the presiding officer or the Commission Secretary otherwise directs. ()

04. Marginal Notes. The testimony of all witnesses reported in the transcript must be designated in the lower right margin by the witness's surname and the party sponsoring the witness's testimony. Witnesses not sponsored by any party must be designated "Public." The type of testimony must be shown following the witness's surname as "Di" (direct or redirect), "X" (examination by any party not sponsoring the witness), or "Com" (examination by a Commissioner or hearing examiner). Examples of the designations required by this Rule follow:

Accountant, Di;	Accountant, Com; Ratepayer, X
ABC Company	ABC Company Public

Discussions on the record that are not testimony or examination may be labeled "argument," "decision," "colloquy," etc., to describe what is reported. ()

05. Volume Size -- Number of Pages. Transcript volumes should not exceed three hundred (300) pages unless the transcript can be completed in three hundred fifty (350) pages or less. Transcript volumes and pages of all proceedings on the record, including prehearing conferences, hearings, arguments, and any other proceedings on the record, must be numbered consecutively. For example, if a prehearing conference on the record preceded a hearing, the transcript volume and page numbers of the hearing would be numbered consecutively with that of the prehearing conference. ()

06. Number of Copies -- Binding. The reporter shall prepare an original and one (1) copy of the transcript for the Commission. The original of each transcript shall be filed with the Commission Secretary unbound but each volume shall be separated (if applicable). Copies of the transcript shall be fastened at the left margin in spiral or plastic-type binding, so as to open flat. ()

07. Compressed Transcript. Any party may request a compressed transcript having no more than four (4) pages of regular transcript on a page. Each volume of compressed transcript shall contain no more than two hundred (200) pages unless the transcript can be completed in two hundred fifty (250) pages or less. A compressed

transcript may be duplexed. The pagination shall be horizontal as follows:

1	2
3	4

()

08. Computer-Searchable Transcript. Any party may request a computer-searchable disk of the written transcript. The disk shall be in Adobe Acrobat (PDF) or other searchable format agreed upon by the reporter and the party ordering the disk. ()

09. Purchase of Transcript. Any party or other person may request and pay for a copy of a transcript or portions of the transcript from the reporter. ()

287. SEALED TRANSCRIPTS (RULE 287).
At the direction of the Commission or the presiding officer, the reporter shall prepare a separate transcript volume(s) of closed proceedings involving trade secrets, confidential information or other matters exempt from public disclosure. The reporter shall file the separate transcript volume(s) under seal. Sealed transcripts shall be separately stored in a secure location with limited access and safeguarded from unauthorized disclosure. ()

288. -- 300. (RESERVED)

PART 4 – ORDERS AND REVIEW OF ORDERS
(Rules 301-400)

DEFAULTS
(Rules 301-310)

301. FAILURE TO ANSWER OR APPEAR AT HEARING -- DEFAULTS (RULE 301).
If an applicant, petitioner, complainant or moving party fails to appear at the time and place set for hearing, the Commission may dismiss the application, petition, complaint or motion. When a properly served respondent fails to answer or otherwise respond as provided in these rules or to appear at hearing, including a show cause hearing set by the Commission, the Commission may order any relief against the respondent authorized by law. ()

302. -- 310. (RESERVED)

DECISIONS AND ORDERS
(Rules 311-320)

311. SUBMISSION FOR DECISIONS (RULE 311).
A proceeding is fully submitted for decision upon filing of the hearing record with the Commission Secretary, filing of timely briefs, filing of timely orders proposed by the parties and timely written comments or exceptions, oral argument, or receipt of recommended findings of fact of the hearing examiner, whichever is last, but no later than twenty-eight (28) days after hearing is closed when a hearing is held, except when all Commissioners participating in the decision have heard the case themselves, they need not await the filing of the hearing record to consider the case fully submitted for their decision. The Commission (or a hearing examiner presiding over an uncontested matter) may issue a final decision earlier or rule from the bench, but a bench ruling will be followed by written order. ()

312. PROPOSED ORDERS BY COMMISSION (RULE 312).
The Commission may issue a proposed order in any proceeding. Any party may file exceptions and briefs to a proposed order within twenty-one (21) days from its service date, unless the Commission designates a different time. Any party may file and serve answers and briefs to the exceptions within seven (7) days after service of the exceptions. The Commission may adopt or revise the proposed order in response and issue a final order. The proposed order is not an order of the Commission unless it is adopted by order. In that case, the adopting order is the final order for all purposes. ()

313. -- 320. (RESERVED)

INTERLOCUTORY ORDERS – FINAL ORDERS – REVIEW OR STAY OF ORDERS
(Rules 321-330)

321. INTERLOCUTORY ORDERS (RULE 321).

01. Defined. Interlocutory orders are orders that do not decide all previously undecided issues presented in a proceeding. The Commission may, however decide some issues and state that its decision on those issues is final and subject to review by reconsideration and appeal, but is not final on other issues. An order is interlocutory unless it contains a Rule 323 paragraph or a substantially similar one. ()

02. Certain Orders Always Interlocutory. These orders are always interlocutory: orders suspending rates, fares, tolls, rentals, charges, classifications, contracts, practices, rules or regulations under Section 61-622, Idaho Code; orders initiating complaints or investigations; orders joining, consolidating or separating issues, proceedings or parties; orders granting or denying intervention; orders scheduling prehearing conferences, discovery, hearing, arguments or deadlines for written communications; orders proposing modified procedure; orders compelling or refusing to compel discovery. ()

03. Review of Interlocutory Orders. Interlocutory orders may be reviewed under Rules 322, 324 and 325. ()

322. REVIEW OF INTERLOCUTORY ORDERS (RULE 322).

Any person may petition to review any interlocutory order. The Commission may rescind, alter or amend any interlocutory order on its own motion, but will not on its own motion review any interlocutory order affecting any party's substantive rights without giving all parties notice and an opportunity for written comment. ()

323. FINAL ORDERS (RULE 323).

01. Paragraphs Designating Final Orders. Final orders are all orders and only those orders containing one (1) of these paragraphs or a substantially similar one: ()

a. THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this case may petition for reconsideration within twenty-one (21) days of this order's service date regarding any matter decided in the orders. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration in response to issues raised in the petition for reconsideration. See Section 61-626, Idaho Code; or ()

b. THIS IS A FINAL ORDER. On reconsideration (or denying reconsideration). Any party aggrieved by this Order or other final or interlocutory Orders previously issued in this case may appeal to the Supreme Court of Idaho under the Public Utilities Law and the Idaho Appellate Rules. See Section 61-627, Idaho Code. Orders may be final on some issues and interlocutory on others. If so, the orders will explicitly designate the issues upon which they are final. ()

02. Service of Final Orders. The Commission Secretary must indicate on every order subject to petition for reconsideration the date upon which the order was served on the parties Rule 41 representatives. The Commission Secretary must indicate on every order subject to appeal the date upon which the order was filed with the Commission Secretary and the date upon which the order was served on the parties Rule 41 representatives. ()

03. Petition to Designate Order as Final. Whenever a party believes that an order not designated as a final order should be a final order, the party may petition the Commission to designate the order as final. If an order is designated as final after its release, its effective date for purposes of reconsideration or appeal is the order of designation's service date. ()

04. Review of Final Orders. Final orders may be reviewed under Rules 324, 325, 326, 331 and 341. ()

324. STAY OF ORDERS (RULE 324).

Any person may petition the Commission to stay any order, whether interlocutory or final. Orders may be stayed by the judiciary according to statute. The Commission may stay any order on its own motion. ()

325. CLARIFICATION OF ORDERS (RULE 325).

Any person may petition to clarify any order, whether interlocutory or final. Petitions for clarification from final orders do not suspend or toll the time to petition for reconsideration or appeal a final order. A petition for clarification may be combined with a petition for reconsideration or alternatively stated as a petition for clarification and/or reconsideration. The Commission may clarify any order on its own motion. ()

326. RESCISSION, ALTERATION OR AMENDMENT OF FINAL ORDERS (RULE 326).

01. Petition to Rescind, Alter or Amend a Final Order. Any person may petition to rescind, alter or amend a final order under Section 61-624, Idaho Code. The petition to rescind, petition to alter, or petition to amend must state: ()

a. That it is filed under Section 61-629, Idaho Code, after an order has been set aside or set aside in part on appeal, or ()

b. Circumstances have changed or new information has become available since the order was issued, or other good and sufficient reasons exist to rescind, alter, or amend the order. The Commission may dismiss as defective any such petition not complying with this rule and with Rule 53. ()

02. Rescission, Alteration or Amendment of Final Order on Commission's Own Motion. The Commission on its own motion may propose to rescind, alter or amend any final order. The Commission will notify all interested persons of its proposal and opportunity to be heard by evidentiary hearing or written submission. ()

327. SUBSTANCE OF ORDERS (RULE 327).

Unless prohibited by statute, the substance of orders and the relief provided by orders may differ from the relief requested or proposed by any party. The Commission's order may provide for any result supported by the record without regard to whether a party recommended any component of the order. ()

328. -- 330. (RESERVED)

RECONSIDERATION
(Rules 331-340)

331. PETITIONS AND CROSS-PETITIONS FOR RECONSIDERATION (RULE 331).

01. Petition for Reconsideration. Within twenty-one (21) days after a final order's service date, any person interested in the final order or any issue decided in may petition for reconsideration. Petitions for reconsideration must specify (a) why the order or any issue decided in it is unreasonable, unlawful, erroneous or not in conformity with the law, and (b) the nature and quantity of evidence or argument the petitioner will offer if reconsideration is granted. See Section 61-626, Idaho Code. ()

02. Cross-Petition for Reconsideration. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration in response to any issues raised in the petition for reconsideration. Cross-petitions for reconsideration must set forth specifically the ground or grounds why the cross-petitioner contends that the order or any issue decided in the order is unreasonable, unlawful, erroneous or not in conformity with the law, and a statement of the nature and quantity of evidence or argument that the cross-petitioner will offer if reconsideration is granted. See Section 61-626, Idaho Code. ()

03. Methods of Reconsideration Requested. The petition or cross-petition must state whether the petitioner or cross-petitioner requests reconsideration by evidentiary hearing, written briefs, comments, or interrogatories. ()

04. Timely Filing -- Mailbox Rules. A petition for reconsideration is timely within the meaning of Section 61-626, Idaho Code, if it is filed with the Commission or postmarked no later than twenty-one (21) days after the final order's service date. Whenever a petition for reconsideration is mailed, rather than personally delivered, and it is not postmarked within eighteen (18) days from the final order's service date, the petitioner should notify the Commission Secretary and all other parties by telephone that the petition for reconsideration has been mailed. A cross-petition for reconsideration is timely filed within the meaning of Section 61-626, Idaho Code, if it is filed with the Commission or postmarked within seven (7) days after the petition for reconsideration to which it responds is received in the Office of the Commission Secretary. Whenever a cross-petition for reconsideration is mailed, rather than personally delivered, and is not postmarked within four (4) days from the date the Commission Secretary receives the petition for reconsideration, the cross-petitioner should notify the Commission Secretary and all other parties by email or telephone that the cross-petition for reconsideration has been mailed. ()

05. Answers to Petitions for Reconsideration. Answers to petitions for reconsideration (pleadings that disagree with a petition for reconsideration, but do not ask for affirmative relief from the Commission's orders) must be filed according to the procedures for cross-petitions for reconsideration. ()

332. PROCEDURE AT RECONSIDERATION (RULE 332).

The Commission may grant reconsideration upon petition of any interested person or upon its own motion. Prehearing conferences may be convened before reconsideration. Reconsiderations by rehearing are conducted in accordance with the procedure at other hearings, except that parties whose petitions are granted are treated as complainants or petitioners under Rule 249. When the order for reconsideration finds that the grounds upon which the petition is granted present only issues of law and not of fact or issues of fact not requiring hearings, the Commission may direct that these grounds be considered on reconsideration without further submission of evidence or a hearing, and on the record before it with no further submissions by the parties, or by submission of briefs, memoranda, written interrogatories or written statements, or otherwise. Grounds for, or issues on reconsideration not supported by specific explanation may be dismissed. Rule 311 determines when a matter that is reconsidered is finally submitted for purposes of Section 61-626, Idaho Code. ()

333. EFFECT OF FILING PETITION FOR RECONSIDERATION (RULE 333).

Filing a petition for reconsideration does not excuse compliance with any order nor stay the effectiveness of any order, unless otherwise ordered. Petitions to stay may accompany or precede petitions for reconsideration. ()

334. -- 340. (RESERVED)

APPEAL
(Rules 341-350)

341. PERSONS WHO MAY APPEAL (RULE 341).

01. Parties Aggrieved by Order Following Petition for Reconsideration. After a petition for reconsideration is denied, or, if the petition is granted, then after the decision on reconsideration issues, the state of Idaho or any party aggrieved may appeal from the Commission's order by filing a notice of appeal with the Commission Secretary. The notice of appeal must comply with the Idaho Appellate Rules. See Section 61-627, Idaho Code. ()

02. Parties Aggrieved by Denial of Petition for Reconsideration. No person is a party aggrieved by an order denying reconsideration unless the person is a party that petitioned for reconsideration and presented the grounds and issues on which it contends it was aggrieved by earlier orders of the Commission as issues on reconsideration under Rule 331 and the Commission denied reconsideration on some or all of those issues. ()

03. Parties Aggrieved Following Reconsideration. No party is aggrieved by an order issued on reconsideration unless: ()

a. The party petitioned or cross-petitioned for reconsideration, its petition or cross-petition was granted, and the order issued on reconsideration did not grant the relief requested in the party's petition or cross-petition in full or in part; or ()

b. The party did not petition or cross-petition for reconsideration, but stated on the record, by motion or brief, that it opposed any change to the Commission's earlier order(s) on grounds associated with issue(s) on reconsideration, and the order issued on reconsideration changed the earlier order(s) with regard to grounds or issues on reconsideration that the party opposed. ()

342. NOTICE OF APPEAL (RULE 342).

The notice of appeal must be filed with the Commission Secretary as provided in the Idaho Appellate Rules. A notice of appeal is not considered filed for any purpose when it is mailed, but is only considered filed when it is received by the Commission Secretary. ()

343. PREPARATION OF APPELLATE RECORD (RULE 343).

The Commission, by order, may correct the title of an appeal to properly designate all parties as appellants, cross-appellants, respondents, or cross-respondents and to omit those designations for parties before the Commission who are not parties on appeal. All requests for a transcript on appeal must be served on the reporter and on the Commission Secretary. Reporter's fees under Idaho Appellate Rule 24(c) should be paid directly to the reporter, not to the Commission Secretary. The Secretary's fees under Idaho Appellate Rule 27(b) for preparing the agency's record are the same fees provided in that rule for the district court clerk to charge for preparing the clerk's record. ()

344. -- 350. (RESERVED)

SETTLEMENT OF APPEAL FROM THE COMMISSION
(Rules 351-360)

351. DISMISSALS (RULE 351).

Dismissals are settlements in which appellants or cross-appellants from Commission orders agree to dismiss appeals, cross-appeals, or issues on appeal or cross-appeal without requiring the alteration, amendment or rescission of any Commission order. Any party may dismiss any appeal, cross-appeal, or issue on appeal or cross-appeal without Commission involvement. The Idaho Supreme Court's procedures govern dismissals. ()

352. SETTLEMENTS CALLING FOR COMMISSION ACTION (RULE 352).

Settlements in which one (1) or more parties agree to dismiss an appeal, cross-appeal, or issue on appeal or cross-appeal in conjunction with the alteration, amendment or rescission of a Commission order, are called settlements calling for Commission action. If any party to an appeal wishes to negotiate a settlement calling for Commission action, it must notify the Commission and all other parties to the appeal of its intention to do so. If the Commission believes that settlement negotiations are in the public interest, it may authorize the Commission Staff to enter into settlement negotiations. In conducting those negotiations, the Staff must abide by Rule 272 regarding active settlements of issues before the Commission. Settlement negotiations are confidential, unless all participants to the negotiation agree to the contrary. ()

353. SUGGESTION FOR INQUIRY ABOUT SETTLEMENTS (RULE 353).

In authorizing the Staff to enter into settlement negotiations for a settlement calling for Commission action, the Commission may invite settlement of the entire appeal (including cross-appeals) or of certain issues. The authorization must be in writing and served upon all parties but need not be done by notice or order. In authorizing negotiation for settlement calling for Commission action, the Commission or individual Commissioners may indicate acceptable ranges of settlement, preclude certain issues from settlement, or otherwise inform the parties of its views on settlement of an appeal calling for Commission action in aid of securing a just, speedy, and economical settlement negotiation. Neither the Commission nor individual Commissioners will indicate ex parte their views on a proposed settlement's merits. ()

354. CONSIDERATION OF SETTLEMENT ON APPEAL (RULE 354).

When a settlement of an appeal calling for Commission action is presented to the Commission, the Commission will prescribe procedures under which the Commission will consider the settlement. For example, upon the parties' written request, the Commission might summarily accept the parties' settlement of an essentially private dispute that does not significantly implicate regulatory law or policy or for other utilities or customers summarily upon the affected parties' written request. But when one (1) or more parties to the appeal is not party to the settlement or when

the settlement presents issues that significantly implicate other utilities, other customers or the public interest, the Commission may convene an evidentiary hearing to consider the settlement's reasonableness and whether accepting the settlement would be in the public interest. In all cases, the Commission will follow the procedure established by Section 61-624, Idaho Code, with regard to altering, amending, or rescinding any order affected by the settlement.

()

355. BURDENS OF PROOF (RULE 355).

A proposed settlement's proponents carry the burden of showing that the settlement is reasonable, in the public interest, or otherwise in accordance with law or regulatory policy. If parties or affected persons oppose the settlement, the settlement's proponents should be prepared to call witnesses and argue for the settlement. Settlement opponents should be prepared to examine supporting witnesses, offer opposing witnesses, or argue against the settlement. The Commission may require the development of an appropriate record in support of or opposition to a proposed settlement as a condition of accepting or rejecting the settlement.

()

356. SETTLEMENTS NOT BINDING (RULE 356).

The Commission is not bound by proposed settlements. Rather, it will independently review and determine whether a proposed settlement is just, fair and reasonable, in the public interest, or otherwise in accordance with law or regulatory policy. When a settlement is proposed, the Commission may accept it, reject it, or state additional conditions under which the Commission would accept it. In the last instance, the parties will have twenty-one (21) days to say whether they accept or reject the Commission's additional conditions.

()

357. -- 999. (RESERVED)

IDAPA 35 – IDAHO STATE TAX COMMISSION
35.01.07 – KILOWATT HOUR TAX ADMINISTRATIVE RULES
DOCKET NO. 35-0107-2101 (NEW CHAPTER)
NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 63-105, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

Thursday, October 21, 2021 @ 10:30 a.m. (MT)
State Tax Commission Coral Conference Room 11321 W. Chinden Blvd., Bldg. 2 Boise, Idaho 83714

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

We deleted sections that restated statute and sections or text that could be communicated on our website instead.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: NA.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the May 5, 2021 Idaho Administrative Bulletin, [Vol. 21-5, page 26](#). The Tax Commission will hold a public hearing and all public comments received will be considered in the formulation and adoption of the pending rule.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cynthia Adrian using the contact information below.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 27, 2021.

DATED this October 6th, 2021.

Cynthia Adrian, Income Tax Research Specialist
Idaho State Tax Commission
Taxpayer Resources Unit, Tax Research
11321 W. Chinden Blvd., Bldg. 2, Boise ID 83714

PO Box 36, Boise ID 83722-0036
cynthia.adrian@tax.idaho.gov
(208) 332-6691

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 35-0107-2101
(New Chapter – Zero-Based Regulation Rulemaking)

35.01.07 – KILOWATT HOUR TAX ADMINISTRATIVE RULES

000. LEGAL AUTHORITY.

In accordance with Sections 63-105 and 63-2701, Idaho Code, the Tax Commission has promulgated rules implementing the provisions of the Idaho Kilowatt Hour Tax Act. The rules relating to the administration and enforcement of kilowatt hour taxes, as well as other taxes, are promulgated as IDAPA 35.02.01. ()

001. SCOPE.

These rules are construed to reach the full jurisdictional extent of the state of Idaho's authority to impose a tax on producers of electricity from hydroelectric generation. ()

002. ADMINISTRATIVE APPEALS.

This chapter allows administrative relief as provided in Sections 63-3045, 63-3045A, 63-3045B, and 63-3049, Idaho Code. ()

003. -- 009. (RESERVED)

010. DEFINITIONS.

01. Idaho Customer. Idaho customer means a customer who has a point of delivery for the transfer of power and energy that is located in Idaho. This includes wholesale power transactions with customers or wheeling agents that have a delivery point located in Idaho. ()

02. Point of Delivery. Point of delivery means the point at which a change in ownership of electrical facilities occurs between the filing party and the wholesale customers or wheeling agents for the transfer of power and energy. ()

03. Wheeling Agent. Wheeling agent means an entity that receives kilowatt hours from a source or sources of supply and makes power or energy available at another point on its system for a delivering entity or a third party. ()

011. -- 019. (RESERVED)

020. ELECTRICAL PRODUCERS SUBJECT TO TAX.

Section 63-2701, Idaho Code

The tax does not apply to power generated by facilities owned and operated by a municipal corporation organized pursuant to the laws of Idaho. Municipal corporations are not required to file kilowatt hour tax returns or to pay tax. As used in these rules, the term municipal corporation does not include a producer, as defined in Section 63-2701, Idaho Code, who produces electricity pursuant to a contract with a governmental entity. ()

021. -- 029. (RESERVED)

030. KILOWATT HOUR TAX RETURNS.

Section 63-2701, Idaho Code

01. Monthly Returns. All producers whose previous year's annual tax liability was greater than fifteen thousand dollars (\$15,000) must file a monthly return with the Tax Commission no later than the last day of the month following the month to which the return relates. ()

02. Quarterly Returns. Producers whose previous year's annual tax liability was equal to or less than fifteen thousand dollars (\$15,000) may, at the discretion of the Tax Commission, be allowed to file a quarterly return with the Tax Commission no later than the last day of the month following the end of the calendar quarter to which the return relates. When a filing cycle is changed, the change will take effect on January 1 of the following year. ()

03. Previous Year's Annual Tax Liability. If the previous year's annual tax liability is not available, the estimated current year's liability may be used. ()

031. -- 044. (RESERVED)

045. EXEMPTIONS.
Section 63-2705, Idaho Code

01. Wheeled Energy. ()

a. If the taxpayer is a wheeling agent for another entity, the wheeled energy may not be included in the calculation of the exemptions. ()

b. Example. Assume that Company A sells kilowatt hours to Company B and delivers this energy to Company C for wheeling and delivery to Company B at an Idaho delivery point. Company C, as a wheeling agent, would not include these kilowatt hours in the denominator of the percentage to be applied to the exempt sales. Company A would include these kilowatt hours in the denominator of the percentage to be applied to the exempt sales if the transfer between Companies A and C was at a delivery point in Idaho. ()

046. -- 999. (RESERVED)

IDAPA 35 – IDAHO STATE TAX COMMISSION

35.02.01 – TAX COMMISSION ADMINISTRATION AND ENFORCEMENT RULES

DOCKET NO. 35-0201-2101 (NEW CHAPTER)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 63-105, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

Thursday, October 21, 2021 @ 10:30 a.m. (MT)
State Tax Commission Coral Conference Room 11321 W. Chinden Blvd., Bldg. 2 Boise, Idaho 83714

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

We deleted sections that restated statute, unnecessary examples, and sections, or text, that could be communicated on our website instead.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the May 5, 2021 Idaho Administrative Bulletin, [Vol. 21-5, page 27](#). The Tax Commission will hold a public hearing and all public comments received will be considered in the formulation and adoption of the pending rule.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cynthia Adrian using the contact information below.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 27, 2021.

DATED this October 6th, 2021.

Cynthia Adrian, Income Tax Research Specialist
Idaho State Tax Commission
Taxpayer Resources Unit, Tax Research
11321 W. Chinden Blvd., Bldg. 2, Boise ID 83714

PO Box 36, Boise ID 83722-0036
cynthia.adrian@tax.idaho.gov
(208) 332-6691

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 35-0201-2101
(New Chapter – Zero-Based Regulation Rulemaking)

35.02.01 – TAX COMMISSION ADMINISTRATION AND ENFORCEMENT RULES

000. LEGAL AUTHORITY.

Section 63-3039, Idaho Code. ()

01. In General. In accordance with Sections 63-105 and 63-3039, Idaho Code, the Tax Commission has authority to promulgate rules implementing the provisions of the Idaho Income Tax Act. ()

02. Related Taxes. This chapter contains rules relating to provisions of the Idaho Income Tax Act, Title 63, Chapter 30, Idaho Code, that are incorporated by reference into statutes relating to other taxes. These include: ()

- a. Sales and Use Taxes, Title 63, Chapter 36, Idaho Code; ()
- b. Motor Fuels Taxes, Title 63, Chapter 24, Idaho Code; ()
- c. Petroleum Transfer Fee, Title 41, Chapter 49, Idaho Code; ()
- d. Cigarette and Tobacco Products Taxes, Title 63, Chapter 25, Idaho Code; ()
- e. Beer Taxes, Title 23, Chapter 10, Idaho Code; ()
- f. Wine Taxes, Title 23, Chapter 13, Idaho Code; ()
- g. Mine License Taxes, Title 47, Chapter 12, Idaho Code; ()
- h. Kilowatt Hour Taxes, Title 63, Chapter 27, Idaho Code; ()
- i. Oil and Gas Taxes, Title 47, Chapter 3, Idaho Code. ()

001. SCOPE.

Section 63-3039, Idaho Code. ()

01. Effective Date. To the extent allowed by statute, rules in this chapter are applied on their effective date to all taxable years open for determining tax liability. ()

02. Closed Years or Issues. Taxable years closed by the statute of limitations remain closed and are not reopened by the promulgation, repeal or amendment of any rule. Issues resolved by the expiration of appeal time, a notice of deficiency determination, or a final decision of the Tax Commission will not be reopened by the promulgation, repeal, or amendment of any rule. ()

03. Transactions Before an Effective Date. A rule will not be applied to transactions occurring before its effective date in a case where, in the opinion of the Tax Commission, to do so would create an obvious injustice. ()

002. ADMINISTRATIVE APPEALS.

This chapter allows administrative relief as provided in Sections 63-3045, 63-3045A, 63-3045B, and 63-3049, Idaho Code. ()

003. -- 009. (RESERVED)

010. DEFINITIONS.

Section 63-3003, Idaho Code. ()

01. Date of Filing or Payment. Materials not mailed with the United States Postal Service or a private delivery service designated as qualifying under Section 7502, Internal Revenue Code, are filed when physically received by the Tax Commission. ()

02. Pay, Paid, Payable or Payment. When used in reference to an amount of tax, penalty, interest, fee or other amount of money due to the Tax Commission, the words pay, paid, payable, or payment mean an irrevocable tender to the Tax Commission of lawful money of the United States. ()

a. As used herein, lawful money of the United States means; ()

i. Currency or coin of the United States at face value; and ()

ii. Negotiable checks drawn on a United States bank or other financial institution that are payable in full in money of the United States. ()

b. The words pay, paid, payable, or payment do not include: ()

i. Submission to the Tax Commission of a check or draft that is subsequently dishonored by the institution on which it is drawn. ()

ii. Submission to the Tax Commission of a check or draft drawn on a foreign bank or other financial institution in regard to which any processing fees may be incurred by the state of Idaho. ()

011. -- 109. (RESERVED)

110. DECLARATORY RULINGS.

Sections 67-5232, 67-5255, Idaho Code. ()

01. Findings Pursuant to Section 67-5206, Idaho Code. ()

a. The Tax Commission finds that the Attorney General's Administrative Rules on declaratory rulings found at IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," Sections 400 through 402 do not adequately address the needs of taxpayers seeking a declaratory ruling on applications of the tax law. The Attorney General's Administrative Rules do not: ()

i. Protect taxpayer confidentiality; ()

ii. Define the taxpayer's right to rely on the ruling; or ()

iii. Identify the circumstances justifying the denial or withdrawal of a ruling. ()

b. Accordingly, this rule will govern declaratory rulings issued by the Tax Commission. ()

02. Filing a Petition. ()

a. Any person, group, or other association may file a written petition with the Tax Commission asking for an interpretation or determination as to the applicability of a statute, rule, or order issued by the Tax Commission to the party filing the petition. To obtain the determination the petitioner's tax liability must be directly affected by the determination or the petitioner must demonstrate a direct financial interest in the determination sought. ()

b. A petition must be submitted to the Tax Commission in writing and contain an express statement

that it is intended to be a petition for a declaratory ruling pursuant to this rule or the Administrative Procedure Act. ()

03. Tax Commission's Response to Petition. After receiving a petition, the Tax Commission shall: ()

a. Issue a written declaratory ruling; ()

b. Require the petitioner to submit additional facts, evidence, or information as the Tax Commission deems necessary to make a declaratory ruling; or ()

c. Decline to make a declaratory ruling. The Tax Commission shall decline to make a declaratory ruling in the following circumstances: ()

i. The identity of the taxpayer is not disclosed; ()

ii. The request fails to include sufficient facts, evidence, or other information on which a declaratory ruling may be based; ()

iii. The issue on which a declaratory ruling is sought is the subject of pending litigation or administrative appeal; ()

iv. The petitioner is not a person directly affected by a resolution of the issue presented; or ()

v. It appears there are other good or compelling reasons why a declaratory ruling should not be made. ()

04. Factual Circumstances. A declaratory ruling applies only to the factual circumstances as submitted by the petitioner and applies only to the petitioner seeking the declaratory ruling. The declaratory ruling may not be relied on by a person not named as a petitioner. The declaratory ruling is void if the facts changed significantly, all relevant facts were not disclosed at the time of the petition, or the facts were not accurately represented to the Tax Commission. If the statutory provisions or administrative rules affecting the declaratory ruling are amended by the legislature or the Tax Commission, the declaratory ruling is void as of the date of the amendment to the statute or rule. ()

05. Withdrawal of Ruling. If after issuing a declaratory ruling the Tax Commission believes the declaratory ruling is erroneous, it may withdraw the declaratory ruling by giving written notice to the petitioner at his last known address. If the petitioner has relied on the declaratory ruling in good faith, the Tax Commission may not assess any tax liability accruing between the dates the declaratory ruling was issued and its withdrawal. ()

06. Confidentiality. Declaratory rulings by the Tax Commission are information subject to the confidentiality requirements of Sections 63-3076 and 63-3077, Idaho Code and Rule 700 of these rules. Factual, financial, or other information relating to a taxpayer is not public record and may not be disclosed to any person except as provided by Sections 63-3076 and 63-3077, Idaho Code, or as authorized by the taxpayer. ()

07. Appeals. Sections 67-5270 through 67-5279, Idaho Code, govern the judicial review of declaratory rulings. ()

111. -- 130. (RESERVED)

131. UNACCEPTABLE PAYMENTS. Section 63-3034, Idaho Code. ()

01. Checks and Drafts Previously Dishonored. Nothing herein shall limit the authority of the Tax Commission to refuse to accept a check drawn on the account of a taxpayer who has previously tendered a check dishonored by the institution on which it was drawn. ()

02. Checks and Drafts From Foreign Institutions. The Tax Commission may reject a check or draft drawn on a foreign bank or other foreign financial institution. ()

03. Checks and Drafts That Result in Processing Fees. The Tax Commission may reject a check or draft that, if accepted, may result in the state of Idaho incurring a processing fee. ()

132. -- 139. (RESERVED)

140. APPLICATION OF PARTIAL PAYMENT.
Sections 63-4001, 63-4007, Idaho Code. ()

If bad check charges, penalties, or interest accrue as a result of any deficiency in tax, partial payments shall apply in the following order: to bad check charges, interest, tax, and penalty. ()

141. -- 149. (RESERVED)

150. REQUIREMENTS OF A VALID TAX RETURN.
Section 63-3076(5), Idaho Code

01. In General. All tax returns filed with the Tax Commission shall be complete and include attached copies of all pertinent schedules or computations. ()

02. Supporting Computations and Schedules. The results of supporting computations shall be carried forward to applicable lines on the tax forms. A statement referencing an attached schedule is not acceptable if the taxpayer does not enter the necessary information from the attachments on the tax form. For purposes of this subsection, a return shall be deemed valid if the Tax Commission does not reject the return by mailing it back to the taxpayer. ()

03. Information to Compute Tax. A return that does not provide sufficient financial information to compute a tax liability is not a valid tax return. ()

04. Accuracy and Required Information. A return need not be totally accurate to be a valid return. However, for the return to be valid it must: ()

- a.** Be identified as a return; ()
- b.** Be filed using the proper form prescribed by the Tax Commission; ()
- c.** Include the taxpayer's social security number, federal employer identification number, or Internal Revenue Service processing number; ()
- d.** Include the taxpayer's name and address; ()
- e.** Include the taxpayer's Idaho permit or license number, if applicable; ()
- f.** Identify the reporting or tax period; ()
- g.** Contain a computation of the tax liability and sufficient supporting information to show how the taxpayer reached that result; and ()
- h.** Reflect the taxpayer's honest and genuine effort to satisfy the requirements of the law. For purposes of determining if these requirements are met, documents that contain the following are clearly insufficient: ()
 - i.** Broad unspecified constitutional claims; ()
 - ii.** Unsupported statements that claim no Idaho activity or income exists; and ()

iii. Language that demonstrates a protest against the tax law or its administration. ()

05. Signing of Returns. Paper Returns. The taxpayer or an authorized officer or representative shall manually sign the tax return. Both spouses shall sign a joint return. If a taxpayer is deceased or cannot sign his name, a duly authorized person, such as a surviving spouse, executor, administrator or person holding power of attorney may sign the return, indicating his status or relationship. If a taxpayer signs with an X, a witness shall attest his mark. The signature of the taxpayer constitutes a written declaration of the return's accuracy. ()

06. Reproduced and Substitute Forms. Any reproduced or substitute form or schedule must meet the requirements of the Tax Commission's original form. ()

a. Specific instructions for substitute forms are available on request from the Tax Commission. The use of substitute forms requires prior approval of the Tax Commission. The Tax Commission may reject nonapproved forms. ()

b. Reproduced forms and photocopies of official Tax Commission forms are acceptable if the weight and size of the paper are comparable to that used in the official forms. These forms and schedules must be sufficiently legible so they may be reproduced. ()

151. -- 152. (RESERVED)

153. TAX PREPARERS -- ALTERNATIVE METHODS OF SIGNING INCOME TAX RETURNS.

A tax preparer, as defined in Section 48-603B, Idaho Code, may sign an Idaho income tax return in a manner allowed by Internal Revenue Service Notice 2004-54. The requirements for using the alternative methods under Internal Revenue Service Notice 2004-54 must be followed for Idaho income tax purposes if this method of signing a return is used for the Idaho return. Use of the alternative signature for the tax preparer does not alter the requirement for the taxpayer or authorized officer or representative to sign the return as provided in Rule 150 of these rules or to follow the requirements of Section 48-603B, Idaho Code. Section 63-3002, Idaho Code (IRS Notice 2004-54) ()

154. (RESERVED)

155. TAX RETURNS AND OTHER DOCUMENTS FILED ELECTRONICALLY.

Sections 63-115, 63-3039, 74-107, Idaho Code. ()

01. Acknowledgment of Data Transmissions. Persons filing returns by electronic data stream may be sent an acknowledgment of receipt of a successfully transmitted return. An acknowledgment means only that the Tax Commission received the return. An acknowledgment is not a finding by the Tax Commission about the correctness of the return. If any transmission is received in an unintelligible, unreadable, or corrupted form and the Tax Commission cannot identify the taxpayer, no acknowledgment will be sent. ()

02. Methods Allowed for Filing Motor Fuels Tax Returns Electronically. The following methods are acceptable methods for filing motor fuels tax returns electronically. ()

a. Secured methods. Encrypted e-mail secured through public or private key encrypting. ()

b. Unsecured methods. Non-encrypted e-mail. ()

03. Risks of Disclosure. By filing a return electronically, the taxpayer agrees to the risks of disclosure in submitting information electronically. A taxpayer or third party may not hold the Tax Commission responsible for any loss, liability, damage, whether direct, indirect or consequential, personal injury, or expenses of any nature whatsoever that may be suffered by the taxpayer or any third party as a result of or which may be attributable, directly or indirectly, from transmitting the taxpayer's information to the Tax Commission. ()

156. -- 199. (RESERVED)

200. EXAMINATION OF RECORDS: RECORDKEEPING AND PRODUCTION REQUIREMENTS.

Sections 63-3042, 63-3043, Idaho Code. ()

A taxpayer shall maintain all records that are necessary to a determination of the correct tax liability. Required records must be made available on request by the Tax Commission or its authorized representatives. ()

201. -- 299. (RESERVED)

300. ASSESSMENT OF TAX.

Sections 63-3045, 63-3045A, Idaho Code. ()

01. The Record of Assessment. The record of assessment shall be the Notice and Demand for payment of taxes that also functions as the required notice for the distraint and sale of a taxpayer's personal property pursuant to Section 63-3057, Idaho Code. For a jeopardy assessment as provided for in Sections 63-3065, 63-3630, and 63-4208, Idaho Code, the Notice of Jeopardy Assessment is the record of assessment. In cases where the tax is self-assessed and no Notice and Demand is issued, the record of assessment shall be the Tax Commission's processing record of the filing of the self-assessed return. ()

02. Admission to Understatement of Tax. A taxpayer may admit to an understatement of tax at any time. An admission is not considered a compromise of tax, and does not affect the statutory period of limitations for an audit or additional assessment or for a claim for refund filed by the taxpayer. ()

301. -- 309. (RESERVED)

310. INTEREST RATES.

Sections 63-3045, 63-3073, Idaho Code

The annual rate of interest applicable to delinquent taxes accruing or unpaid during all or any part of a calendar year is determined in accordance with Section 63-3045, Idaho Code. The rates are listed at <https://tax.idaho.gov/interest>. These interest rates also apply to the allowance of a credit or refund of tax erroneously or illegally assessed or collected as provided in Section 63-3073, Idaho Code. ()

311. -- 319. (RESERVED)

320. NOTICE OF DEFICIENCY: FILING A PROTEST.

Section 63-3045, Idaho Code

01. Perfected Protest. The protest must contain the information in Paragraphs a. through d. of this rule to be perfected. A protest meets the requirements of Paragraphs c. and d. of this rule if the allegations of fact or contentions of law, viewed in the light most favorable to the taxpayer, raise factual or legal issues that, if correct, would entitle the taxpayer to relief. ()

- a. Name, address and pertinent identification number; ()
- b. The period to which the deficiency relates; ()
- c. The specific item or items in the Notice of Deficiency to which the taxpayer objects; and ()
- d. The factual or legal basis for the objections made. ()

321. -- 324. (RESERVED)

325. NOTICE OF DEFICIENCY: PROTEST PROCEDURES.

Sections 63-3045, 63-3045B, Idaho Code

01. Hearings. The taxpayer may be accompanied by more than one person, however, the Tax Commission may limit the number of people accompanying the taxpayer. If a protestant fails to comply with a summons or subpoena or fails to appear for the informal conference, the Tax Commission may issue a decision without further hearing. ()

02. Request for a Final Decision. A request for a final decision must be in a letter addressed to the employee or agent of the Tax Commission from whom the acknowledgment of the protest was received or to the individual subsequently assigned to resolve the protest. The request must be the sole subject of the letter and must clearly identify the taxpayer and the Notice of Deficiency. ()

03. Simultaneous Request for a Final Decision and a Hearing. If the taxpayer makes a simultaneous request for both a final decision and a hearing, the Tax Commission shall treat this as a request for a hearing. The one hundred eighty (180) day period begins when the hearing concludes. ()

04. Issues. Redetermination of any tax or refund due is not limited to the specific issue or issues protested for the taxable year, unless limited by Section 63-3068(f), Idaho Code. ()

05. Amended Return After Audit. An amended return will be accepted for a taxable year for which a protest is pending only in the following circumstances: ()

a. The taxpayer demonstrates that the changes on the amended return are unrelated to issues examined in the audit; ()

b. The changes are the result of federal audit adjustments; or ()

c. The amended return is submitted as part of the procedure for resolving the protest. ()

06. Failure to Schedule a Hearing. The Tax Commission may issue a decision after forty-two (42) days from the date the notification of right to request a hearing is mailed to the taxpayer; if ()

a. The taxpayer does not request a hearing; ()

b. The taxpayer requests a hearing but does not schedule a date for the hearing; or ()

c. A hearing is scheduled but later cancelled by the taxpayer and the taxpayer does not reschedule. ()

326. (RESERVED)

327. COMMUNICATIONS BETWEEN THE APPEALS UNIT AND THE ORIGINATING DIVISION AND OTHERS DURING THE REDETERMINATION: RESTRICTIONS, EXCEPTIONS, AND PERMITTED COMMUNICATIONS.
Section 63-3045, Idaho Code

01. In General. Section 63-3045, Idaho Code, does not adopt the formal ex parte restrictions on communications that would apply in a judicial proceeding or under Section 67-5253, Idaho Code. ()

02. Exceptions. The limitation on communications does not apply to communications with or by: ()

a. A Commissioner of the State Tax Commission; ()

b. An employee of a State Tax Commission outside of the originating division; ()

c. An employee of the Idaho office of Attorney General; ()

d. An employee of another state agency that the State Tax Commission has entered into an exchange agreement with; ()

e. An employee of the Internal Revenue Service; or ()

f. An employee of the Multi State Tax Commission. ()

328. OPPORTUNITY TO PARTICIPATE: NOTICE TO PETITIONER.
Section 63-3045, Idaho Code

01. Notification and Participation. If an appeals officer believes a discussion with staff from the originating division is warranted to review matters restricted by Subsection 327.02 of these rules, an appeals officer shall provide petitioner reasonable notice of the time and date of any discussion. Such notice may be provided to the petitioner by telephone, mail or electronic form and pursuant to Section 63-4003, Idaho Code. An appeals officer shall make a reasonable effort to accommodate the petitioner's schedule but will not unduly delay the discussion. The petitioner may participate by telephone or in-person at the State Tax Commission office in Boise, Idaho, and any discussion will be held during normal business hours. ()

02. Additional Petitioner Participation Information. Any discussion held under this rule that includes petitioner participation is not an informal hearing under Rule 325 of these rules and does not start the one hundred and eighty (180) day period for issuing a final decision. ()

329. -- 399. (RESERVED)

400. PENALTIES: GENERAL RULES.
Sections 63-3033, 63-3046, Idaho Code

01. Penalty Presumed Appropriate. If a taxpayer becomes liable to pay the Internal Revenue Service a penalty similar to one provided in Section 63-3046, Idaho Code, it shall be presumed the penalty is appropriate as part of the related state tax deficiency. ()

02. Computation of Tax Due Amounts for Failure to File, Failure to Pay, Delinquent Filing, Substantial Understatement, and Extension Penalties. For purposes of computing the failure to file, failure to pay, substantial understatement, or delinquent filing penalties, provided by Section 63-3046, Idaho Code, and the penalty for failing to meet the extension criteria, provided by Section 63-3033, Idaho Code, the terms tax shown thereon to be due, tax required to be shown on the return, tax due on such return, and the amount on which the extension penalty is applied shall mean amounts computed as follows: ()

a. Include the income tax, the permanent building fund tax, tax from recapture of Idaho income tax credits, income tax credits, and any payments for these taxes for that year. ()

b. Exclude items reported on the income tax return that are not included in Title 63, Chapter 30, Idaho Code, such as sales or use tax due, fuels tax due, and special fuels or gasoline tax refunds. ()

03. Net Operating Loss and Capital Loss Carrybacks. If the tax due for the taxable year is reduced after the application of a net operating loss carryback or a capital loss carryback, the penalty shall be computed on the tax due prior to the application of the carryback. ()

401. -- 409. (RESERVED)

410. NEGLIGENCE PENALTIES.
Section 63-3046(a), Idaho Code. ()

01. Negligence Defined. Negligence is the breach of a duty or obligation, recognized by law, that requires conformance to a certain standard of conduct. ()

02. Imposition of Penalty. A five percent (5%) negligence penalty shall be imposed if the deficiency results from either negligence by the taxpayer or from disregard by the taxpayer or his agent of state or federal tax laws, rules of the Tax Commission, or Treasury Regulations. Situations that justify the penalty include but aren't limited to the following: ()

a. Taxpayer continues to make errors in reporting income, sales or assets, or claims erroneous deductions, exemptions, or credits even though these mistakes have been called to his attention in previous audit

- reports. ()
- b.** Taxpayer fails to maintain proper records and files returns containing unsubstantiated claims or substantial errors. ()
 - c.** Taxpayer makes unsubstantiated or exaggerated claims of deductions or exemptions. ()
 - d.** Taxpayer fails to offer any explanation for understating taxes. ()
 - e.** Unreported taxable income is a material amount as compared with the reported income. ()
 - f.** Taxpayer exhibits a careless disregard of his tax obligations. ()
 - g.** For sales or use tax deficiencies, failure to keep valid files of resale and exemption certificates. ()
 - h.** Failure to make the required estimated payment when requesting an extension of time for filing a return. ()
 - i.** Taxpayer fails to provide the Tax Commission with a copy of a final federal determination within sixty (60) days of the date of the determination. See Rule 890 of the Income Tax Administrative Rules. ()
 - j.** Taxpayer fails to file an Idaho amended return within sixty (60) days after filing a federal amended return. ()
 - k.** Taxpayer fails to respond to requests to produce records substantiating items shown on the return. ()
 - l.** Taxpayer fails to make available the fifty-one (51) state apportionment factor detail when requested. ()
- 03. Negligence Penalty for Sales and Use Tax Deficiencies.** For sales tax purposes, pertinent computations relating to substantial errors in Subsection 410.02.b. or material amount in Subsection 410.02.e., might include the following: ()
- a.** The ratio of untaxed sales that should have been taxed to total taxable sales; ()
 - b.** The ratio of untaxed sales that should have been taxed to total sales; ()
 - c.** The ratio of untaxed purchases subject to use tax to total taxable purchases and to total purchases; or ()
 - d.** Other computations bearing on negligence. ()
- 04. Waiver of Negligence Penalty.** The Tax Commission shall consider all factors when determining whether to waive a negligence penalty. One (1) factor is the taxpayer's record for filing and paying state taxes. A good record for filing and paying tax on returns filed annually is not by itself a sufficient reason to waive the penalty. ()
- 05. Circumstances Precluding Waiver of Penalty.** The following circumstances do not constitute sufficient cause to waive the penalty: ()
- a.** An invalid or unapproved request for an extension of time to file or to do acts required by Idaho tax laws; ()
 - b.** An unsettled dispute between the Tax Commission and the taxpayer concerning a tax liability; or ()

c. Inability to pay the tax. ()

411. -- 419. (RESERVED)

420. FRAUD PENALTIES.

Section 63-3046(b), Idaho Code. ()

Assessment of the fraud penalty precludes assessment of the negligence penalty on the deficiency. ()

421. -- 429. (RESERVED)

430. PENALTY FOR FAILURE TO FILE, FAILURE TO PAY, OR DELINQUENT FILING.

Sections 63-3033, 63-3046, Idaho Code. ()

01. In General. Due date means the date prescribed for filing without regard to extensions. ()

02. Insufficient Postage. The proper amount of prepaid postage is required on returns mailed to the Tax Commission. If a tax return is returned to the sender due to insufficient postage, it may result in the return becoming delinquent and subject to the delinquency penalty specified by Section 63-3046(c), Idaho Code. ()

03. Month Defined. If the due date falls on the last day of a calendar month, each succeeding calendar month, or fraction of it, during which the failure to file continues constitutes a month. If the due date is not the last day of the calendar month, the period that ends with the same date of the next month constitutes a month. If the succeeding month has no corresponding date, the last day of the month is substituted. Any fraction of a month from the date ending the preceding monthly period to the date of payment constitutes a full month. ()

431. -- 499. (RESERVED)

500. SETTLEMENTS.

Sections 63-3047, 63-3048, Idaho Code. ()

01. Grounds for Settlement. The Tax Commission may settle any taxes, penalties, or interest of a case if one (1) or more of the following circumstances exist: ()

a. Disputed liability, ()

i. A disputed liability exists where there is a reasonable disagreement as to the existence or amount of the correct tax liability under the law. A disputed liability does not exist where the liability has been established by a final court judgment concerning the existence of the liability. ()

ii. An offer to settle a disputed liability generally will be considered acceptable if it reasonably reflects the likelihood the Commission could expect to collect through litigation. This analysis includes consideration of the hazards and costs of litigation that would be involved if the liability were litigated. The evaluation of the hazards and costs of litigation is not an exact science and is within the discretion of the Commission. ()

b. Doubt as to collectibility; ()

i. Doubt as to collectibility exists in any case where the taxpayer's assets and income may not satisfy the full amount of the liability. ()

ii. An offer to settle based on doubt as to collectibility generally will be considered acceptable if it is unlikely that the tax, penalty, and interest can be collected in full and the offer reasonably reflects the amount the Commission could collect through other means, including administrative and judicial collection remedies. This amount is the reasonable collection potential of a case. In determining the reasonable collection potential of a case, the Commission will take into account the taxpayer's reasonable basic living expenses. In some cases, the Commission may accept an offer of less than the total reasonable collection potential of a case if there are special

circumstances. ()

c. Economic hardship of the taxpayer. ()

i. The Commission may settle where it determines that, although collection in full could be achieved, collection of the full amount would cause the taxpayer economic hardship. Economic hardship is defined as the inability to pay reasonable basic living expenses. ()

ii. An offer to settle based on economic hardship generally will be considered acceptable when, even though the tax, penalty, and interest could be collected in full, the amount offered reflects the amount the Commission can collect without causing the taxpayer economic hardship. The determination to accept a particular amount will be based on the taxpayer's individual facts and circumstances. ()

d. Promotion of effective tax administration. ()

i. The Commission may settle to promote effective tax administration where compelling public policy or equity considerations identified by the taxpayer provide a sufficient basis for settling the liability that is equitable under the particular facts and circumstances of the case. Settlements pursuant to this paragraph will be justified only where, due to exceptional circumstances, collection of the full liability may undermine public confidence that the tax laws are being administered in a fair and equitable manner. The taxpayer will be expected to demonstrate circumstances that justify settlement even though a similarly situated taxpayer may have paid his liability in full. ()

ii. The State Tax Commission may decline a settlement for reasons promoting effective tax administration if the settlement of the liability would undermine compliance by taxpayers with the tax laws. ()

02. Agreement Final. A settlement agreement relates to the issues agreed to for the tax periods in question. The agreement is final and conclusive and neither the Tax Commission nor the taxpayer will be permitted to open the case again except in the case of changes to the federal return or a showing of fraud or malfeasance or misrepresentation of a material fact or as provided in the agreement. Recalculation of carryback or carryover items may not be construed as opening the case and will not affect the tax liability of a closed period or closed issue. ()

03. Form of Settlement. The taxpayer must submit an offer to settle in writing. An offer may not be considered accepted until the taxpayer is notified in writing. Acceptance may be made only by a Tax Commissioner or an authorized delegate. If the offer is rejected, the Tax Commission will promptly notify the taxpayer. ()

04. Withdrawal of Offer. A taxpayer may withdraw his offer to settle at any time prior to its acceptance by the Tax Commission. ()

501. PROCEDURES ON SETTLEMENTS OVER FIFTY THOUSAND DOLLARS.
Section 63-3048, Idaho Code. ()

01. Amount in Issue. The amount in issue is defined as the Notice of Deficiency amount, plus or minus any adjustments previously communicated in writing to the taxpayer, minus the proposed settlement amount. For purposes of the amount in issue, interest will be updated to the date of the offer. ()

02. Written Summary. This summary does not preclude the Commission from seeking a separate analysis from other agents of the Commission. Such files may not be disclosed or inspected under the public records law. ()

03. Final Review When the Offer to Settle is Based on Inability to Pay. If the taxpayer's offer is based on inability to pay, a representative of the Collection Division will be provided a copy of the Written Summary and given an opportunity to participate in the final review. The representative attending the final review on behalf of the Collection Division will be the division administrator or the designee. ()

502. -- 699. (RESERVED)

700. DISCLOSURE OF INFORMATION: SCOPE.

Sections 63-3076, 63-3077, Idaho Code. ()

01. Examples. The following are examples of information not considered return information for purposes of Rules 700 through 709 of these rules: ()

a. Decisions published pursuant to Section 63-3045B, Idaho Code; ()

b. Data in a form that cannot be associated with or otherwise identify, directly or indirectly, a particular taxpayer. ()

701. (RESERVED)

702. DISCLOSURE OF INFORMATION: THIRD PARTIES.

Sections 63-3076 and 63-3077, Idaho Code. ()

01. In General. The Tax Commission may not disclose returns or return information about a taxpayer to any person other than that taxpayer or an authorized representative of the taxpayer except as provided by statute or rule. ()

02. Written Authorization to Disclose Information. ()

a. The Tax Commission may disclose a taxpayer's returns or return information to a person designated in writing by that taxpayer. ()

b. The written authorization must contain: ()

i. The taxpayer's name, address and social security number, employer identification number, or other identifying number that relates to the returns or return information to be disclosed; ()

ii. The name and address of the person to whom disclosure is authorized; ()

iii. Language indicating the taxpayer's consent to disclosure of information; ()

iv. The tax period or periods for which disclosure may be made; and ()

v. The signature of the taxpayer, or if the taxpayer is a corporation or other business organization or an entity other than an individual, the signature of an authorized employee or officer of the taxpayer. ()

c. A written complaint or inquiry by a taxpayer to an elected official of the executive or legislative branches of state or federal government relating to the Tax Commission's actions or positions relating to that taxpayer is an authorization for the Tax Commission to disclose information relevant to the complaint or inquiry to the official, or the official's delegate. ()

03. Audits or Investigations. Tax Commission employees and authorized agents may make inquiries of any person or any employee of a person to collect or ascertain any tax liability, to determine the correctness of a return or return information, or for any other purpose relating to the Tax Commission's duties of administering or enforcing Idaho tax laws. Disclosures necessary to these inquiries are authorized. ()

04. Testimony in Judicial or Administrative Proceedings. If a Tax Commissioner, Tax Commission employee or agent is required to appear in court in an action where the Commission, employee or agent is not a party or where taxation is not in issue, by subpoena or otherwise, he may appear but shall refuse to testify without written authorization from the taxpayer, and may object to his appearance on the basis of this rule and Section 63-3076, Idaho Code. Information requested in a subpoena issued by a United States Grand Jury shall be provided. ()

703. DISCLOSURE OF INFORMATION: GENERAL PUBLIC.

Sections 63-3076, 63-3077, Idaho Code. ()

01. Public Information. The Tax Commission may disclose information about a taxpayer that is public information. This includes information introduced as evidence in any court, before the Board of Tax Appeals, through the filing of liens, or through publication other than by the Tax Commission. ()

02. Correction of Information. The Tax Commission, after notifying the taxpayer, may disclose information necessary to correct misleading statements or misrepresentations publicized by the taxpayer or his agents or employees regarding his liability to the state of Idaho, his conduct in relation to the Tax Commission, or proceedings, audits or investigations of the taxpayer by the Tax Commission. ()

704. DISCLOSURE OF INFORMATION: GOVERNMENT AGENCIES AND OFFICIALS.

Sections 23-907, 39-8405, 49-326, 50-1049, 54-1904A, 56-231, 63-602G, 63-2442, 63-3029B, 63-3077, 63-3077A, 63-3077B, 63-3077C, 63-3077D, 63-3077E, 63-3077G, 63-3077H, 63-3634A, 67-4917C, Idaho Code

01. Legislature. The Tax Commission will disclose returns or return information to the Idaho Legislature on the written request of the chair of any committee of either branch of the Idaho Legislature on behalf of the committee. When authorized by statute, the Tax Commission will disclose information to the Legislative Council, the Joint Legislative Oversight Committee, or to the Joint Finance and Appropriations Committee. ()

02. Government Agencies or Officials. The Tax Commission will disclose information necessary to comply with provisions of the Idaho Code requiring reports or information to be provided to government agencies or officials. This includes the disclosure of tax returns and return information for use in enforcing child support obligations pursuant to Section 56-231, Idaho Code. ()

03. Exchange of Information. Information may be exchanged between the Tax Commission and: ()

a. The Internal Revenue Service, as allowed by Sections 63-3077(1)(a) and 63-3077D, Idaho Code; ()

b. Other states, if reciprocal provisions for information exchanges are granted under Section 63-3077(1)(b), Idaho Code; ()

c. Multistate Tax Commission, as allowed by Section 63-3077(1)(b), Idaho Code; ()

d. Financial Management Services of the U. S. Department of the Treasury, as allowed by Sections 63-3077(1)(a) and 63-3077D, Idaho Code; ()

e. Governing entity of the International Fuel Tax Agreement, IFTA, Inc., as allowed by Section 63-3077(1)(b), Idaho Code; ()

705. DISCLOSURE OF INFORMATION -- IDENTITY THEFT.

Section 63-3077F, Idaho Code.

01. Written Information Request. The Tax Commission may disclose the name and address to the victim upon receipt of a valid written information request. ()

a. The written request must contain: ()

i. The victim's name, address, and social security number or other tax identification number; ()

ii. The tax year affected; ()

iii. The signature of the victim or legal representative; ()

- iv. Copies of the victim's driver's license and social security card or passport, if applicable. ()
- v. If the victim is a minor, a copy of the birth certificate along with the driver's license or passport of the parent or legal guardian. ()
- vi. If the victim is deceased, a copy of the legal document authorizing the executor of the estate along with the executor's driver's license or passport. ()

706. -- 799. (RESERVED)

800. DEFINITIONS FOR PURPOSES OF THE TAXPAYERS' BILL OF RIGHTS.

Title 63, Chapter 40, Idaho Code. ()

01. Collection and Enforcement. The terms collection and enforcement include only post-assessment processes. ()

02. Publication. Publication means communicating to the general public. Publication does not include internal communication or communication with other governmental agencies as provided for by statute. ()

03. Written Notification of Representation. A taxpayer's written notification that he will be represented by another person must include the information required for a valid power of attorney. If the notification is not valid, the revenue officer shall communicate with the taxpayer. The revenue officer should exercise reasonable care in determining whether a power of attorney exists. ()

801. -- 999. (RESERVED)

IDAPA 37 – IDAHO DEPARTMENT OF WATER RESOURCES

37.01.01 – RULES OF PROCEDURE OF THE IDAHO DEPARTMENT OF WATER RESOURCES AND IDAHO WATER RESOURCE BOARD

DOCKET NO. 37-0101-2101 (NEW CHAPTER, FEE RULE)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking. This action is authorized by Sections 42-1701A(1), 42-1734(19), 42-1805(8), and 67-5206(5), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 20, 2021.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a non-technical explanation of the substance and purpose of the proposed rule:

The Idaho Department of Water Resources (IDWR) and the Idaho Water Resource Board (IWRB) (the “Agencies”) initiated this rulemaking in compliance with [Executive Order No. 2020-01](#), Zero-Based Regulation (ZBR) (EO 2020-01), issued by Governor Little on January 16, 2020. Pursuant to EO 2020-01, each rule chapter effective on June 30, 2020, must be reviewed by the promulgating agency over a five year period. This review is being conducted according to a schedule established by the Division of Financial Management, Office of the Governor (DFM), posted at https://adminrules.idaho.gov/forms_menu.html. This rule chapter was scheduled for review in 2021.

With this Notice, the Agencies propose a new chapter of procedural rules. The new chapter is approximately 30% shorter than the existing chapter of procedural rules as a result of both internal agency analysis and external stakeholder negotiation, commentary, and editing. This reduction comes through a combination of: (a) removal of obsolete provisions (such as outdated references and processes for electronic signature); (b) the removal of Idaho Administrative Procedures Act provisions inapplicable to contested cases before the Agencies; and (c) a complete overhaul of the contested case process (including the condensing and use of plain language to describe intra-agency appeals, filing and service, and informal versus formal proceedings). Definitions previously spread throughout the rule chapter have been clarified and centralized in the definitional section. Distinctions between agency head, presiding officers, and hearing officers have been delineated and clarified. Updates have also been made to comply with the Agencies' understanding of current Idaho law (including clarification of party representation and administrative exhaustion). The following processes have also been more clearly defined and described: petitions for reconsideration, exceptions to final orders, contents of motions and pleadings, intervention versus protestation, and ex parte communications. The Agencies also propose to rename the rule chapter the “Rules of Procedure of the Idaho Department of Water Resources and Idaho Water Resource Board” to clarify that the chapter applies to both Agencies. The new proposed rule also recognizes electronic filing and service in many instances (both by email and through IDWR’s website).

Pursuant to the ZBR process, this Notice represents the promulgation of a new rule chapter. As a result, the proposed rule does not contain strike-out/underline text in legislative format. The old rule has been repealed and replaced in its entirety. However, the development of the proposed rule text through two publicly-released preliminary rule draft iterations may be viewed at: <https://idwr.idaho.gov/legal-actions/rules/procedure-rules.html>. At the same website, the Agencies also developed and provided two exhaustive response documents, which provide the Agencies’ responses to each substantive comment received through the negotiated rulemaking process.

Citizens of the state of Idaho, the Idaho Water Bar and other attorneys and judges, water users, governmental agencies, and environmental groups may be interested in commenting on the proposed rule text. After consideration of public comments received in response to this Proposed Rule, the Agencies will present the final rule text to the Idaho Legislature in December of 2021.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Fees relevant to the proposed rule are set forth at Section 42-221, Idaho Code. This rulemaking does not impose new fees or increase any already-established statutory fees.

FISCAL IMPACT STATEMENT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the April 7, 2021, Idaho Administrative Bulletin, [Vol. 21-4, pages 51-52](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the incorporation by reference is necessary: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning this proposed rulemaking, contact Mathew Weaver at mathew.weaver@idwr.idaho.gov, (208) 287-4800.

Anyone can submit written comments by mail, fax or e-mail at the address below regarding this proposed rule. The Department will consider all written comments received by the undersigned on or before October 27, 2021.

Dated this 30th day of August, 2021.

Gary Spackman, Director
Idaho Department of Water Resources
322 E. Front Street
PO Box 83720
Boise, ID 83720
Phone: (208) 287-4800

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 37-0101-2101
(New Chapter – Zero-Based Regulation Rulemaking)

37.01.01 – RULES OF PROCEDURE OF THE IDAHO DEPARTMENT OF WATER RESOURCES AND THE WATER RESOURCE BOARD

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Sections 42-1701A(1), 42-1734(19), 42-1737(c), 42-1805(8), and 67-5206(5), Idaho Code. ()

001. SCOPE.

This chapter contains the rules of procedure that govern contested case proceedings before the Idaho Department of Water Resources and the Idaho Water Resource Board. These rules do not apply to enforcement actions under Section 42-1701B, Idaho Code. ()

002. DEFINITIONS.

01. Agency. The Idaho Department of Water Resources or the Idaho Water Resource Board acting

within their respective authority to determine contested cases. The term “agency” may include the Director of the Department, members of the Board, employees of the Department or Board, and any duly appointed hearing officers. ()

- 02. **Agency Action.** Agency action means: ()
 - a. The whole or part of an order; ()
 - b. The failure to issue an order; or ()
 - c. An agency’s performance of, or failure to perform, any duty placed on it by law. ()
- 03. **Agency Head.** The Board or Director of the Department. ()
- 04. **Board.** The Idaho Water Resource Board. ()
- 05. **Contested Case.** A formal or informal proceeding which results in the issuance of an order. ()
- 06. **Department.** The Idaho Department of Water Resources. ()
- 07. **Director.** The director of the Idaho Department of Water Resources. ()
- 08. **Exceptions.** A petition asking the agency head to review a recommended or preliminary order. ()
- 09. **Hearing Officer.** A hearing officer is a person other than the agency head appointed to preside over a formal proceeding in a contested case on behalf of the agency. Agency heads are not hearing officers, even if they are presiding at contested cases. The term “hearing officer” as used in these rules refers only to officers subordinate to the agency head. ()
- 10. **License.** The whole or part of any agency permit, license, approval, or similar form of authorization required by law, but does not include a license required solely for revenue purposes. ()
- 11. **Order.** An agency action of particular applicability that determines the legal rights, duties, privileges, immunities, or other legal interests of one (1) or more specific persons. ()
- 12. **Party.** Each person named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, including an applicant, petitioner, respondent, protestant or intervenor. ()
- 13. **Person.** Any individual, partnership, corporation, association, governmental subdivision, or public or private organization or entity of any character. ()
- 14. **Petition.** A pleading requesting a modification, amendment or stay of an existing order of the agency, the clarification, declaration or construction of the law administered by the agency, the clarification, declaration or construction of a person’s rights or obligations under law administered by the agency, rehearing of a contested case, or intervention, or to otherwise request the agency take action that will result in the issuance of an order. ()
- 15. **Presiding Officer.** One (1) or more members of the Board, the Director, or duly appointed hearing officer presiding over a formal proceeding as authorized by statute or rule. When more than one (1) member of the Board conducts a formal proceeding, they may all jointly be presiding officers or may designate one (1) of them to be the presiding officer. ()
- 16. **Protest.** A pleading opposing or seeking to alter the outcome of an application. ()
- 17. **Response.** A pleading responding to a motion or petition. ()

003. -- 049. (RESERVED)

050. PROCEEDINGS GOVERNED.

These rules govern contested cases before the Department and the Board, unless otherwise provided by order of the agency. The Department and the Board through the promulgation of these rules decline to adopt in whole the contested case portions of the “Idaho Rules of Administrative Procedure of the Attorney General,” IDAPA 04.11.01.100 through 04.11.01.799. However, the majority of the rules adopted here are consistent with the provisions of the Attorney General Rules. Certain provisions of the Attorney General Rules are not adopted or are modified to reflect both the statutory authority of and administrative practice before the Department and the Board. Rulemaking before the Department and the Board is governed by the Attorney General Rules, at IDAPA 04.11.01.05 and 04.11.01.800 through 860. ()

051. LIBERAL CONSTRUCTION.

The rules in this chapter will be liberally construed to ensure just, speedy and economical determination of all issues presented to the agency. The agency may permit deviation from these rules when it finds that compliance with them is impracticable, unnecessary or not in the public interest. Unless required by statute, or otherwise provided by these rules, the Idaho Rules of Civil Procedure and the Idaho Rules of Evidence do not apply to contested cases before the agency. ()

052. IDENTIFICATION OF CASE.

Communications pertaining to a contested case before the agency should include a reference to the case number or case name. ()

053. FILING AND SERVICE OF DOCUMENTS.

01. Filing of Documents with the Agency. ()

a. Documents may be filed with the agency by mail or personal delivery to the Department’s main office or any of the Department’s regional or field offices. See <https://idwr.idaho.gov/contact-us.html> for address and contact information. The agency will not accept filings by facsimile. A document sent by mail is considered filed on the date received by the agency. A document required to be accompanied by a filing fee is not considered filed with the agency until the fee is received. ()

b. Documents may be filed by email as an alternative to filing by mail or personal delivery, at the following email address: file@idwr.idaho.gov. For purposes of filing by email, a “day” begins at 12:01 a.m. and ends at midnight, Mountain Time. Unless otherwise provided by statute, rule, order or notice, a document is considered filed on the day the email is sent if done so before midnight, Mountain Time, unless that date is a Saturday, Sunday or legal holiday, in which case it is deemed filed on the next available business day. Documents filed by email shall include the case number or, if none, other identifying information in the email caption. A document required to be accompanied by a filing fee is not considered filed with the agency until the fee is received. ()

c. If the Department establishes an online process for filing specific applications or notices, filings may occur through the specific online data submittal portal. ()

02. Service on Parties and Other Persons. ()

a. All documents filed with the agency must be sent by mail or delivered personally to the representatives of each party concurrently with filing the original with the agency. ()

b. If authorized by the presiding officer, documents that must be sent by mail or delivered personally to the representatives of each party may be served by email as an alternative to service by mail or personal service. It is not necessary to serve copies by mail or personal service if service is completed by email. ()

03. Service of Documents by Agency. ()

a. Any person designated by the agency to serve notices or orders issued by the agency shall serve these documents by regular mail, or by certified mail, return receipt requested, or by personal service on the

representatives of each party designated pursuant to these rules. ()

b. If authorized by the presiding officer, the person designated to serve notices and orders in a contested case may serve those notices and orders by email as an alternative to service by mail or personal service. It is not necessary to serve copies by mail or personal service if service is completed by email. ()

04. Format for Electronic Service. Documents served by email must be in Portable Document Format (PDF) and be text searchable. Each email serving a document cannot be larger than 15 megabytes in size. Documents exceeding 15 megabytes in size may be divided into multiple documents and served in multiple emails. ()

05. Proof of Service. Every document filed or served must be accompanied by a proof of service similar to the following certificate:

CERTIFICATE OF SERVICE

I certify that on the ____ day of _____, 20____, I served or caused to be served the [insert title of document] to the parties by the following method(s):

[Insert name of party or attorney]
[Insert email address or mailing address]

- Email
- USPS Mail (postage paid)
- Certified Mail / Return Receipt Requested
- Hand Delivery

[Signature]

[Insert name of person responsible for service]

()

06. When Service Complete. Unless otherwise provided by statute, these rules, order or notice, service is complete when a copy, properly addressed and stamped, is deposited in the United States mail or the Statehouse mail, if the party is a State employee or State agency, or when there is an electronic verification that an email has been sent. ()

054. COMPUTATION OF TIME.

Whenever statute, these or other rules, order, or notice requires an act to be done within a certain number of days of a given day, the given day is not included in the count, but the last day of the period so computed is included in the count. If the day the act must be done is Saturday, Sunday or a legal holiday, the act may be done on the first day following that is not Saturday, Sunday or a legal holiday. ()

055. FEES.

If submitted by mail or in person, fees paid to the agency may be paid by cash, money order, bank draft or check payable to the agency. Payments in cash, submitted by mail, are wholly at the risk of the remitter, and the agency assumes no responsibility for their loss. Fees may also be paid by credit card or other digital methods, if allowed by the agency. Filings required to be accompanied by a fee are not complete until the fee is paid. ()

056. -- 099. (RESERVED)

100. INFORMAL AND FORMAL PROCEEDINGS.

Contested cases before the agency shall be conducted as informal or formal proceedings. ()

01. Informal Proceedings Defined. Informal proceedings are wholly administrative evaluations and processes, without a presiding officer and hearing record to be preserved for later agency or judicial review, and with representation according to Rule 201.01. ()

02. Formal Proceedings Defined. Formal proceedings are quasi-judicial proceedings conducted by a presiding officer, with a hearing record to be preserved for later agency or judicial review, and with representation according to Rule 201.02. ()

03. Order of Proceedings. Unless otherwise directed by the agency, informal proceedings will be used first in an effort to resolve the issues presented in a contested case. If, after the agency has commenced a formal proceeding, the parties to a contested case settle or resolve the issues of the case, the case may return to an informal proceeding. The agency may also utilize informal proceedings, such as settlement conferences, any time after commencement of a formal proceeding. ()

101. INFORMAL PROCEEDINGS.

01. Initial Processing. Informal proceedings include correspondence and the exchange of information between the agency and an applicant or petitioner during the agency’s review of an application or petition. If a protest is filed opposing an application, or a response is filed to a petition, the agency will issue a Notice of Informal Settlement Conference. The agency may also issue a Notice of Informal Settlement Conference in un-protested one-party contested cases, where a party has requested a hearing before the agency. ()

02. Informal Settlement Conference. All parties to a contested case or their representatives must attend the informal settlement conference. The informal settlement conference may be conducted by an agency employee. Informal settlement conferences are used to discuss applications or pleadings, explore settlement options, discuss the commencement and scheduling of formal proceedings, discuss additional informational needs, and evaluate the need for additional informal proceedings or alternative dispute resolution options such as mediation. The agency may conduct additional informal proceedings, which all parties or their representatives must attend, to assess the potential for settlement or resolution of all or a portion of the issues in a contested case. ()

03. Stay of Informal Proceedings. During informal proceedings the agency may stay the contested case at the request of the applicant or petitioner, upon stipulation of the parties, when the agency determines that such delay will assist the agency in resolving or deciding the contested case, or when an agency moratorium prevents consideration of the application or petition. ()

102. FORMAL PROCEEDINGS.

When the agency determines that informal proceedings are unlikely to resolve a contested case, the agency will initiate formal proceedings by issuing a Notice of Prehearing Conference and identifying a presiding officer. Representation of parties and other persons in formal proceedings is governed by Rule 201.02. ()

103. -- 149. (RESERVED)

150. PARTIES TO CONTESTED CASES LISTED.

Parties to contested cases before the agency are called applicants, petitioners, respondents, protestants, or intervenors. On reconsideration or exceptions within the agency parties are called by their original titles from the previous sentence. ()

151. APPLICANTS.

Persons who seek any right, license, award or authority from the agency. ()

152. PETITIONERS.

Persons not applicants who seek to modify, amend or stay existing orders of the agency, to clarify or have the agency declare or construe the law administered by the agency or a person’s rights or obligations under law administered by the agency, to ask the agency to initiate or rehear a contested case (other than an application), to intervene in a contested case, or to otherwise take action that will result in the issuance of an order. ()

153. RESPONDENTS.

Persons who file responses to a petition. ()

154. PROTESTANTS.

Persons who oppose or seek to alter an application and who have a statutory right to contest or seek to alter the right, license, or authority sought by an applicant. ()

155. INTERVENORS.

Persons, not applicants, petitioners, respondents, or protestants to a proceeding, who are permitted to participate as parties pursuant to Rules 350 through 354. ()

156. RIGHTS OF PARTIES AND OF AGENCY STAFF.

Subject to Rules 558, 559, and 600, all parties and agency staff may appear at hearing or argument, introduce evidence, examine witnesses, make and argue motions, state positions, and otherwise fully participate in a contested case before the agency. ()

157. -- 199. (RESERVED)

200. IDENTIFICATION OF REPRESENTATIVES AND ADDRESS FOR SERVICE.

The initial pleading of a party (be it application, petition, protest, or motion) must identify the party's representative, if any, and state the mailing address and email address, if any, to be used for service of all documents. If a representative is identified, service of documents on the named representative is considered valid service upon the party. If an initial pleading is signed by more than one (1) person without identifying a representative for service of documents, the agency may select the person upon whom documents are to be served. A party is responsible for updating the agency with changes to its contact information for service of documents. ()

201. REPRESENTATION OF PARTIES.

01. Representation at Informal Proceedings. Appearances and representation of parties or other persons at an informal proceeding described in Rule 100 and Rule 101 must be as follows: ()

a. Natural Person. A natural person may represent himself or herself or be represented by an authorized employee, attorney, or family member, or by a next friend if the person lacks full legal capacity to act for himself or herself. ()

b. A partnership may be represented by a partner, authorized employee, or attorney. ()

c. A corporation may be represented by an officer, authorized employee, or attorney. ()

d. A municipal corporation, local government agency, unincorporated association or nonprofit organization may be represented by an official, officer, authorized employee, or attorney. ()

e. A state, federal or tribal governmental entity or agency may be represented by an officer, authorized employee, or attorney. ()

02. Appearances and Representation at Formal Proceedings. Appearances and representation of parties or other persons at a formal proceeding described in Rule 100 and Rule 102 must be as follows: ()

a. A party who is a natural person may represent himself or herself or be represented by an attorney. ()

b. A federal or tribal governmental entity or agency may be represented as provided by law. ()

c. All other parties shall appear and be represented by an attorney admitted to practice and in good standing in the state of Idaho. ()

d. Only parties or their representatives at hearing are entitled to examine witnesses and file, make or argue motions. ()

202. SERVICE ON PARTIES AND THEIR REPRESENTATIVES.

From the time a party files its initial pleading in a contested case, that party must serve all documents filed with the

agency upon all other parties or their designated representatives unless otherwise directed by order or notice or by the presiding officer on the record. The presiding officer may order parties to serve past documents filed in the case upon parties or their representatives. ()

203. WITHDRAWAL OF PARTIES.

Any party may withdraw from a contested case in writing or by confirming the withdrawal on the record at a conference or hearing. ()

204. SUBSTITUTION OR WITHDRAWAL OF REPRESENTATIVE.

A party's representative may be changed by notice to the agency and all other parties. A presiding officer, if assigned, may reject the substitution of representative if the substitution would result in an unreasonable delay of the proceeding. Persons representing a party in a contested case before the agency who wish to withdraw their representation must immediately file with the agency a notice of withdrawal of representation and serve that notice on the party represented, and all other parties. ()

205. STANDARDS OF CONDUCT.

All persons participating in or attending a contested case proceeding before the agency must conduct themselves in an ethical, courteous, and respectful manner during all phases of the proceeding. The presiding officer may exclude a person from a proceeding who in manner or appearance is disruptive or disrespectful. Disruptive conduct or appearance that is serious in nature may be cause for dismissal of the disrupting party from the proceeding. ()

206. -- 209. (RESERVED)

210. PLEADINGS ALLOWED IN CONTESTED CASES.

In contested cases, the agency allows the following pleadings to be filed: applications, petitions, protests, and responses. ()

211. -- 219. (RESERVED)

220. MOTIONS.

01. Motion - Defined. A "motion" is a request to the agency to take an action in a contested case. ()

02. Procedure on Written Motions. ()

a. A written motion, affidavit(s) supporting the motion, and briefs supporting the motion, if any, must be filed with the agency and served on the parties. ()

b. Briefs or affidavits responding to the motion, if any, must be filed with the agency and served on the parties within fourteen (14) days of the filing of a motion. ()

c. The moving party may file a reply brief, which must be filed with the agency and served on the parties within 7 days of the filing of the responsive affidavits or briefs. ()

d. The moving party must indicate on the face of the motion whether oral argument is desired. ()

e. If oral argument has been requested on any motion, the presiding officer may grant or deny oral argument by written or oral notice. The presiding officer may limit oral argument at any time. ()

f. Modifications to the time limits in this rule may be granted by the presiding officer for good cause shown. ()

03. Motions for Summary Judgment. Motions for summary judgment may be filed in any contested case. Rule 56(a), (c), (d), (e), and (f) of the Idaho Rules of Procedure, apply to such motions before the agency. ()

221. -- 299. (RESERVED)

300. FORM AND CONTENT OF PLEADINGS AND WRITTEN MOTIONS.

01. Form. Pleadings should be filed on standard forms created by the agency, if available. Pleadings and written motions not filed on standard forms should include a caption identifying the case at the top of the first page and shall: ()

a. Be submitted on white, eight and one-half inch (8 1/2”) by eleven inch (11”) paper printed on one (1) side only; ()

b. Identify the case name, case number (if applicable), and title of the document; ()

c. Include the mailing address, telephone number, and email address of the person(s) filing the document; and ()

d. Have at least one inch (1”) margins on the sides, top, and bottom. ()

02. Content of Pleadings and Written Motions. A pleading or written motion shall fully state: ()

a. The facts upon which it is based; ()

b. The provision of statute, rule, order, or other controlling law upon which it is based; and ()

c. The relief sought, including any proposed limitation (or the denial) of any right, license, or permit sought in an application. ()

d. Petitions for declaratory orders shall state the declaratory ruling that the petitioner seeks. ()

301. NOTICE OF PETITION FOR DECLARATORY RULING.

The agency may provide notice of a petition for declaratory ruling in a manner designed to call its attention to persons likely to be interested in the subject matter of the petition. ()

302. DEFECTIVE, INSUFFICIENT OR LATE PLEADINGS.

Defective, insufficient or late pleadings may be returned or dismissed. ()

303. AMENDMENTS TO PLEADINGS -- WITHDRAWAL OF PLEADINGS.

The agency may allow amendments to pleadings during informal proceedings. The presiding officer may allow amendments to pleadings during formal proceedings. Pleadings will be liberally construed, and defects that do not affect substantial rights of the parties will be disregarded. A party desiring to withdraw a pleading must file a notice of withdrawal of the pleading and serve all parties with a copy. Unless otherwise ordered by the presiding officer, the notice is effective seven (7) days after filing. ()

304. -- 349. (RESERVED)

350. PETITIONS TO INTERVENE.

A person who is not already a party to a contested case and who has a direct and substantial interest in the proceeding may petition for an order granting intervention as a party to the contested case. ()

351. FORM AND CONTENTS OF PETITIONS TO INTERVENE.

Petitions to intervene must comply with Rules 52, 200, and 300. The petition must set forth the name and address of the potential intervenor and must state the direct and substantial interest of the potential intervenor in the proceeding. ()

352. TIMELY FILING OF PETITIONS TO INTERVENE.

Petitions to intervene must be filed at least fourteen (14) days before the date set for formal hearing, or by the date of the initial prehearing conference, whichever is earlier, unless a different time is provided by order or notice. Petitions

filed after this deadline are considered late and must state a good cause for delay. ()

353. DECIDING PETITIONS TO INTERVENE.

01. Timely-Filed Petitions. If a timely-filed petition to intervene shows direct and substantial interest in any part of the subject matter of a contested case and does not unduly broaden the issues, the agency shall grant intervention, subject to reasonable conditions, unless the applicant's interest is adequately represented by existing parties. ()

02. Late Petitions. The agency may grant late petitions to intervene for good cause shown or may deny or conditionally grant petitions to intervene that are late for failure to state good cause for the late filing, to prevent disruption, to prevent prejudice to existing parties, to prevent undue broadening of the issues, or for other reasons. ()

03. Order and Notices Issued Prior to Intervention. Intervenors are bound by orders and notices entered in the contested case prior to the approval of the petition to intervene. ()

354. ORDERS GRANTING INTERVENTION -- OPPOSITION.

Any party opposing a petition to intervene must file an objection within (7) days of the date the petition is filed. Responses to the objection must be filed within seven (7) days of the service date of the objection. The objection and responses to the proposed intervention must be served on all parties of record and on the person petitioning to intervene. ()

355. PUBLIC WITNESSES.

A person who is not a party and is not called by a party as a witness who desires to testify at hearing is a public witness. Public witnesses do not have the right to examine witnesses or otherwise participate in the proceedings as parties. Subject to Rules 555 and 557, public witnesses have a right to introduce evidence at hearing by written or oral statements and to offer exhibits at hearing. Public witnesses are bound by scheduling orders issued in a contested case regarding disclosure of expert reports and exhibits prior to the hearing. A person intending to present public witness testimony shall notify the agency in writing at least five (5) days prior to the hearing and include the name and address of the witness and the general nature or subject matter of the testimony to be given. If the notice is not given, the public witness testimony will only be allowed at the discretion of the presiding officer upon a finding of good cause. Public witnesses are subject to cross-examination and exhibits offered by public witnesses are subject to objection. Public witnesses have no right to seek reconsideration, file exceptions, or appeal. ()

356. -- 409. (RESERVED)

410. APPOINTMENT OF HEARING OFFICERS.

Unless otherwise provided by statute or rule, hearing officers may be employees of the agency or independent contractors. Hearing officers may be (but need not be) attorneys. Hearing officers who are not attorneys should ordinarily be persons with technical expertise or experience in issues before the agency. The appointment of a hearing officer is a public record available for inspection, examination and copying. ()

411. DISQUALIFICATION OF OFFICERS HEARING CONTESTED CASES.

Presiding officers may be disqualified as provided in Section 67-5252, Idaho Code. ()

412. SCOPE OF AUTHORITY OF HEARING OFFICERS.

The scope of hearing officers' authority may be restricted in the appointment by the agency. ()

01. Scope of Authority. Unless specified in an order from the agency, hearing officers have the authority to: ()

a. Decide petitions to intervene and motions; ()

b. Schedule cases assigned to the hearing officer, including authority to issue notices of default, of prehearing conference and of hearing; ()

c. Schedule and compel discovery, when discovery is authorized before the agency, and to require advance filing of expert testimony, when authorized before the agency; ()

d. Consider stipulations and settlements; ()

e. Preside at and conduct conferences and hearings, accept evidence into the record, rule upon objections to evidence, rule on dispositive motions, and otherwise oversee the orderly presentation of evidence at hearing in accordance with these Rules; and ()

f. Issue a written decision for a contested case, including a narrative of the proceedings, findings of fact, conclusions of law, and a recommended or preliminary order. ()

02. Limitation. The hearing officer's scope of authority may be limited from the standard scope, either in general, or for a specific proceeding. ()

413. CHALLENGES TO STATUTES.

A hearing officer in a contested case has no authority to declare a statute unconstitutional. However, when a court of competent jurisdiction whose decisions are binding precedent in the state of Idaho has declared a statute unconstitutional, or when a federal authority has preempted a state statute or rule, and the hearing officer finds that the same state statute or rule or a substantively identical state statute or rule that would otherwise apply has been challenged in the proceeding before the hearing officer, then the hearing officer shall apply the precedent of the court or the preemptive action of the federal authority to the proceeding before the hearing officer and decide the proceeding before the hearing officer in accordance with the precedent of the court or the preemptive action of the federal authority. ()

414. EX PARTE COMMUNICATIONS.

Unless required for the disposition of a matter specifically authorized by statute to be done ex parte, a presiding officer serving in a contested case shall not communicate, directly or indirectly, regarding any substantive issue in the contested case with any party, except upon notice and opportunity for all parties to participate in the communication. The presiding officer may communicate ex parte with a party concerning procedural matters (e.g., scheduling). Communications with a presiding officer regarding non-substantive issues from members of the general public not associated with any party are not required to be reported by this rule. A party to a contested case before the agency shall not communicate directly or indirectly with the presiding officer or the agency head regarding any substantive issue in the contested case. When a presiding officer becomes aware of a communication regarding any substantive issue from a party or representative of a party or a member of the general public during a contested case, the presiding officer shall place a copy or written summary of the communication in the file for the case and order the party providing the communication to serve a copy of the communication or written summary upon all parties of record. Repeated violations of this rule are cause for the presiding officer to dismiss an action or to dismiss a party from a contested case. Written communications from a party showing service upon all other parties are not ex parte communications. ()

415. -- 509. (RESERVED)

510. PURPOSES OF PREHEARING CONFERENCE.

To initiate formal proceedings in a contested case pursuant to Rule 102, the agency will issue a Notice of Prehearing Conference, identifying the presiding officer for the case and setting the date and time for prehearing conference. The prehearing conference shall be convened for purposes of formulating or simplifying the issues, obtaining concessions of fact or identification of documents to avoid unnecessary proof, scheduling discovery (when discovery is allowed), arranging for the exchange of proposed exhibits or prepared testimony, limiting witnesses, discussing settlement offers or making settlement offers, scheduling hearings, establishing procedure at hearings, and addressing other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. ()

511. ADDITIONAL CONFERENCES.

The presiding officer may, following the initial prehearing conference, convene additional conferences. Additional conferences will address the topics identified in Rule 510, unless the topics are further defined in the notice of such conference. ()

512. NOTICE OF CONFERENCE.

Notice of the place, date and hour of a conference will be served on all parties at least fourteen (14) days before the time set for the conference, unless the presiding officer finds it necessary or appropriate for the notice period to be shortened. Notices must contain the same information as notices of hearing with regard to an agency's obligations under the American with Disabilities Act. ()

513. RECORD OF CONFERENCE.

Prehearing conferences or status conferences may be held on the record or off the record. Agreements entered into by the parties during a conference may be put on the record during the conference or may be reduced to writing and filed with the agency after the conference. ()

514. ORDERS RESULTING FROM CONFERENCE.

The presiding officer may issue a prehearing order or notice based upon the results of the agreements reached at or rulings made at a conference. A prehearing order will control the course of subsequent proceedings unless modified by the presiding officer for good cause. ()

515. FACTS DISCLOSED NOT PART OF THE RECORD.

Facts disclosed, settlement offers made and all other aspects of negotiation (except agreements reached) in conferences in a contested case are not part of the record unless ordered by the presiding officer upon a stipulation by all parties to a contested case. ()

516. -- 519. (RESERVED)

520. DISCOVERY IN CONTESTED CASES.

01. Kinds of Discovery. The following kinds of discovery may be authorized by presiding officers in contested cases before the agency: ()

- a. Deposition through oral examination or written questions; ()
- b. Written interrogatories; ()
- c. Requests for Admission; ()
- d. Requests for production of documents, electronically stored information or tangible things; and ()
- e. Entry upon land or other property for inspection or other purposes; ()

02. Rules of Civil Procedure. Unless otherwise provided by statute, rule, order or notice, the scope of discovery is governed by the Idaho Rules of Civil Procedure (see Idaho Rule of Civil Procedure 26). ()

521. WHEN DISCOVERY AUTHORIZED.

No party in a contested case before the agency is entitled to engage in discovery unless the presiding officer issues an order authorizing discovery, or upon agreement of all parties that discovery may be conducted. The presiding officer may provide a schedule for discovery in an order authorizing discovery, but the order authorizing and scheduling discovery need not conform to the timetables of the Idaho Rules of Civil Procedure. The order authorizing discovery may provide that voluminous records need not be served in a discovery response so long as the records are made available for inspection and copying under reasonable terms. A party, upon reasonable notice to other parties and all persons affected thereby, may seek an order compelling discovery in a manner consistent with the provisions of Rule 37(a) of the Idaho Rules of Civil Procedure. The presiding officer may limit the type and scope of discovery. ()

522. RIGHTS TO DISCOVERY RECIPROCAL.

All parties to a proceeding have a right of discovery of all other parties to a proceeding according to Rule 521 and to the authorizing statutes and rules. ()

523. SUBPOENAS.

The presiding officer may issue subpoenas upon a party's motion or upon its own initiative. The presiding officer upon motion to quash made promptly, and in any event, before the time to comply with the subpoena, may quash the subpoena, or condition denial of the motion to quash upon reasonable terms. ()

524. STATUTORY INSPECTION, EXAMINATION, INVESTIGATION, ETC.

This rule recognizes, but does not enlarge or restrict, the agency's statutory right of inspection, examination, or investigation. This statutory right of the agency is independent of any right of discovery in formal proceedings and may be exercised by the agency whether or not a person is party to a formal proceeding before the agency. Information obtained from statutory inspection, examination, or investigation may be used in formal proceedings or for any other purpose, except as restricted by statute or rule. ()

525. FILING AND SERVICE OF DISCOVERY-RELATED DOCUMENTS.

Parties shall send the presiding officer copies of any notices of deposition or certificates of service stating that discovery requests or responses have been served. Parties shall serve discovery requests and responses on all other parties. Parties shall not serve the presiding officer copies of discovery responses unless it is part of a motion to compel discovery. A motion to compel discovery must be filed within twenty-one (21) days from the day a discovery response was due or twenty-one (21) days from the day a deficient response was served on the moving party. ()

526. PREPARED TESTIMONY AND REPORTS.

Presiding officers may require parties to exchange prepared testimony, expert witness reports or rebuttal reports, prior to the hearing. ()

527. SANCTIONS FOR FAILURE TO OBEY ORDER COMPELLING DISCOVERY.

The presiding officer may impose all sanctions recognized by statute or rules for failure to comply with an order compelling discovery, including but not limited to the sanctions listed in paragraphs (A), (B), and (C) of Rule 37(b)(2) of the Idaho Rules of Civil Procedure. ()

528. PROTECTIVE ORDERS.

As authorized by statute or rule, the presiding officer may issue protective orders limiting access to information generated during settlement negotiations, discovery, or hearing. ()

529. -- 549. (RESERVED)

550. NOTICE OF HEARING.

Notice of the place, date and hour of hearing will be served on all parties at least fourteen (14) days before the time set for hearing, unless the presiding officer finds by order that it is necessary or appropriate that the notice period to be shortened. Notices must comply with the requirements of Rule 551. Notices must list the names of the parties (or the lead parties if the parties are too numerous to name), the case number or docket number, the names of the presiding officer(s) who will hear the case, the name, address and telephone number of the person to whom inquiries about scheduling, hearing facilities, etc., should be directed, and the names of persons with whom the documents, pleadings, etc., in the case should be filed if the presiding officer is not the person who should receive those documents. If no document previously issued by the agency has listed the legal authority of the agency to conduct the hearing, the notice of hearing must do so. The notice of hearing shall state that the hearing will be conducted under these rules of procedure and inform the parties where they may read or obtain a copy. ()

551. FACILITIES AT OR FOR HEARING AND A.D.A. REQUIREMENTS.

All hearings must be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act, and all notices of hearing must inform the parties that the hearing will be conducted in facilities meeting the accessibility requirements of the Americans with Disabilities Act. All notices of hearing must inform the parties and other persons notified that if they require assistance of the kind that the agency is required to provide under the Americans with Disabilities Act in order to participate in or understand the hearing, the agency will supply that assistance upon request a reasonable number of days before the hearing. The notice of hearing shall explicitly state the number of days before the hearing that the assistance request must be made. ()

552. METHODS FOR CONDUCTING HEARINGS.

Hearings may be held in person or by telephone, video or other electronic means, as long as each participant in the hearing has an opportunity to participate in the entire proceeding while it is taking place. ()

553. CONFERENCE AT HEARING.

In any proceeding the presiding officer may hold a conference with the parties before hearing or during a recess at the hearing to discuss formulation or simplification of the issues, admissions of fact or identification of documents to avoid unnecessary proof, exchanges of documents, exhibits or prepared testimony, limitation of witnesses, establishment of order of procedure, and other matters that may expedite orderly conduct of the hearing. The presiding officer shall state the results of the conference on the record. ()

554. PRELIMINARY PROCEDURE AT HEARING.

Before taking evidence the presiding officer will call the hearing to order, take appearances of parties, and act upon any pending motions or petitions. The presiding officer may allow opening statements as necessary or appropriate to explain a party's presentation of evidence. ()

555. CONSOLIDATION OF PROCEEDINGS.

The agency may consolidate two (2) or more proceedings for hearing upon finding that they present issues that are related and that the rights of the parties will not be prejudiced. In consolidated hearings the presiding officer determines the order of the proceeding. ()

556. STIPULATIONS.

Parties may stipulate among themselves to any fact at issue in a contested case by written statement filed with the agency or by oral statement at hearing. A stipulation binds all parties agreeing to it only according to its terms. The presiding officer may regard a stipulation as evidence or may require additional evidence supporting the facts stipulated. The presiding officer is not required to adopt the facts set forth in a stipulation of the parties, but may do so. If the presiding officer rejects a stipulation, they will do so before issuing a final order, and will provide an additional opportunity for the parties to present evidence and arguments on the subject matter of the rejected stipulation. ()

557. ORDER OF PROCEDURE.

The presiding officer may determine the order of presentation of witnesses and examination of witnesses. ()

558. TESTIMONY UNDER OATH.

All testimony presented in formal hearings will be given under oath. Before testifying each witness must swear or affirm that the testimony the witness will give before the agency is the truth, the whole truth, and nothing but the truth. ()

559. PARTIES AND PERSONS WITH SIMILAR INTERESTS.

If two (2) or more parties or persons have substantially like interests or positions, to expedite the proceeding and avoid duplication, the presiding officer may limit the number of them who testify, examine witnesses, or make and argue motions and objections. ()

560. CONTINUANCE OF HEARING.

The presiding officer may continue proceedings for further hearing. ()

561. ORAL ARGUMENT.

The presiding officer may set and hear oral argument on any matter in the contested case on reasonable notice according to the circumstances. ()

562. BRIEFS -- MEMORANDA -- PROPOSED ORDERS OF THE PARTIES -- STATEMENTS OF POSITION -- PROPOSED ORDER OF THE PRESIDING OFFICER.

In any contested case, any party may ask to file briefs, memoranda, proposed orders of the parties or statements of position, and the presiding officer may request briefs, proposed orders of the parties, or statements of position. The presiding officer may issue a proposed order and ask the parties for comment upon the proposed order. ()

563. -- 599. (RESERVED)

600. RULES OF EVIDENCE -- EVALUATION OF EVIDENCE.

Evidence should be taken by the agency to assist the parties' development of a record, not excluded to frustrate that

development. The presiding officer is not bound by the Idaho Rules of Evidence. No informality in any proceeding or in the manner of taking testimony invalidates any resulting order. The presiding officer, with or without objection, may exclude evidence that is irrelevant, unduly repetitious, inadmissible on constitutional or statutory grounds, or on the basis of any evidentiary privilege provided by statute, rule or recognized in the courts of Idaho. All other evidence may be admitted if it is of a type commonly relied upon by prudent persons in the conduct of their affairs. The agency's experience, technical competence and specialized knowledge may be used in evaluation of evidence. ()

601. DOCUMENTARY EVIDENCE.

Documentary evidence may be received in the form of copies or excerpts. Upon request, parties shall be given an opportunity to compare the copy with the original if available. ()

602. OFFICIAL NOTICE -- AGENCY STAFF MEMORANDA.

The presiding officer may take official notice of any facts that could be judicially noticed in the courts of Idaho, of generally recognized technical or scientific data or facts within the agency's specialized knowledge and records of the agency. The presiding officer may ask agency staff to prepare reports or memoranda to be used in deciding a contested case, and all such reports and memoranda shall be officially noticed by the presiding officer. The presiding officer shall notify the parties of specific facts or material noticed and the source of the material noticed, including any agency staff memoranda and data. This notice should be provided either before or during the hearing, and must be provided before the issuance of any order that is based in whole or in part on facts or material officially noticed. Parties must be given an opportunity to contest and rebut the facts or material officially noticed. When the presiding officer proposes to take official notice of agency staff memoranda or agency staff reports, responsible staff employees or agents shall be made available for cross-examination if any party timely requests their availability. ()

603. OBJECTIONS -- OFFERS OF PROOF.

Grounds for objection to the admission or exclusion of evidence must be stated briefly at the time the evidence is offered. An offer of proof for the record consists of a statement of the substance of the excluded evidence. When a party objects to the admission of evidence, the presiding officer will rule on the objection. ()

604. EXHIBITS.

The presiding officer may assign exhibit numbers to be used by the parties in preparation of proposed exhibits. Exhibits prepared for hearing should ordinarily be typed or printed on eight and one-half inch (8 1/2") by eleven inch (11") white paper, except that maps, charts, photographs and non-documentary exhibits may be introduced on the size or kind of paper customarily used for them. A copy of each documentary exhibit must be furnished to each party present and to the presiding officer, except for unusually bulky or voluminous exhibits that have previously been made available for the parties' inspection. Copies must be of good quality. Exhibits identified at hearing are subject to appropriate and timely objection before the close of proceedings. Exhibits to which no objection is made are automatically admitted into evidence without motion of the sponsoring party. ()

605. -- 609. (RESERVED)

610. CONFIDENTIALITY OF SETTLEMENT NEGOTIATIONS.

Settlement negotiations in a contested case are confidential, unless all participants to the negotiation agree to the contrary in writing. Facts disclosed, offers made and all other aspects of negotiation (except agreements reached) in settlement negotiations in a contested case are not part of the record unless ordered by the presiding officer upon a stipulation by all parties to a contested case. If the parties to a contested case participate in mediation, I.R.E. 507 applies and the mediation privilege is recognized. ()

611. SUGGESTION FOR OR INQUIRY ABOUT SETTLEMENTS.

Through notice or order or on the record at prehearing conference or hearing, the presiding officer may inquire of the parties in any proceeding whether settlement negotiations are in progress or are contemplated or may invite the parties to consider settlement of an entire proceeding or certain issues. ()

612. CONSIDERATION OF SETTLEMENTS.

The presiding officer is not bound by settlement agreements and will independently review any proposed settlement. When a settlement is presented to the presiding officer, the presiding officer will prescribe procedures appropriate to the nature of the settlement to consider the settlement. ()

613. -- 649. (RESERVED)

650. RECORD FOR DECISION.

01. Official Record. The agency shall maintain an official record including the items described in section 67-5249, Idaho Code for each contested case and (unless statute provides otherwise) base its decision in a contested case on the official record for the case. ()

651. RECORDING OF HEARINGS.

The agency shall make an audio or video recording of all hearings at the agency's expense. The agency may provide a transcript of the proceeding at its own expense. Any party may have a transcript prepared at its own expense. If the transcript prepared at the expense of a party is deemed by the presiding officer to be the official transcript of the hearing, the party shall furnish the agency a copy of the transcript without charge. ()

652. -- 699. (RESERVED)

700. NOTICE OF PROPOSED DEFAULT AFTER FAILURE TO APPEAR OR RESPOND.

If a party fails to appear at the time and place set for hearing, prehearing conference, status conference, or informal settlement conference, or fails to respond to a written information inquiry, the agency may serve upon all parties a notice of a proposed default against the absent or non-responsive party. The notice of a proposed default order shall include a statement that the default order is proposed to be issued because of a failure of the subject party to appear at the time and place set for hearing or prehearing conference, or informal settlement conference or to respond to an information inquiry. The notice of proposed default order shall be served consistent with Rule 53. ()

701. SEVEN DAYS TO CHALLENGE PROPOSED DEFAULT ORDER.

Within seven (7) days after the service of the notice of proposed default order, the party against whom it was filed may file a written petition requesting that a default order not be entered. The petition must state the grounds why the petitioning party believes that default should not be entered. ()

702. ISSUANCE OF DEFAULT ORDER.

The agency shall promptly issue a default order or withdraw the notice of proposed default order after expiration of the seven (7) day time period to file a petition challenging the proposed default order. If a default order is issued, all further proceedings necessary to complete the contested case shall be conducted without participation of the party in default. All issues in the contested case shall be determined, including those affecting the defaulting party. ()

703. -- 709. (RESERVED)

710. INTERLOCUTORY ORDERS.

Interlocutory orders or intermediate orders are orders that do not decide all previously undecided issues presented in a proceeding, except the presiding officer may by order decide some of the issues presented in a proceeding and provide that the decision on those issues is final and subject to review by reconsideration or exceptions filed with the agency head, or judicial review in district court, but is not final on other issues. Unless an order contains or is accompanied by a document containing one (1) of the paragraphs set forth in Rules 720, 730 or 740 or a paragraph substantially similar, the order is interlocutory. The following orders are always interlocutory: orders joining, consolidating or separating issues, proceedings or parties; orders granting or denying intervention; orders scheduling prehearing conferences, discovery, hearing, oral arguments or deadlines for written submissions; and orders authorizing, compelling or refusing to compel discovery. Interlocutory orders may be reviewed by the presiding officer issuing the order pursuant to Rules 711, 760, and 770. ()

711. REVIEW OF INTERLOCUTORY ORDERS.

Any party or person affected by an interlocutory order may petition the presiding officer to review the interlocutory order. The presiding officer may rescind, alter or amend any interlocutory order on the presiding officer's own motion, but will not on the presiding officer's own motion review any interlocutory order affecting any party's substantive rights without giving all parties notice and an opportunity for written comment. ()

712. CONTENTS OF ORDERS.

The contents of an order shall comply with Section 67-5248, Idaho Code. ()

713. -- 719. (RESERVED)

720. RECOMMENDED ORDERS.

01. Definition. Recommended orders are orders issued by a person other than the agency head that will become a final order of the agency only after review of the agency head (or the agency head's designee) pursuant to Section 67-5244, Idaho Code. ()

02. Contents. Every recommended order must contain or be accompanied by a document containing the following paragraphs or substantially similar paragraphs: ()

a. This is a recommended order of the hearing officer. It will not become final without action of the agency head. ()

b. Any party may file a petition for reconsideration of this recommended order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer issuing this recommended order will dispose of any petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3), Idaho Code. ()

c. Any party may in writing support or file exceptions to any part of this recommended order and file briefs in support of the party's position with the agency head or designee on any issue in the proceeding within fourteen (14) days after (a) the service date of this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order. ()

d. If no party files exceptions to the recommended order with the agency head or designee, the agency head or designee will issue a final order within fifty-six (56) days after: ()

i. The last day a timely petition for reconsideration could have been filed with the hearing officer; ()

ii. The service date of a denial of a petition for reconsideration by the hearing officer; or ()

iii. The failure within twenty-one (21) days to grant or deny a petition for reconsideration by the hearing officer. ()

e. Written briefs in support of or taking exceptions to the recommended order shall be filed with the agency head (or designee of the agency head). Opposing parties shall have fourteen (14) days to respond. The agency head or designee may schedule oral argument in the matter before issuing a final order. The agency head or designee will issue a final order within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless waived by the parties or for good cause shown. The agency head or designee may hold additional hearings or may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. ()

721. -- 729. (RESERVED)

730. PRELIMINARY ORDERS.

01. Definition. Preliminary orders are orders issued by a person other than the agency head that will become a final order of the agency unless reviewed by the agency head or designee pursuant to Section 67-5245, Idaho Code. ()

02. Contents. Every preliminary order must contain or be accompanied by a document containing the following paragraphs or substantially similar paragraphs: ()

a. This is a preliminary order of the agency. It can and will become final without further action of the

agency unless a party petitions for reconsideration, files exceptions with the agency head, or requests a hearing pursuant to Section 42-1701A(3), Idaho Code. Filing exceptions to the agency head is not required in order to exhaust administrative remedies. ()

b. A party may file a petition for reconsideration of this preliminary order with the agency within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3), Idaho Code. ()

c. Any party may in writing file exceptions to any part of the preliminary order and file briefs in support of the party's position on any issue in the proceeding to the agency head (or designee of the agency head) within fourteen (14) days after: ()

i. The service date of this preliminary order; ()

ii. The service date of the denial of a petition for reconsideration from this preliminary order; or ()

iii. The failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order. ()

d. If any party files exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's exceptions. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the agency head or designee. The agency head or designee may review the preliminary order on its own motion. ()

e. The agency head or designee may schedule oral argument in the matter before issuing a final order. The agency head or designee will issue a final order within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless extended for good cause. The agency head or designee may hold additional hearings or may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. ()

f. Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Director or the Board is otherwise provided by statute, any person aggrieved by any action of the Director, including any decision, determination, order or other action, including action upon any application for a permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Director, who is aggrieved by the action of the Director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. A preliminary order shall not become final if a request for hearing under Section 42-1701A(3), Idaho Code is filed with the Department within the time prescribed for filing a petition for reconsideration. ()

g. Pursuant to Sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, all administrative remedies shall be deemed exhausted, and any party aggrieved by the final order or orders previously issued in this case may file a petition for judicial review of the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: ()

i. A hearing was held; ()

ii. The final agency action was taken; ()

iii. The party seeking review of the order resides; or ()

iv. The real property or personal property that was the subject of the agency action is located. ()

h. A petition for judicial review must be filed within twenty-eight (28) days of this preliminary order

becoming final. See Section 67-5273, Idaho Code. The filing of a petition for judicial review does not stay the effectiveness or enforcement of the order under review. ()

731. -- 739. (RESERVED)

740. FINAL ORDERS.

01. Definition. Final orders are preliminary orders that have become final pursuant to Section 67-5245, Idaho Code, or orders issued by the agency head pursuant to Section 67-5246, Idaho Code, or emergency orders, including cease and desist or show cause orders, issued by the agency head pursuant to Section 67-5247, Idaho Code. ()

02. Content. Every final order issued by the agency head must contain or be accompanied by a document containing the following, or substantially similar, paragraphs: ()

a. This is a final order of the agency. ()

b. Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5246(4), Idaho Code. ()

c. Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Director or the Board is otherwise provided by statute, any person aggrieved by any action of the Director, including any decision, determination, order or other action, including action upon any application for a permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Director, who is aggrieved by the action of the Director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. This order shall not be subject to judicial review in district court if a request for hearing under Section 42-1701A(3), Idaho Code is filed with the Department within the time prescribed for filing a petition for reconsideration. ()

d. Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by this final order or orders previously issued in this case shall be deemed to have exhausted all administrative remedies and may file a petition for judicial review of this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: ()

i. A hearing was held; ()

ii. The final agency action was taken; ()

iii. The party seeking review of the order resides; or ()

iv. The real property or personal property that was the subject of the agency action is located. ()

e. A petition for judicial review must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Section 67-5273, Idaho Code, and Rule 84 of the Idaho Rules of Civil Procedure. The filing of a petition for judicial review does not stay the effectiveness or enforcement of the order under review. ()

741. -- 749. (RESERVED)

750. ORDER NOT DESIGNATED.

If an order does not designate itself as recommended, preliminary or final at its release, but is designated as recommended, preliminary or final after its release, its effective date for purposes of reconsideration or appeal is the date of the order of designation. If a party believes that an order not designated as a recommended order, preliminary

order or final order according to the terms of these rules should be designated as a recommended order, preliminary order or final order, the party may move to designate the order as recommended, preliminary, or final, as appropriate. ()

751. -- 759. (RESERVED)

760. MODIFICATION OF ORDER ON PRESIDING OFFICER'S OWN MOTION.

A hearing officer issuing a recommended or preliminary order may modify the recommended or preliminary order on the hearing officer's own motion within fourteen (14) days after issuance of the recommended or preliminary order by withdrawing the recommended or preliminary order or by issuing a substitute recommended or preliminary order. The agency head may modify or amend a final order of the agency (be it a preliminary order that became final because no party challenged it or a final order issued by the agency head itself) at any time before notice of appeal to District Court has been filed or the expiration of the time for appeal to District Court, whichever is earlier, by withdrawing the earlier final order or by substituting a new final order for it. ()

761. -- 769. (RESERVED)

770. CLARIFICATION OF ORDERS.

Any party may petition to clarify any order, whether interlocutory, recommended, preliminary or final. Petitions for clarification from final orders do not suspend or toll the time to petition for reconsideration or appeal the order. A petition for clarification may be combined with a petition for reconsideration or stated in the alternative as a petition for clarification and/or reconsideration. ()

771. -- 779. (RESERVED)

780. STAY OF ORDERS.

Any party may petition the agency to stay any order, whether interlocutory or final. Interlocutory or final orders may be stayed by the judiciary according to statute. The agency may stay any interlocutory or final order on its own motion. ()

781. -- 789. (RESERVED)

790. PERSONS WHO MAY FILE A PETITION FOR JUDICIAL REVIEW.

Pursuant to Section 67-5270, Idaho Code, any party aggrieved by a final order of an agency in a contested case may file a petition for judicial review with the district court. Pursuant to Section 67-5271, Idaho Code, a party is not entitled to judicial review of an agency action in district court until that person has exhausted all administrative remedies available with the agency, but a preliminary, procedural, or intermediate agency action or ruling is immediately reviewable in district court if review of the final agency action would not provide an adequate remedy. ()

791. -- 799. (RESERVED)

IDAPA 38 – IDAHO DEPARTMENT OF ADMINISTRATION

DOCKET NO. 38-0000-2100

NOTICE OF OMNIBUS RULEMAKING – AMENDMENT TO TEMPORARY RULE

EFFECTIVE DATE: A temporary rule was adopted under this docket number in the July 21, 2021, Idaho Administrative Bulletin, [Vol. 21-7SE, pages 5040 through 5087](#). The effective date of the amendments to the temporary rule is September 3, 2021.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has amended a temporary rule. The action is authorized pursuant to Section 67-1604, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for amending the temporary rule and a statement of any change between the text of the temporary rule and text of the amended temporary rule with an explanation for any changes:

Amendments are being made to the following temporary rule chapter:

IDAPA 38.04.08, *Rules Governing Use of Idaho State Capitol*.

There is currently a rule that designates use of the exterior of the Capitol Building (Chapter 38.04.08); there is no official rule that addresses use of the interior of the Capitol Building specifically.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(a), (b), and (c), Idaho Code, the Governor has found that temporary adoption of the rules is appropriate for the following reasons:

These temporary rules are necessary to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens. These temporary rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws. The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

Events at the Capitol have made it apparent that formal rules are necessary for the Department of Administration and the Idaho State Police to provide for the safety of building tenants and the visiting public. These rules are equivalent to rules that were originally effective January 7, 2021.

FEE SUMMARY: This rulemaking does not impose a fee or charge.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rules, contact Keith Reynolds, Director, Department of Administration, 208-332-1812.

Dated this 3rd day of September, 2021.

Keith Reynolds, Director
Department of Administration
650 West state Street, Room 100
P.O. Box 83720
Boise, ID 83720-0004
Phone: (208) 332-1812
Fax: (208) 334-2307

THE FOLLOWING IS THE AMENDED TEXT FOR TEMPORARY RULE CHAPTER 38.04.08
(This chapter is being published in its entirety.)

38.04.08 – RULES GOVERNING USE OF IDAHO STATE CAPITOL **EXTERIOR**

000. LEGAL AUTHORITY.

Section 67-1604, Idaho Code, gives the Director of the Department of Administration authority to promulgate rules governing access to and use by the public of the capitol building and its grounds after consultation with the governor, the presiding officers of the senate and house of representatives, and the Capitol Commission. Section 67-5709, Idaho Code, gives the Director authority to promulgate rules governing certain public facilities, subject to the provisions of Section 67-1602, Idaho Code, which determines the control and allocation of space in the Idaho State Capitol, and after making the consultations required in Section 67-1604, Idaho Code. (7-1-21)F(9-3-21)T

001. SCOPE.

These rules contain the provisions for use of the exterior of the Idaho State Capitol. (7-1-21)F(9-3-21)T

01. Application to Space Controlled by the Idaho Legislature. The Idaho legislature is exempt from the application of the Idaho Administrative Procedure Act, pursuant to Section 67-5201(2), Idaho Code. Space within the Idaho State Capitol controlled by the Idaho legislature is governed by Section 67-1602(3), Idaho Code, and rules enacted under the procedures of the Idaho legislature. (9-3-21)T

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Camping. Any activity prohibited under Section 67-1613, Idaho Code. (7-1-21)T

02. Capitol Commission. The Idaho State Capitol Commission established in Section 67-1606, Idaho Code. (9-3-21)T

03. Commemorative Installation. Any statue, monument, sculpture, memorial or landscape feature designed to recognize a person, group, event or element of history. (7-1-21)T

04. Department. The Department of Administration. (7-1-21)T

05. Director. The Director of the Department of Administration or his designee. (7-1-21)T

06. Display. An attended exhibition or installation of physical items during an Event. (9-3-21)T

07. Event. Any activity including, but not limited to, arts or cultural presentations, weddings, dinners, award ceremonies, memorials, and seminars. (9-3-21)T

08. Exhibit. Exhibitions or installations of physical items outside of an Event including, but not limited to, commemorative installations, floral displays, art objects, historical artifacts, and cultural objects. (9-3-21)T

09. State Capitol Exterior. The exterior of the Idaho State Capitol, the real property, the grounds, and the improvements on the exterior of the Idaho State Capitol or on its grounds, all of which is located at capitol square as identified on the Boise City original townsite plat filed in the Ada County Recorder's office in book 1 on page 1. The State Capitol Exterior is bounded by the following streets: State Street, Sixth Street, Jefferson Street, and Eighth Street. (7-1-21)F(9-3-21)T

10. Idaho State Capitol. The building and grounds governed by chapter 16, title 67, Idaho Code, and located at capitol square as identified on the Boise City original townsite plat filed in the Ada County Recorder's office in book 1 on page 1. The Idaho State Capitol is bounded by the following streets: State Street, Sixth Street, Jefferson Street, and Eighth Street. (9-3-21)T

11. Interior. The interior spaces within the Idaho State Capitol. (9-3-21)T

~~12.~~ **Jefferson Steps.** The building entrance at the second floor of the Idaho State Capitol, the steps extending from the entrance, and the hard surface extending between the steps and the public sidewalk along Jefferson Street. (~~7-1-21~~)T(9-3-21)T

13. Law Enforcement. An officer of the Idaho state police, Ada County sheriff's office, or Boise City police granted authority to enforce the laws of the state of Idaho and ordinances for the Idaho State Capitol pursuant to Section 67-1605, Idaho Code, or any peace officer as defined in Section 19-5101, Idaho Code, or an equivalent law enforcement officer in the service of the United States who is authorized by law or the Idaho State Police to exercise jurisdiction at the Idaho State Capitol. (9-3-21)T

14. Legislative Galleries. The areas of the Interior overlooking the Senate and the House and accessed from the fourth floor of the Interior. (9-3-21)T

15. Legislative Hearing Rooms. A room in the Interior holding a meeting of a committee of the Idaho legislature. (9-3-21)T

~~16.~~ **Permit.** A written authorization issued by the Director allowing use of the Idaho State Capitol Exterior as set forth in the Permit. A Permit serves as a reservation to use a portion of the Idaho State Capitol Exterior with the priority for use set forth in Subsection 200.04 of these rules. (~~7-1-21~~)T(9-3-21)T

17. Presiding Officer. The Presiding Officer of the Senate is the President Pro Tempore. The Presiding Officer of the House is the Speaker. The Presiding Officer of a standing, joint, or special legislative committee is the legislator chairing the committee hearing. (9-3-21)T

~~18.~~ **Private Event or Private Exhibit.** Any activity sponsored or initiated by a member of the public that is open only to invited or qualifying individuals or groups. Private Events and Private Exhibits include, but are not limited to, weddings, dinners, award ceremonies, memorials, and seminars. (7-1-21)T

19. Private Space. The portion of the Interior that is not Public Space. (9-3-21)T

20. Public Space. The portion of the Interior that is maintained by the Department pursuant to Section 67-1602(1), Idaho Code, and is not designated as closed to the public by being marked "private," "no admission," "staff only," or similarly designated as not open to the public. (9-3-21)T

~~21.~~ **Public Use.** Use that is not: (7-1-21)T

a. A State Event or Exhibit; (7-1-21)T

b. Use by a public officer, official, employee, contractor, agency, or board or commission for state of Idaho business; or (7-1-21)T

c. State Maintenance and Improvements. (7-1-21)T

~~22.~~ **Security Personnel.** A state of Idaho employee or a staff member of a state of Idaho contractor whose job duties include monitoring compliance with and enforcing these rules. (7-1-21)T

~~23.~~ **State Business Day.** Monday through Friday, excluding the holidays set forth in Section 73-108, Idaho Code. (7-1-21)T

~~24.~~ **State Events and Exhibits.** All functions initiated and controlled by any state of Idaho agency,

board, commission, officer or elected official acting on behalf of the state of Idaho. (7-1-21)T

~~1325.~~ **State Maintenance and Improvements.** Maintenance or improvement of the Idaho State Capitol ~~Exterior~~ by the state of Idaho or its contractors. Maintenance for the purpose of this definition includes, but is not limited to, grounds maintenance such as mowing, watering, landscaping, aerating, resodding, fertilizing and planting; and structural maintenance such as pressure washing, painting, window cleaning, and re-glazing. Improvement for the purpose of this definition includes, but is not limited to, the following: construction of new buildings or portions of buildings; renovations to existing buildings; the installation of permanent structures and equipment such as benches, sprinklers, flagpoles, monuments and memorials; and, the installation of temporary equipment and structures such as construction fencing, generators and portable buildings. ~~(7-1-21)T~~(9-3-21)T

011. -- 199. (RESERVED)

200. USE OF IDAHO STATE CAPITOL ~~EXTERIOR~~.

01. Authorized Uses by the Public. (9-3-21)T

~~a.~~ Except as provided otherwise in these rules, the ~~State Capitol~~ Exterior ~~and the Public Space~~ is available for Public Use. ~~(7-1-21)T~~(9-3-21)T

~~b.~~ Public access to Private Space occupied by a state of Idaho officer, official, agency, board or commission, including an elected official other than a legislator, is limited to the conduct of business with the occupant of the space. (9-3-21)T

~~c.~~ Unless otherwise directed by the Presiding Officer, public access to space controlled by the Idaho legislature is limited to the Legislative Galleries, Legislative Hearing Rooms, and the conduct of legislative business with a legislator. (9-3-21)T

~~d.~~ Temporary and permanent placement of Exhibits in the Public Space shall be reviewed by the Capitol Commission in accordance with Section 67-1608(3), Idaho Code. Placement of Exhibits does not include Displays during a Public Use permitted by these rules. (9-3-21)T

02. Prohibited Uses. The following uses are prohibited ~~in~~ at the Idaho State Capitol ~~Exterior~~: ~~(7-1-21)T~~(9-3-21)T

~~a.~~ Commercial Activity. The ~~State Capitol~~ Exterior ~~and the Public Space~~ shall not be used for any activity conducted for profit and no persons ~~shall may~~ solicit to sell any merchandise or service on the ~~State Capitol~~ Exterior ~~or in the Public Space. Events promoting an industry, product or service in the Public Space under a Permit are not prohibited by this rule if the Event is limited to Displays, distribution of information, including literature, or both and participants are not soliciting orders or contracts for a product or service.~~ ~~(7-1-21)T~~(9-3-21)T

~~b.~~ Camping. (7-1-21)T

~~c.~~ Private Events and Private Exhibits. (7-1-21)T

03. Priority of Uses. State Maintenance and Improvements ~~shall have~~s priority over all other use of the Idaho State Capitol ~~Exterior~~. ~~The conduct of business by the public entity or official occupying or controlling Private Space shall have priority over Public Use of the Idaho State Capitol.~~ Public Use held under a Permit ~~shall have~~s priority over other Public Use. ~~(7-1-21)T~~(9-3-21)T

04. Use of Space Controlled by the Idaho Legislature. Use of space controlled by the Idaho legislature, including Public Use, is governed by chapter 16, title 67, Idaho Code, and the rules adopted by the Idaho legislature as described in Subsection 001.03 of these rules. (9-3-21)T

201. (RESERVED)

202. EQUIPMENT AND SUPPLIES.

Except as provided in these rules, the Department will not provide equipment or supplies for use on the Idaho State

Capitol ~~Exterior~~. Where requested in a Permit application for use of the Jefferson Street Steps or the Public Space, the Department ~~may shall~~ provide a podium and a public address system, unless such equipment is being repaired or replaced. ~~(7-1-21)F(9-3-21)T~~

203. ESTABLISHMENT OF PERIMETERS.

Security ~~p~~Personnel and ~~L~~Law ~~e~~Enforcement may establish perimeters separating participants in Public Use of the Idaho State Capitol ~~Exterior~~ or State Events or Exhibits. Participants in and observers of any Public Use or State Events or Exhibits shall observe perimeters set pursuant to this section. ~~(7-1-21)F(9-3-21)T~~

204. AREA CLOSURES.

The Director may direct that any portion of the Idaho State Capitol ~~Exterior~~ be closed for Public Use upon a finding that the closed portion of the Idaho State Capitol ~~Exterior~~ has sustained damage or is in imminent danger of sustaining damage. The closure directive shall identify the portion of the Idaho State Capitol ~~Exterior~~ closed, the damage that has occurred or that will occur without closure, and the estimated period of closure to restore or prevent the damage. A notice of closure and information on how to obtain a copy of the closure directive shall be posted at the closed portion of the Idaho State Capitol ~~Exterior~~. Circumstances presenting an imminent danger of damage to the ~~State Capitol~~ Exterior include, but are not limited to, the saturation of soil, turf, or landscaped areas with water, excessive foot traffic over landscaped areas, preventing turf or plants from obtaining adequate sunlight, and the buildup of ice or snow on landscaped areas. ~~(7-1-21)F(9-3-21)T~~

205. -- 299. (RESERVED)

300. RESTRICTIONS AND LIMITATIONS ON USE.

The restrictions and limitations on use of the Idaho State Capitol ~~Exterior~~ set forth in Sections 301 through 399 of these rules shall apply to all Public Use of the Idaho State Capitol ~~Exterior~~. ~~(7-1-21)F(9-3-21)T~~

301. USES INTERFERING WITH ACCESS OR USE OF FACILITY.

01. Interference With Primary Use of Idaho State Capitol ~~Exterior~~. Events, ~~e~~Exhibits, and Public Use of the Idaho State Capitol ~~Exterior~~ shall not interfere with the primary use of the Idaho State Capitol ~~or the adjacent real property and improvements~~. The primary uses of the Idaho State Capitol ~~includes, but is not limited to, are legislative proceedings, public meetings and hearings, court proceedings, and~~ the conduct of public business by agencies or officials of the state of Idaho that normally occupy and use the Idaho State Capitol ~~or the State Capitol Exterior~~. ~~(7-1-21)F(9-3-21)T~~

02. Interference With Access. Public Use of the Idaho State Capitol ~~Exterior~~ shall not block fire hydrants, fire or emergency vehicle lanes, vehicular drives, pedestrian walkways, doorways, steps or similar access routes through, in or out of the Idaho State Capitol ~~Exterior~~. ~~(7-1-21)F(9-3-21)T~~

302. LOCATIONS AND HOURS.

01. Interior Hours. The hours for Public Use and public access to the Interior shall include the periods in which public meetings and other activities open to the public are held within the Interior. The hours for Public Use will be posted, where feasible, to the website containing official Idaho State Capitol information. Participants in Public Use of the Interior shall exit the Interior at the conclusion of the hours for Public Use. Public hours shall not be reduced during Public Use authorized under these rules unless an emergency or threat exists under Section 315 of these rules. ~~(9-3-21)T~~

02. Exterior Use Locations. In addition to limitations on the interference with access set forth in Section 301 of these rules and compliance with all fire, health, and safety codes, Public Use on the ~~State Capitol~~ Exterior shall be: ~~(7-1-21)F(9-3-21)T~~

a. On the Jefferson Street Steps or on hard surfaces, including concrete and granite, on the ~~State Capitol~~ Exterior; and ~~(7-1-21)F(9-3-21)T~~

b. At least fifteen (15) feet from the exterior walls and windows of the Idaho State Capitol. ~~(7-1-21)T~~

303. MAINTENANCE AND IMPROVEMENTS.

Public Use shall not interfere with State Maintenance and Improvements. The regular maintenance and improvement schedule may be modified due to weather, staffing, emergency repairs, equipment failures, funding changes, contract modifications, State Events and Exhibits or other causes ~~arising after the schedule's publication.~~ (7-1-21)F(9-3-21)T

304. MOTORIZED VEHICLES.

Motorized vehicles not owned or operated by the state of Idaho or ~~L~~aw ~~e~~Enforcement must remain on designated roadways and parking areas. Parking of motorized vehicles is governed by IDAPA 38.04.04, "Capitol Mall Parking Rules." Wheelchairs, motorized scooters, and other equipment providing individual mobility to ~~the disabled individuals with a disability~~ are not motorized vehicles for the purposes of this section. (7-1-21)F(9-3-21)T

305. BICYCLES, SKATES, SKATEBOARDS, SCOOTERS, AND OTHER NON-MOTORIZED TRANSPORTATION.

Bicycles, skates, skateboards, and scooters may not be used ~~on~~ at the Idaho State Capitol ~~Exterior~~. Users of all other non-motorized transportation must remain on designated pathways during use of the Exterior. Where indicated by a posted notice or where requested by Security Personnel, ~~L~~aw ~~e~~Enforcement or a state employee or agent supervising the Idaho State Capitol ~~Exterior~~, users must store non-motorized transportation in a designated storage area on the State Capitol Exterior. Wheelchairs and other equipment providing individual mobility to ~~the disabled individuals with a disability~~ are not non-motorized transportation for the purposes of this section. (7-1-21)F(9-3-21)T

306. ANIMALS.

The following apply to animals on the Idaho State Capitol ~~Exterior~~: (7-1-21)F(9-3-21)T

01. Wildlife. Unless authorized by the Director no person may: (7-1-21)T

a. Interfere with, hunt, molest, harm, frighten, kill, trap, chase, tease, annoy, shoot or throw any object at a wild animal on the ~~State Capitol~~ Exterior. (7-1-21)F(9-3-21)T

b. Feed, give or offer food or any noxious substance to a wild animal on the ~~State Capitol~~ Exterior. (7-1-21)F(9-3-21)T

02. Domestic Animals. (3-27-13)

a. Domestic animals are not allowed on the ~~State Capitol~~ Exterior unless leashed and under the control of the person bringing the animal to the ~~State Capitol~~ Exterior. (7-1-21)F(9-3-21)T

b. Domestic animals are not allowed in the Interior unless the animal is a service animal necessary to assist individuals with disabilities or an animal in the service of Law Enforcement. Animals allowed under this rule must be leashed and under the control of the person bringing the animal to the Interior. (9-3-21)T

b.c. The person bringing the domestic animal to the Idaho State Capitol ~~Exterior~~ shall have in his possession the equipment necessary to remove the animal's fecal matter and immediately remove all fecal matter deposited by the animal. (7-1-21)F(9-3-21)T

307. LANDSCAPING AND IMPROVEMENTS.

No person other than state employees or contractors designated by the Director ~~shall~~ may: (7-1-21)F(9-3-21)T

01. Plants. Damage, cut, carve, transplant or remove any plant including, but not limited to, trees, on the ~~State Capitol~~ Exterior. (7-1-21)F(9-3-21)T

02. Grass. Dig in or otherwise damage grass areas on the ~~State Capitol~~ Exterior. (7-1-21)F(9-3-21)T

03. Irrigation Equipment. Interfere with, damage or remove irrigation equipment on the ~~State Capitol~~ Exterior. (7-1-21)F(9-3-21)T

04. Landscaping Materials. Move or alter landscaping materials on the ~~State Capitol~~ Exterior including, but not limited to, rock, edging materials, and bark or mulch. (7-1-21)F(9-3-21)T

05. **Climbing.** Climb or scale buildings, Commemorative Installations, trees, fences, posts or other improvements ~~on~~ at the Idaho State Capitol ~~Exterior~~. (7-1-21)F(9-3-21)T

308. FOOD AND BEVERAGES.

Consumption of food and beverages ~~on~~ at the Idaho State Capitol ~~Exterior~~ is subject to the following:

(7-1-21)F(9-3-21)T

01. **Consumption May Be Prohibited.** The consumption of food and beverages, including water, may be prohibited by a notice posted at the entrance to all or a portion of the ~~State Capitol~~ Exterior. Each authority granted control of a portion of the Interior as described in Section 67-1602, Idaho Code, may prohibit the consumption of food and beverages, including water, in that portion of the Interior by posting a notice at one (1) or more of the entrances to the portion of the Interior under its control. (7-1-21)F(9-3-21)T

02. **Alcohol.** Alcohol may not be consumed or distributed on the ~~State Capitol~~ Exterior or the Public Space. (7-1-21)F(9-3-21)T

309. SMOKING AND VAPING.

All persons shall observe the smoke free entrance notices and shall smoke or vape only in designated areas of the ~~State Capitol~~ Exterior. Smoking and vaping is not allowed in the Interior. (7-1-21)F(9-3-21)T

310. FIRES, CANDLES, AND FLAMES.

No fires, candles or other sources of open flame are permitted ~~on~~ at the Idaho State Capitol ~~Exterior~~.

(7-1-21)F(9-3-21)T

311. POSTERS, PLACARDS, BANNERS, SIGNS, EQUIPMENT, TABLES, MATERIALS, AND DISPLAYS.

01. **Electrical Cords.** Electrical cords must be protected by cord covers or gaffers tape to prevent an electrical or trip hazard. (7-1-21)T

02. **Railings.** No items may be placed on railings and no persons ~~shall~~ may sit or stand on railings.

(7-1-21)F(9-3-21)T

03. **Tossing or Dropping Items.** No items may be tossed or dropped over railings or from one (1) level of the Idaho State Capitol or improvements on the grounds of at the Idaho State Capitol ~~Exterior~~ to another level or to the ground. (7-1-21)F(9-3-21)T

04. **Ingress or Egress.** No item, including tables, chairs, exhibits, equipment, materials, and displays shall be located so as to block ingress or egress to any portion of the Idaho State Capitol ~~Exterior~~, or to restrict the ~~follow~~ flow of individuals using the facility, or to restrict emergency egress or ingress. (7-1-21)F(9-3-21)T

05. **Attaching, Affixing, Leaning or Propping Materials.** Posters, placards, banners, signs, and ~~d~~Displays, including any printed materials, shall not be affixed on any ~~exterior~~ surface of the Idaho State Capitol ~~Exterior~~ or on any permanent Exhibit or Commemorative Installation, post, railing, fence or landscaping, including trees. All posters, placards, banners, signs, and ~~d~~Displays must be free-standing or supported by individuals. No items may be leaned or propped against any ~~exterior~~ surface of the Idaho State Capitol ~~Exterior~~ or embedded into the ground including, but not limited to, placement of a stake, post or rod into the ground to support materials. (7-1-21)F(9-3-21)T

06. **Materials Causing Damage to Surfaces.** Stages, risers, chairs, tables, sound equipment, props, materials, displays, and similar items shall be constructed and used in a manner that will not damage, scratch, dent, dig or tear any surface on the Idaho State Capitol ~~Exterior~~ or any systems or utilities of the Idaho State Capitol ~~Exterior~~ including, but not limited to, fire suppression systems, storm drains, ventilation systems, and landscape watering systems. (7-1-21)F(9-3-21)T

07. **Free Distribution of Literature and Printed Material.** All literature and printed material must be

distributed at no charge. The party distributing literature and printed material shall ensure periodically and at the conclusion of its use of the Idaho State Capitol Exterior that such material is not discarded outside of designated trash receptacles. ~~(7-1-21)F~~(9-3-21)T

08. Surface Markings. Users shall not use any material to mark on any surface of the Idaho State Capitol Exterior including chalk, paint, pens, ink, or dye. ~~(7-1-21)F~~(9-3-21)T

09. Capacity. The number of users in the Interior is limited to the capacity designated by health and safety officials including, but not limited to, the state fire marshal, the division of building safety, and the department of health and welfare. (9-3-21)T

10. Moving Furniture and Items. The public shall not move furnishings owned by the state of Idaho or placed by agents or employees of the state of Idaho at the Idaho State Capitol, including chairs, benches, tables, signs, art, memorials, statues, or Exhibits. (9-3-21)T

11. Sound Amplification. Except for amplification provided by the Department under a Permit and use by Law Enforcement or Security Personnel or by state employees and officials under Subsection 315.01 of these rules, sound amplification devices shall not be used in the Interior. (9-3-21)T

312. ITEMS SUBJECT TO SEARCH.

To enhance security and public safety, Security Personnel and ~~L~~aw ~~e~~Enforcement may inspect: ~~(7-1-21)F~~(9-3-21)T

01. Packages and Bags. Packages, backpacks, purses, bags, and briefcases reasonably suspected of concealing stolen items or items prohibited by law, including these rules. ~~(7-1-21)F~~(9-3-21)T

02. Items. Items brought ~~on~~to the Idaho State Capitol Exterior, if there is a reasonable suspicion that an item may be capable of injuring, damaging or harming persons or property ~~on~~ at the Idaho State Capitol Exterior of disrupting the primary uses of the Idaho State Capitol in violation of law, including these rules. ~~(7-1-21)F~~(9-3-21)T

313. PROHIBITED ITEMS.

The following, as defined in ~~T~~itle 18, ~~C~~hapter 33, Idaho Code, are not permitted at the Idaho State Capitol Exterior: bombs, destructive devices, shrapnel, weapons of mass destruction, biological weapons, and chemical weapons. Security Personnel or ~~L~~aw ~~e~~Enforcement may direct that any person at the Idaho State Capitol Exterior immediately remove from the Idaho State Capitol Exterior any club, bat, or other item that can be used in violation of law, including these rules, to injure, damage, or harm persons or property or to disrupt the primary uses of the Interior. ~~(7-1-21)F~~(9-3-21)T

314. UTILITY SERVICE.

The public may not use the utility services of the Idaho State Capitol Exterior other than restrooms and drinking fountains; provided, however, the Director may authorize limited use of electrical service for the duration of Public Use authorized by these rules. Utility services include, but are not limited to, electrical, sewage, water, heating, and geothermal services. The Director may terminate the use of utilities if such use interferes with the utility services of the Idaho State Capitol Exterior or the equipment or apparatus using utility service fails to comply with applicable rules or codes. ~~(7-1-21)F~~(9-3-21)T

315. LAW ENFORCEMENT AND FACILITY EXIGENCY – REMOVAL FOR NON-COMPLIANCE.

01. Emergency or Threat. In case of a fire, bomb threat, utility malfunction, structural failure or other unforeseen emergency or threat endangering public safety or health, or endangering public property, ~~L~~aw ~~e~~Enforcement, ~~s~~Security ~~p~~Personnel and state employees or officials may direct all persons off of or out of the Idaho State Capitol Exterior and delay or postpone any activity until the emergency or threat is abated. ~~(7-1-21)F~~(9-3-21)T

02. Removal. The Director, the Presiding Officer, or their designees are authorized to request that Law Enforcement remove or exclude any person from the Interior who engages in any of the following: (9-3-21)T

a. Violation of law, including these rules, where such violation: (9-3-21)T

i. Interferes with the primary uses of the Idaho State Capitol, injures persons or property, or is likely to injure persons or property, or. (9-3-21)T

ii. Law Enforcement, Security Personnel, the Presiding Officer, or the Director or his designee has requested compliance with the applicable law, including provisions of these rules, and the person has refused to comply. (9-3-21)T

b. Engaging in a riot, unlawful gathering or a gathering designed to impede the business of the state of Idaho in violation of Sections 18-6401 or 18-6404, Idaho Code. (9-3-21)T

316. COMPLIANCE WITH LAW.

All use of the Idaho State Capitol ~~Exterior~~ shall comply with applicable law including, but not limited to, fire, health, and safety codes. (7-1-21)T(9-3-21)T

317. HEALTH, SAFETY AND MAINTENANCE OF STATE FACILITIES.

01. Clean Condition After Use. Users shall leave the Idaho State Capitol ~~Exterior~~ in reasonably clean condition after use, including depositing all trash in designated receptacles. (7-1-21)T(9-3-21)T

02. Return of Items Return to Proper Location. Users shall return all items including, but not limited to, movable furniture and trash receptacles, to their location at the conclusion of ~~the event or exhibit~~ use. (7-1-21)T(9-3-21)T

03. Public Health. No person ~~shall~~ may excrete human waste at the Idaho State Capitol ~~Exterior~~ except in designated restroom facilities. For purposes of this section, excrete means the discharge of human waste from the body, including the acts of defecation and urination. For purposes of this section, human waste means human feces or human urine. (7-1-21)T(9-3-21)T

04. Fireworks. No person ~~shall~~ may possess or use fireworks ~~on~~ at the Idaho State Capitol ~~Exterior~~. (7-1-21)T(9-3-21)T

05. Attire. Persons in the Interior shall be fully clothed. Fully clothed means wearing shoes and one (1) or more garments extending from the wearer's shoulders to the wearer's legs. (9-3-21)T

318. -- 399. (RESERVED)

400. PERMITS.

01. Use Without a Permit. A Permit grants a reservation providing priority for use of the area specified in the Permit as set forth in Subsection 200.04 of these rules. Applicants desiring to obtain a Permit for use of the ~~State Capitol~~ ~~Exterior~~ or the Public Space outside of the Permit areas, hours or duration or who have not submitted an application within the application period may use the ~~State Capitol~~ ~~Exterior~~ or the Public Space, subject to the provisions of these rules, on a first-come, first used basis. Permits will be issued to groups of two (2) or more people. (7-1-21)T(9-3-21)T

02. Permit Areas, Hours and Duration, and Number of Participants. (7-1-21)T

a. The Director will consider and grant Permits only for: (9-3-21)T

i. Public Use of the Jefferson Street Steps; and (9-3-21)T

ii. Public Use of the Public Space on the second floor rotunda. (7-1-21)T(9-3-21)T

b. The Director will issue Permits for the following periods: (9-3-21)T

i. ~~Reserving~~ Reserving use of the Jefferson Street Steps only for the period between the hours of 7 a.m. and 6 p.m. ~~on State Business Days;~~ and (7-1-21)T(9-3-21)T

ii. Reserving the Public Space on the second floor rotunda during the hours of use in Section 302 of these rules. (9-3-21)T

c. The duration of a Permit for the Jefferson Street Steps will not exceed four (4) consecutive hours. The duration of a Permit for the Public Space will not exceed eight (8) consecutive hours. ~~(7-1-21)T~~(9-3-21)T

d. The Director will issue a Permit only for Public Use involving two (2) or more persons. (7-1-21)T

03. Application Period. Permit applications must be received and complete at least two (2) State Business Days prior to the requested date and time period of the Permit. The Department will not accept applications submitted more than six (6) months prior to the requested date of the Permit. (7-1-21)T

04. Validity. Permits are valid only for the dates, times, and locations specified on the Permit as approved by the Director. (7-1-21)T

05. Distribution. Permits shall be granted by the Director on a first-come, first-served basis, subject to Subsection 200.03 of these rules. Only one (1) Permit will be granted for the Jefferson Street Steps or the Public Space during any period of time. ~~(7-1-21)T~~(9-3-21)T

06. Application Requirements. Applications for a Permit shall be in writing on a form prescribed by the Director and available at the office of the Division of Public Works and the Department's website. The Director will only process applications that are complete and signed by the individual making a request or an authorized representative of the entity or organization making the request. The Director may make reasonable inquiry to confirm the accuracy of the application and the authority of the party signing the application. (7-1-21)T

07. Conditions. The Director may impose reasonable conditions on the use of the Idaho State Capitol Exterior in the Permit for the purpose of protecting persons and property. ~~Conditions may include the acquisition of liability insurance and a bond as security for costs arising from the use.~~ ~~(7-1-21)T~~(9-3-21)T

08. Transferability. Permits are non-transferable. (7-1-21)T

401. APPROVALS AND DENIALS OF A PERMIT APPLICATION.

01. Period for Approval or Denial. The Department will approve or deny a complete application within two (2) State Business Days of the submission of the application. (7-1-21)T

02. Basis for Denial. Permits may be denied for one (1) or more of the following: (7-1-21)T

a. A Permit has been granted for all or part of the requested location during all or part of the requested time period. (7-1-21)T

b. A public entity or official will be using all or part of the requested location during all or part of the requested time period. (7-1-21)T

c. The requested use would violate any provision of these rules or applicable law. (7-1-21)T

d. These rules do not authorize the use for the location or times requested or do not authorize the issuance of a Permit for the location requested. (7-1-21)T

e. The Permit application is incomplete, contains a material falsehood, or contains a material misrepresentation. (7-1-21)T

f. The Permit applicant has not certified that the applicant will comply with these rules or applicable law. (7-1-21)T

g. The party signing the application is not legally competent to bind themselves or the organization or

- entity submitting the application. (7-1-21)T
- h. The individual, organization or entity submitting the application: (7-1-21)T
 - i. Failed to pay costs or damages arising from an earlier use of any state facility; (7-1-21)T
 - ii. Made a material misrepresentation regarding the nature or scope of the use on a prior Permit application; (7-1-21)T
 - iii. Violated the terms of prior Permits issued to the individual, organization or entity; or (7-1-21)T
 - iv. Violated any applicable law in the course of previous Public Use of state of Idaho facilities. (7-1-21)T
- i. The requested use would cause a clear and present danger to the orderly processes of state of Idaho government or to the use of the Idaho State Capitol ~~Exterior~~ due to advocacy of: ~~(7-1-21)T~~(9-3-21)T
 - i. The violent overthrow of the government of the United States, the state of Idaho, or any political subdivision thereof; (7-1-21)T
 - ii. The willful damage or destruction, or seizure and subversion of public property; (7-1-21)T
 - iii. The forcible disruption or impairment of or interference with the regularly scheduled functions of the state of Idaho; ~~(7-1-21)T~~(9-3-21)T
 - iv. The physical harm, coercion, intimidation or other invasions of the lawful rights of public officials or the public; or (7-1-21)T
 - v. Other disorders of a violent nature. (7-1-21)T

402. REVOCATION OF A PERMIT.

A Permit may be revoked by the Director for the violation of any term or condition of the Permit or the violation of law including, but not limited to, the violation of any provision of these rules. (7-1-21)T

403. APPEALS.

01. Time for Appeal. The individual or the organization or entity submitting an application may request that the Department initiate a contested case within the period set forth below. The Department will not initiate a contested case after the following periods: (7-1-21)T

- a. Seven (7) State Business Days following the written denial of an application for a Permit; (7-1-21)T
- b. Seven (7) State Business Days following the revocation of a Permit; ~~and~~ ~~(7-1-21)T~~(9-3-21)T
- c. Seven (7) State Business Days following the date the Department was required to approve or deny the application for a Permit pursuant to ~~Sub~~section 401-01 of these rules. ~~(7-1-21)T~~(9-3-21)T

02. Requesting an Appeal. The individual or the organization or entity submitting an application shall request an appeal in writing, with a physical copy delivered to the Director at the street address set forth ~~in Section 005 of these rules~~ on the Department's website containing the following: ~~(7-1-21)T~~(9-3-21)T

- a. The name, address, and contact information of the appellant; (7-1-21)T
- b. A concise statement of the reason the appeal should be granted; (7-1-21)T
- c. Whether the appellant requests informal disposition to expedite the contested case; and (7-1-21)T

d. A description of the Permit sought. (7-1-21)T

03. Informal Disposition. If an appellant requests informal disposition, the Director will accept written evidence submitted within five (5) State Business Days of the appeal request, or as otherwise agreed by the Director and the appellant. The Director will issue a final written order affirming, reversing or modifying the denial or revocation of the Permit. (7-1-21)T

04. Contested Cases. If an appellant does not request informal disposition, the Director will schedule a hearing and proceed as set forth in ~~Title 67, Chapter 52,~~ title 67, Idaho Code. Contested cases will be governed by the provisions of IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General.” (7-1-21)T(9-3-21)T

05. Judicial Review. Judicial review of orders issued in an appeal is provided as set forth in ~~Title 67,~~ Chapter 52, title 67, Idaho Code. (7-1-21)T(9-3-21)T

404. -- 499. (RESERVED)

500. LIABILITY ~~AND INDEMNIFICATION.~~

01. State Liability. Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, ~~Title 6, Chapter 9,~~ title 6, Idaho Code. (7-1-21)T(9-3-21)T

02. No Endorsement. The grant of a Permit and any action or inaction of the Department ~~shall~~ does not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in Public Use of the Idaho State Facilities Capitol. (7-1-21)T(9-3-21)T

501. -- 999. (RESERVED)

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.01 – RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

DOCKET NO. 58-0101-2101

**NOTICE OF INTENT TO PROMULGATE RULES –
ZERO-BASED REGULATION NEGOTIATED RULEMAKING**

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Sections 39-105, 39-107, 39-114(4), 39-115, and 39-116B, Idaho Code.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting in person or via Zoom. For those who cannot participate by attending the meeting, information for submitting written comments is provided at the end of this notice. To sign up for meeting attendance or email notifications, contact Paula Wilson at paula.wilson@deq.idaho.gov.

MEETING SCHEDULE: A negotiated rulemaking meeting has been scheduled. Any additional meeting dates will be posted at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>.

Thursday, October 28, 2021, 9:30 a.m. to 12:30 p.m. MDT

**ATTEND IN PERSON OR VIA ZOOM
(Attendance via Zoom is Encouraged)**

**DEQ State Office
Conference Rooms A & B
1410 N. Hilton Street
Boise, Idaho 83706**

**Zoom meeting link is available at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>.
Contact the undersigned to sign up for Zoom participation.**

The meeting location will be accessible to persons with disabilities, and language translators will be made available upon request. Requests must be made no later than five (5) business days prior to the meeting date. For arrangements contact the undersigned.

DESCRIPTIVE SUMMARY: DEQ initiated this rulemaking in compliance with [Executive Order 2020-01](#): Zero-Based Regulation (EO 2020-01), issued by Governor Little on January 16, 2020. Pursuant to EO 2020-01, each rule chapter effective on June 30, 2020, shall be reviewed by the agency that promulgated the rule. The review will be conducted according to a schedule established by the Division of Financial Management, Office of the Governor (DFM), posted at https://adminrules.idaho.gov/forms_menu.html. This is one of the DEQ rule chapters up for review in 2021.

The goal of the rulemaking is to perform a critical and comprehensive review of the entire chapter in an attempt to reduce overall regulatory burden, streamline various provisions, and increase clarity and ease of use.

PRELIMINARY DRAFT RULE: The preliminary draft rule is available at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>.

DEQ will facilitate negotiation of this rule in conjunction with a committee made up of stakeholders having an interest in the development of the rule. Members of the regulated community who may be subject to Idaho's air quality rules, facilities with Title V permits, special interest groups, public officials, and members of the public who have an interest in the regulation of air emissions from sources in Idaho may be interested in participating in this rulemaking. Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning this rulemaking, contact Carl Brown at carl.brown@deq.idaho.gov or (208) 373-0206.

SUBMISSION OF WRITTEN COMMENTS: Written comments may be submitted to the undersigned. Information regarding public comment opportunities provided throughout the rulemaking process will be available at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>.

Dated this 6th day of October, 2021.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton Street
Boise, Idaho 83706
Phone: (208)373-0418
Fax: (208)373-0481
paula.wilson@deq.idaho.gov

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LEGAL NOTICE

Summary of Proposed Rulemakings

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the latest publication of the state Administrative Bulletin.

*The proposed rule public hearing request deadline is October 20, 2021, unless otherwise posted.
The proposed rule written comment submission deadline is October 27, 2021, unless otherwise posted.
(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.
(*PH) indicates that a public hearing has been scheduled.*

IDAPA 08 – STATE BOARD OF EDUCATION PO Box 83720, Boise, Idaho 83720-0037

08-0102-2101, Rules Governing the Postsecondary Credit Scholarship Program. New Zero Based Regulation (ZBR) Chapter constitutes the requirements for the Postsecondary Credit Scholarship Program.

08-0110-2101, Idaho College Work Study Program. New ZBR Chapter provides framework for Idaho Work Study Program to include allocation of funds, carryover funds, and audit requirements.

IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION PO Box 83720, Boise, ID 83720-0041

***31-0101-2101, Rules of Procedure of the Idaho Public Utilities Commission.** (*PH) New ZBR Chapter governs all procedure before the Idaho Public Utilities Commission, to include contested cases.

IDAPA 35 – IDAHO STATE TAX COMMISSION PO Box 36, Boise ID 83722-0036

***35-0107-2101 Kilowatt Hour Tax Administrative Rules.** (*PH) New ZBR Chapter furthers the state's authority through rule to impose a tax on producers of hydroelectric generated electricity.

***35-0201-2101 Tax Commission Administration and Enforcement Rules.** (*PH) New ZBR Chapter implements provisions of the Idaho Income Tax Act through enforcement rules and administrative procedures relating to taxes collected by the Commission.

IDAPA 37 – IDAHO DEPARTMENT OF WATER RESOURCES / IDAHO WATER RESOURCE BOARD PO Box 83720, Boise, ID 83720-0098

37-0101-2101, Rules of Procedure of the Idaho Department of Water Resources and the Water Resource Board. New ZBR Chapter contains procedure rules that govern contested case proceedings before the Department and Water Resource Board.

NOTICES OF AMENDMENT TO TEMPORARY RULE ONLY

IDAPA 16 – Department of Health and Welfare

16-0000-2100, affecting IDAPA 16.01.03 – Emergency Medical Services (EMS) - Agency Licensing Requirements. (eff. 8-19-21)T

IDAPA 38 – Idaho Department of Administration

38-0000-2100, affecting IDAPA 38.04.08 – Rules Governing Use of Idaho State Capitol. (eff. 9-3-21)T

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

(Please see the Administrative Bulletin for dates and times of meetings and other participant information)

IDAPA 58 – Department of Environmental Quality
58-0101-2101, Rules for the Control of Air Pollution in Idaho

Please refer to the Idaho Administrative Bulletin **October 6, 2021, Volume 21-10**, for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at www.adminrules.idaho.gov/

Office of the Administrative Rules Coordinator, Division of Financial Management
P.O. Box 83720, Boise, ID 83720-0032
Phone: 208-334-3900; Email: adminrules@dfm.idaho.gov

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Office of the Administrative Rules Coordinator
Division of Financial Management
Office of the Governor*

July 1, 1993 – Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

This index provides a history of all agency rulemakings beginning with the first Administrative Bulletin in July 1993 to the most recent Bulletin publication. It tracks all rulemaking activities on each chapter of rules by the rulemaking docket numbers and includes negotiated, temporary, proposed, pending and final rules, public hearing notices, vacated rulemaking notices, notice of legislative actions taken on rules, and executive orders of the Governor.

ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

(Index of Current and Active Rulemakings)

*Office of the Administrative Rules Coordinator
Division of Financial Management*

March 20, 2020 – October 6, 2021

(PLR 2021) – Final Effective Date Is Pending Legislative Review in 2021

(eff. date)L – Denotes Adoption by Legislative Action

(eff. date)T – Temporary Rule Effective Date

SCR # – denotes the number of a Senate Concurrent Resolution (Legislative Action)

HCR # – denotes the number of a House Concurrent Resolution (Legislative Action)

(This Abridged Index includes all active rulemakings.)

IDAPA 01 – IDAHO BOARD OF ACCOUNTANCY

(MOVED AND REDESIGNATED) 01.01.01, Idaho Accountancy Rules

- 01-0000-2000 IDAPA 01 – IDAHO BOARD OF ACCOUNTANCY** – Notice of Legislative and Executive Action Affecting the Idaho Board of Accountancy Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 30, Chapter 01*** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 30, Chapter 01*** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 01-0101-2000F Idaho Accountancy Rules** – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE

- 02-0000-2100 Rules of the Idaho Department of Agriculture** – Notice of Omnibus Rulemaking – Adoption of Temporary Rule \ Rescission of Previous Temporary Rule Under Dockets 02-0106-2002, 02-0414-2001, and 02-0414-2102 – Reauthorizes Title 01, Chapter 03; Title 02, Chapters 02, 05; Title 03, Chapter 01; Title 04, Chapters 04, 13-15, 17, 20, 21, 23-25, 27, 29, 30; and Title 05, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 02-0000-2100F Rules of the Idaho Department of Agriculture** – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule and Rescission of Previous Temporary Rule Under Docket 02-0000-2000F – Reauthorizes Title 01, Chapters 04, 05; Title 02, Chapters 07, 11-15; Title 03, Chapter 03; Title 04, Chapters 03, 05, 19, 26, 32; and Title 06, Chapters 01, 02, 04-06, 09, 10, 33 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 02-ZBRR-2101 Rules of the Idaho Department of Agriculture** – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 04, Chapters 05, 13, 19, 21, 27; and Title 06, Chapters 06, 09, 33 – Bulletin Vol. 21-4
- 02-0000-2000F Rules of the Idaho Department of Agriculture** – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 03, Chapter 03 – Bulletin Vol. 21-6 (eff. 5-18-21)T (***temporary rule rescinded***)
- 02-0000-2000F Rules of the Idaho Department of Agriculture** – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapters 04, 05; and Title 06, Chapter 33 – Bulletin Vol. 20-11SE (PLR 2021)
- 02-0000-2000F Rules of the Idaho Department of Agriculture** – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapters 04, 05; and Title 06, Chapter 33 – Bulletin Vol. 20-9SE
- 02-0000-2000F Rules of the Idaho Department of Agriculture** – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapters 04, 05; Title 02, Chapters 07, 11-15; Title 03, Chapter 03; Title 04, Chapters 03, 05, 19, 26, 32; Title 06, Chapters 01, 02, 04-06, 09, 10, 33 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (***temporary rule rescinded***)
- 02-0000-2000FA Rules of the Idaho Department of Agriculture** – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapters 07, 11-15; Title 03, Chapter 03; Title 04, Chapters 03, 05, 19, 26, 32; and Title 06, Chapters 01, 02, 04-06, 09, 10 – Bulletin Vol. 20-11SE (PLR 2021)
- 02-0000-2000FA Rules of the Idaho Department of Agriculture** – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapters 07, 11-15; Title 03, Chapter 03; Title 04, Chapters 03, 05, 19, 26, 32; and Title 06, Chapters 01, 02, 04-06, 09, 10 – Bulletin Vol. 20-9SE
- 02-0701-2000F Rules of the Idaho Hop Growers Commission** – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 07, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 02-0701-2000F Rules of the Idaho Hop Growers Commission** – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 07, Chapter 01 – Bulletin Vol. 20-9SE
- 02-0701-2000F Rules of the Idaho Hop Growers Commission** – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 07**, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 02-0801-2000F Rules of the Idaho Sheep and Goat Health Board** – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

02-0801-2000F *Rules of the Idaho Sheep and Goat Health Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-9SE

02-0801-2000F *Rules of the Idaho Sheep and Goat Health Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

02.01.06, Rules Governing the Labeling of Hemp Receptacles

02-0106-2002 *Adoption of Temporary Rule (New Chapter), Bulletin Vol. 20-4 (eff. 3-20-20)T (temporary rule rescinded)*

02-0106-2001 *Adoption of Temporary Rule (New Chapter), Bulletin Vol. 20-1 (eff. 11-26-19)T (Expired)*

02.01.07, Rules Governing Hemp

02-0107-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking (New Chapter), Bulletin Vol. 21-6

02.02.14, Rules for Weights and Measures

02-0000-2000FA *Rules of the Idaho Department of Agriculture* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapter 14 – Bulletin Vol. 20-11SE (PLR 2021)

02-0000-2000FA *Rules of the Idaho Department of Agriculture* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapter 14 – Bulletin Vol. 20-9SE

02-0214-2001 Notice of Intent to Promulgate a Rule (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 20-6

02.03.03, Rules Governing Pesticide and Chemigation Use and Application

02-0000-2000FA *Rules of the Idaho Department of Agriculture* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 03, Chapter 03 – Bulletin Vol. 20-11SE (PLR 2021)

02-0000-2000FA *Rules of the Idaho Department of Agriculture* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 03, Chapter 03 – Bulletin Vol. 20-9SE

02-0303-2001 Notice of Intent to Promulgate a Rule (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 20-6

02-0000-2000F *Rules of the Idaho Department of Agriculture* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 03, Chapter 03 – Bulletin Vol. 21-6 (eff. 5-18-21)T

02-0000-2000F *Rules of the Idaho Department of Agriculture* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 03 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

02.04.05, Rules Governing Grade A Milk and Manufacture Grade Milk

02-ZBRR-2101 *Rules of the Idaho Department of Agriculture* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 04, Chapter 05 – Bulletin Vol. 21-4

02.04.13, Rules Governing Raw Milk

02-ZBRR-2101 *Rules of the Idaho Department of Agriculture* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 04, Chapter 13 – Bulletin Vol. 21-4

02.04.14, Rules Governing Dairy Byproduct

02-0414-2102 *Adoption of Temporary Rule (New Chapter), Bulletin Vol. 21-4 (eff. sine die 2021)T (rule rescinded)*

02-0414-2101 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking (New Chapter), Bulletin Vol. 21-4

02-0414-2002 Notice of Intent to Promulgate a Rule (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 20-6

02-0414-2001 *Adoption of Temporary Rule, Bulletin Vol. 20-4 (eff. 3-20-20)T (rule rescinded)*

02.04.19, Rules Governing Domestic Cervidae

02-ZBRR-2101 *Rules of the Idaho Department of Agriculture* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 04, Chapter 19 – Bulletin Vol. 21-4

02.04.21, Rules Governing the Importation of Animals

02-ZBRR-2101 *Rules of the Idaho Department of Agriculture* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 04, Chapter 21 – Bulletin Vol. 21-4

02.04.27, Rules Governing Deleterious Exotic Animals

02-ZBRR-2101 *Rules of the Idaho Department of Agriculture* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 04, Chapter 27 – Bulletin Vol. 21-4

02.06.06, Rules Governing the Planting of Beans

02-ZBRR-2101 *Rules of the Idaho Department of Agriculture* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 06, Chapter 06 – Bulletin Vol. 21-4

02.06.09, Rules Governing Invasive Species and Noxious Weeds

02-ZBRR-2101 *Rules of the Idaho Department of Agriculture* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 06, Chapter 09 – Bulletin Vol. 21-4

02.06.16, Rules Governing Honey Standards

02-0616-2100 *Rules of the Idaho Honey Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule –
Reauthorizes Title 06, Chapter 16 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

02.06.33, Organic Food Products Rules

02-ZBRR-2101 *Rules of the Idaho Department of Agriculture* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 06, Chapter 33 – Bulletin Vol. 21-4

02.07.01, Rules of the Idaho Hop Growers' Commission

02-0701-2100F *Rules of the Idaho Hop Growers Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \
Rescission of Previous Temporary Rule Under Docket 02-0701-2000F – Reauthorizes Title 07, Chapter 01 –
Bulletin Vol. 21-7SE (eff. 7-1-21)T

02-0701-2000F *Rules of the Idaho Hop Growers Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule –
Reauthorizes Title 07, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

02-0701-2000F *Rules of the Idaho Hop Growers Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule –
Reauthorizes Title 07, Chapter 01 – Bulletin Vol. 20-9SE

02-0701-2000F *Rules of the Idaho Hop Growers Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule –
Reauthorizes Title 07, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

02.08.01, Sheep and Goat Rules of the Idaho Board of Sheep Commissioners

02-0801-2100F *Rules of the Idaho Sheep and Goat Health Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \
Rescission of Previous Temporary Rule Under Docket 02-0801-2000F – Reauthorizes Title 08, Chapter 01 –
Bulletin Vol. 21-7SE (eff. 7-1-21)T

02-0801-2000F *Rules of the Idaho Sheep and Goat Health Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule –
Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

02-0801-2000F *Rules of the Idaho Sheep and Goat Health Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule –
Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-9SE

02-0801-2000F *Rules of the Idaho Sheep and Goat Health Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule
– Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 04 – OFFICE OF THE ATTORNEY GENERAL

04-0000-2100 *Rules of the Attorney General* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 02,
Chapter 01; Title 11, Chapter 01; Title 12, Chapter 01; and Title 20, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

IDAPA 05 – DEPARTMENT OF JUVENILE CORRECTIONS

05-0000-2100 *Rules of the Department of Juvenile Corrections* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 02-04; and Title 02, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

IDAPA 06 – STATE BOARD OF CORRECTION

06-0000-2100 *Rules of the State Board of Correction* – Notice of Proclamation of Omnibus Rulemaking – Reauthorizes Title 01, Chapter 01; and Title 02, Chapters 01, 02 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

IDAPA 07 – DIVISION OF BUILDING SAFETY

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 39, Chapter 01*** through ***Chapter 90*** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 39, Chapters 01-90*** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01; Title 02, Chapter 02; Title 03, Chapters 01, 03, 11-12; Title 04, Chapter 02; Title 05, Chapter 01; Title 07, Chapter 01; Title 10, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) 07.01.01, Rules of the Idaho Electrical Board

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 39, Chapter 10*** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 39, Chapter 10*** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 01** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) 07.02.02, Rules Governing Plumbing

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 39, Chapter 20*** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 39, Chapter 20*** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 02, Chapter 02** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) 07.03.01, Rules of Building Safety (Building Code Rules)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as ***IDAPA 24, Title 39, Chapter 30*** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 30** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 03, Chapter 01** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *07.03.03, Rules for Modular Buildings*

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 31** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 31** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 03, Chapter 03** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *07.03.09, Rules Governing Manufactured Homes – Consumers Complaints – Dispute Resolution*

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 32** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 32** – Bulletin Vol. 20-7 (eff. 7-1-20)

(MOVED AND REDESIGNATED) *07.03.11, Rules Governing Manufactured/Mobile Home Industry Licensing*

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 33** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 33** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 03, Chapter 11** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *07.03.12, Rules Governing Manufactured or Mobile Home Installations*

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 34** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 34** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 03, Chapter 12** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *07.03.13, Rules Governing Mobile Home Rehabilitation*

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 35** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 35** – Bulletin Vol. 20-7 (eff. 7-1-20)

(MOVED AND REDESIGNATED) *07.04.02, Safety Rules for Elevators, Escalators, and Moving Walks*

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 40** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 40** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 04, Chapter 02** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *07.05.01, Rules of the Public Works Contractors License Board*

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 50** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 50** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 05, Chapter 01** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *07.06.01, Rules Governing Uniform School Building Safety*

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 60** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 60** – Bulletin Vol. 20-7 (eff. 7-1-20)

(MOVED AND REDESIGNATED) *07.07.01, Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems*

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 70** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 70** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 07, Chapter 01** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) 07.08.01, Idaho Minimum Safety Standards and Practices for Logging

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 80** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 80** – Bulletin Vol. 20-7 (eff. 7-1-20)

(MOVED AND REDESIGNATED) 07.10.01, Rules Governing the Damage Prevention Board

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 90** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 90** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 10, Chapter 01** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) 07.11.01, Rules of the Division of Building Safety

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

**IDAPA 08 – IDAHO STATE BOARD OF EDUCATION
AND STATE DEPARTMENT OF EDUCATION**

08-0000-2100 Rules of the State Board of Education and the Department of Education – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 02, 10, 11, 13; Title 02, Chapters 01-05; Title 03, Chapter 01; and Title 04, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

- 08-0000-2100F** *Rules of the State Board of Education and the Department of Education* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 08-0000-2000F – Reauthorizes Title 01, Chapter 11, Sections 200 and 300 only; Title 02, Chapter 02, Sections 066 and 075 only; Title 02, Chapter 03, Section 128 only – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 08-0000-2000F** *Rules of the State Board of Education and the Department of Education* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 11, Sections 200 and 300 only; Title 02, Chapter 02, Sections 066 and 075 only; Title 02, Chapter 03, Section 128 only – Bulletin Vol. 20-11SE (PLR 2021)
- 08-0000-2000F** *Rules of the State Board of Education and the Department of Education* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 11, Sections 200 and 300 only; Title 02, Chapter 02, Sections 066 and 075 only; Title 02, Chapter 03, Section 128 only – Bulletin Vol. 20-9SE
- 08-0000-2000F** *Rules of the State Board of Education and the Department of Education* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 11, Sections 200 and 300 only; Title 02, Chapter 02, Sections 066 and 075 only; Title 02, Chapter 03, Section 128 only – Bulletin Vol. 20-4SE (eff. 3-20-20)T (**temporary rule rescinded**)

08.01.02, Rules Governing the Postsecondary Credit Scholarship Program

- 08-0102-2101** Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-10
- 08-0102-2101** Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-7

08.01.10, Idaho College Work Study Program

- 08-0110-2101** Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-10
- 08-0110-2101** Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-7

08.02.01, Rules Governing Administration

- 08-0201-2102** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-7
- 08-0201-2101** Adoption of Temporary Rule, Bulletin Vol. 21-1 (eff. 12-20-20)T
- 08-0201-2001** Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)
- 08-0201-2001** Temporary and Proposed Rulemaking, Bulletin Vol. 20-10 (eff. 8-26-20)T
- 08-0201-2001** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-9

08.02.02, Rules Governing Uniformity

- 08-0202-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-7
- 08-0202-2002** Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)
- 08-0202-2002** Proposed Rulemaking, Bulletin Vol. 20-10
- 08-0202-2002** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-9
- 08-0202-2001** Notice of Adoption of Temporary Rule, Bulletin Vol. 20-5 (eff. 4-1-20)T

- 08-0000-2000F** *Rules of the State Board of Education and the Department of Education* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapter 02, Sections 066 and 075 only – Bulletin Vol. 20-11SE (PLR 2021)
- 08-0000-2000F** *Rules of the State Board of Education and the Department of Education* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapter 02, Sections 066 and 075 only – Bulletin Vol. 20-9SE
- 08-0000-2000F** *Rules of the State Board of Education and the Department of Education* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 02, Chapter 02, Sections 066 and 075 only – Bulletin Vol. 20-4SE (eff. 3-20-20)T

08.02.03, Rules Governing Thoroughness

- 08-0203-2101** Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-7

08.02.06, Rules Governing Advanced Opportunities for Non-Public School Students

- 08-0206-2101** Notice of Intent to Promulgate Rules (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 21-7

08.05.01, Rules Governing Seed and Plant Certification

- 08-0501-2001** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 21-1 (PLR 2021)
08-0501-2001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-10

IDAPA 09 – IDAHO DEPARTMENT OF LABOR

- 09-0000-2100** *Rules of the Idaho Department of Labor* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 01, 08, 30, 35; Title 02, Chapter 01; and Title 05, Chapter 03 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

09.01.01, Rules of Administrative Procedure of the Department of Labor

- 09-0101-2001** Adoption of Pending Rule, Bulletin Vol. 20-11 (PLR 2021)
09-0101-2001 Proposed Rulemaking, Bulletin Vol. 20-9

09.01.30, Unemployment Insurance Benefits Administration Rules

- 09-0130-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-6

- 09-0130-2002** Adoption of Pending Rule, Bulletin Vol. 20-11 (PLR 2021)
09-0130-2002 Proposed Rulemaking, Bulletin Vol. 20-9

- 09-0130-2001** *Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 20-8 (terminated)*

09.01.60, Complaint Procedures Under the Workforce Innovation and Opportunity Act

- 09-0160-2001** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-11 (PLR 2021)
09-0160-2001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-9

IDAPA 10 – IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

(MOVED AND REDESIGNATED) *10.01.01, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors*

- 10-0000-2000** **IDAPA 10 – IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS** – Notice of Legislative and Executive Action Affecting the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 32, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)

- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 32, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

- 10-0101-2000F** *Rules of the Board of Professional Engineers and Professional Land Surveyors* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 11 – IDAHO STATE POLICE

- 11-0000-2100** *Rules of the Idaho State Police* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule \ Rescission of Previous Temporary Rule Under Docket 11-0801-2002 – Reauthorizes Title 03, Chapter 01; Title 06, Chapter 01; Title 07, Chapters 01-03; Title 10, Chapter 03; Title 13, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

- 11-0000-2100F** *Rules of the Idaho State Police* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 11-0000-2000F – Reauthorizes Title 05, Chapter 01; Title 10, Chapter 02 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

- 11-0000-2000F** *Rules of the Idaho State Police* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 05, Chapter 01; and Title 10, Chapter 02 – Bulletin Vol. 20-11SE (PLR 2021)
- 11-0000-2000F** *Rules of the Idaho State Police* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 05, Chapter 01; and Title 10, Chapter 02 – Bulletin Vol. 20-9SE
- 11-0000-2000F** *Rules of the Idaho State Police* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 05, Chapter 01; Title 10, Chapter 02 – Bulletin Vol. 20-4SE (eff. 3-20-20)T **(temporary rule rescinded)**

Idaho State Brand Board

11.02.01, Rules of the Idaho State Brand Board

- 11-0201-2100F** *Rules of the Idaho State Police* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 11-0201-2000F – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 11-0201-2000F** *Rules of the Idaho State Brand Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 11-0201-2000F** *Rules of the Idaho State Brand Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-9SE
- 11-0201-2000F** *Rules of the Idaho State Brand Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T **(temporary rule rescinded)**

Idaho State Racing Commission

- 11-0400-2100** *Rules of the Idaho State Racing Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 04, Chapters 04, 06, 08-10, 13, 14 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 11-0400-2100F** *Rules of the Idaho State Racing Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 11-0400-2000F – Reauthorizes Title 04, Chapters 02, 03, 05, 07, 11, 15 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 11-0400-2000F** *Rules of the Idaho State Racing Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 04, Chapters 02, 03, 05, 07, 11, 15 – Bulletin Vol. 20-11SE (PLR 2021)
- 11-0400-2000F** *Rules of the Idaho State Racing Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 04, Chapters 02, 03, 05, 07, 11, 15 – Bulletin Vol. 20-9SE
- 11-0400-2000F** *Rules of the Idaho State Racing Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 04, Chapters 02, 03, 05, 07, 11, 15 – Bulletin Vol. 20-4SE (eff. 3-20-20)T **(temporary rule rescinded)**

11.08.01, Rules Governing Hemp Transportation

- 11-0801-2002** *Amendment of Temporary Rule (New Chapter), Bulletin Vol. 21-2 (eff. 1-7-21)T (temporary rule rescinded)*
- 11-0801-2002** *Adoption of Temporary Rule (New Chapter), Bulletin Vol. 20-4 (eff. 3-20-20)T*
- 11-0801-2001** *Adoption of Temporary Rule (New Chapter), Bulletin Vol. 20-1 (eff. 11-19-19)T (Expired 3-20-20)*

Public Safety and Security Information Bureau

11.10.01, Rules Governing Idaho Public Safety and Security Information System

- 11-1001-2100F** *Idaho Public Safety and Public Information Systems* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 11-1001-2000F – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 11-1001-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-7
- 11-1001-2000F** *Idaho Public Safety and Public Information Systems* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 11-1001-2000F** *Idaho Public Safety and Public Information Systems* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-9SE

- 11-1001-2000F** *Idaho Public Safety and Public Information Systems – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)*

Peace Officer Standards and Training (POST) Council

11.11.01, Rules of the Idaho Peace Officer Standards and Training Council

- 11-1101-2100F** *Rules of the Peace Officer Standards and Training Council – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 11-1101-2000F – Reauthorizes Title 11, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T*
- 11-1101-2101** *Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-7*
- 11-1101-2000F** *Rules of the Peace Officer Standards and Training Council – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 11, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)*
- 11-1101-2000F** *Rules of the Peace Officer Standards and Training Council – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 11, Chapter 01 – Bulletin Vol. 20-9SE*
- 11-1101-2000F** *Rules of the Peace Officer Standards and Training Council – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 11, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)*

IDAPA 12 – DEPARTMENT OF FINANCE

- 12-0000-2100** *Rules of the Department of Finance – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 04, 09, 10, 11 – Bulletin Vol. 21-7SE (eff. 7-1-21)T*
- 12-0000-2100F** *Rules of the Department of Finance – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 12-0000-2000F – Reauthorizes Title 01, Chapter 08 – Bulletin Vol. 21-7SE (eff. 7-1-21)T*
- 12-0000-2000F** *Rules of the Department of Finance – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 08 – Bulletin Vol. 20-11SE (PLR 2021)*
- 12-0000-2000F** *Rules of the Department of Finance – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 08 – Bulletin Vol. 20-9SE*
- 12-0000-2000F** *Rules of the Department of Finance – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 08 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)*

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

- 13-0000-2100** *Rules of the Idaho Fish and Game Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule \ Rescission of Previous Temporary Rule Under Dockets 13-0104-2003, 13-0104-2101, 13-0109-2004, and 13-0109-2102 – Reauthorizes Title 01, Chapters 01-04, 06-12, 14-19 – Bulletin Vol. 21-7SE (eff. 7-1-21)T*
- 13-0000-2100F** *Rules of the Idaho Fish and Game Commission – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 13-0000-2000F – Reauthorizes Title 01, Chapter 02, Sections 200 and 201 only; Title 01, Chapter 04, Section 601 only; Title 01, Chapter 08, Section 263 only; Title 01, Chapter 10, Section 410 only; and Title 01, Chapter 19, Section 102 only – Bulletin Vol. 21-7SE (eff. 7-1-21)T*
- 13-0000-2000F** *Rules of the Idaho Fish and Game Commission – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 02, Sections 200 and 201 only; Title 01, Chapter 04, Section 601 only; Title 01, Chapter 08, Section 263 only; Title 01, Chapter 10, Section 410 only; and Title 01, Chapter 19, Section 102 only – Bulletin Vol. 20-11SE (PLR 2021)*
- 13-0000-2000F** *Rules of the Idaho Fish and Game Commission – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 02, Sections 200 and 201 only; Title 01, Chapter 04, Section 601 only; Title 01, Chapter 08, Section 263 only; Title 01, Chapter 10, Section 410 only; and Title 01, Chapter 19, Section 102 only – Bulletin Vol. 20-9SE*
- 13-0000-2000F** *Rules of the Idaho Fish and Game Commission – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 02, Sections 200 and 201 only; Title 01, Chapter 04, Section 601 only; Title 01, Chapter 08, Section 263 only; Title 01, Chapter 10, Section 410 only; Title 01, Chapter 19, Section 102 only – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)*

Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

- [13-0000-2100P6](#) Notice of Adopted / Amended Proclamation for Calendar Year 2021, Bulletin Vol. 21-8
- [13-0000-2100P5](#) Notice of Adopted / Amended Proclamation for Calendar Year 2021, Bulletin Vol. 21-7
- [13-0000-2100P4](#) Notice of Adopted / Amended Proclamation for Calendar Year 2021, Bulletin Vol. 21-6
- [13-0000-2100P3](#) Notice of Adopted / Amended Proclamation for Calendar Year 2021, Bulletin Vol. 21-4
- [13-0000-2100P2](#) Notice of Adopted / Amended Proclamation for Calendar Year 2021, Bulletin Vol. 21-3
- [13-0000-2100P1](#) Notice of Adoption of Proclamation for Calendar Year 2021, Bulletin Vol. 21-2

13.01.01, Rules of Practice and Procedure of the Idaho Fish and Game Commission

- [13-0101-2101](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-3

13.01.04, Rules Governing Licensing

- [13-0104-2102](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-3

- [13-0104-2101](#) Adoption of Temporary Rule, Bulletin Vol. 21-1 (eff. 12-22-20)T

- [13-0104-2003](#) Adoption of Temporary Rule, Bulletin Vol. 20-9 (eff. 12-1-20)T

- [13-0104-2002](#) Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)

- [13-0104-2002](#) Proposed Rulemaking, Bulletin Vol. 20-9

- [13-0104-2002](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 20-6

- [13-0104-2001](#) *Notice of Rulemaking – Rescission of Temporary Rule, Bulletin Vol. 20-6*

- [13-0104-2001](#) *Notice of Adoption of Temporary Rule, Bulletin Vol. 20-5 (eff. 4-4-20)T / (4-9-20)T*

- [13-0000-2000F](#) ***Rules of the Idaho Fish and Game Commission*** – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 04, Section 601 only – Bulletin Vol. 20-11SE (PLR 2021)

- [13-0000-2000F](#) ***Rules of the Idaho Fish and Game Commission*** – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 04, Section 601 only – Bulletin Vol. 20-9SE

- [13-0000-2000F](#) ***Rules of the Idaho Fish and Game Commission*** – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 04, Section 601 only – Bulletin Vol. 20-4SE (eff. 3-20-20)T

13.01.07, Rules Governing the Taking of Upland Game Animals

- [13-0107-2101](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-3

- [13-0107-2001P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 20-2

13.01.08, Rules Governing the Taking of Big Game Animals

- [13-0108-2001](#) Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)

- [13-0108-2001](#) Proposed Rulemaking, Bulletin Vol. 20-9

- [13-0108-2001](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 20-6

- [13-0000-2000F](#) ***Rules of the Idaho Fish and Game Commission*** – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 08, Section 263 only – Bulletin Vol. 20-11SE (PLR 2021)

- [13-0000-2000F](#) ***Rules of the Idaho Fish and Game Commission*** – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 08, Section 263 only – Bulletin Vol. 20-9SE

- [13-0000-2000F](#) ***Rules of the Idaho Fish and Game Commission*** – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 08, Section 263 only – Bulletin Vol. 20-4SE (eff. 3-20-20)T

- [13-0108-2002P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 21-1

- [13-0108-1902AAAAP*](#) Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-5 (*4th Amendment)

- [13-0108-1902AAAP*](#) Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-4 (*3rd Amendment)

- [13-0108-1902AAP*](#) Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-2 (*2nd Amendment)

- [13-0108-1902AP*](#) Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 19-6 (*1st Amendment)

- [13-0108-1902P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 19-4

13.01.09, Rules Governing the Taking of Game Birds

- 13-0109-2102** Adoption of Temporary Rule, Bulletin Vol. 21-4 (eff. 3-11-21)T [*expires sine die 2021*]
- 13-0109-2101** Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-3
- 13-0109-2005P** Notice of Proclamation of Rulemaking, Bulletin Vol. 20-10
- 13-0109-2004** Adoption of Temporary Rule, Bulletin Vol. 20-9 (eff. 8-1-20)T
- 13-0109-2003P** Notice of Proclamation of Rulemaking, Bulletin Vol. 20-6
- 13-0109-2002** Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)
- 13-0109-2002** Proposed Rulemaking, Bulletin Vol. 20-9
- 13-0109-2002** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 20-6
- 13-0109-2001AAP** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-10
- 13-0109-2001AP** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-10
- 13-0109-2001P** Notice of Proclamation of Rulemaking, Bulletin Vol. 20-2

13.01.11, Rules Governing Fish

- 13-0111-2003P** Notice of Proclamation of Rulemaking, Bulletin Vol. 20-10
- 13-0111-2002P** Notice of Proclamation of Rulemaking, Bulletin Vol. 20-8
- 13-0111-2001AP*** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-6 (*1st Amendment)
- 13-0111-2001P** Notice of Proclamation of Rulemaking, Bulletin Vol. 20-5
- 13-0111-1901AAAAAAP** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 21-1 (*7th Amendment)
- 13-0111-1901AAAAAAP*** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-10 (*6th Amendment)
- 13-0111-1901AAAAAP*** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-5 (*5th Amendment)
- 13-0111-1901AAAAAP*** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 20-2 (*4th Amendment)
- 13-0111-1901AAAP*** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 19-12 (*3rd Amendment)
- 13-0111-1901AAP*** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 19-11 (*2nd Amendment)
- 13-0111-1901AP*** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 19-10 (*1st Amendment)
- 13-0111-1901P** Notice of Proclamation, Bulletin Vol. 19-1

13.01.16, The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals

- 13-0116-2002** Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)
- 13-0116-2002** Proposed Rulemaking, Bulletin Vol. 20-9
- 13-0116-2002** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 20-6
- 13-0116-2001P** Notice of Proclamation of Rulemaking, Bulletin Vol. 20-2

IDAPA 15 – OFFICE OF THE GOVERNOR**Executive Orders of the Governor**

- Executive Order No. **2021-12** Repealing Executive Order 2021-01, Bulletin Vol. 21-10
- Executive Order No. **2021-11** Activation of the Idaho National Guard to Provide Support in Response to the COVID-19 Pandemic, Bulletin Vol. 21-10
- Executive Order No. **2021-10** Transparency In Budgeting, Bulletin Vol. 21-7
- Executive Order No. **2021-09** Deferred Compensation Program for Employees of the State of Idaho; Repealing and Replacing Executive Order No. 2017-08, Bulletin Vol. 21-7
- Executive Order No. **2021-08** Repealing EO 2021-07 to Restore Local Control, Bulletin Vol. 21-6
- Executive Order No. **2021-07** Terminating Mask Mandates Based on the COVID-19 Emergency, Bulletin Vol. 21-6
- Executive Order No. **2021-06** Repeal and Replacement of Executive Order 2021-03, Bulletin Vol. 21-5
- Executive Order No. **2021-05** Repeal of Executive Order 2020-11, Bulletin Vol. 21-5

Executive Order No. 2021-04	Banning Vaccine Passports, Bulletin Vol. 21-5
Executive Order No. 2021-03	Transparency in the Administration of the COVID-19 Vaccine, Bulletin Vol. 21-3
Executive Order No. 2021-02	Governor's Leadership In Nuclear Energy (LINE) Commission, Bulletin Vol. 21-3
Executive Order No. 2021-01	Transportation of Hemp, Bulletin Vol. 21-2
Executive Order No. 2020-20	Continuing the Idaho Criminal Justice Commission, Bulletin Vol. 21-2
Executive Order No. 2020-19	Activation of the Idaho National Guard to Provide Support in Response to the COVID-19 Pandemic, Bulletin Vol. 20-12
Executive Order No. 2020-18	Continuing the Idaho Strategic Energy Alliance, Repealing and Replacing Executive Order 2017-03, Bulletin Vol. 20-12
Executive Order No. 2020-17	Continuing the Office of Energy and Mineral Resources Within the Office of the Governor, Bulletin Vol. 20-12
Executive Order No. 2020-16	Strong Families, Strong Students Grant Initiative, Bulletin Vol. 20-11
Executive Order No. 2020-15-A	Directing Idaho State Tax Commission to Administer the Budget and Levy Components of the Governor's Public Safety Grant Initiative for Cities and Counties, Bulletin Vol. 20-10
Executive Order No. 2020-15	Directing Idaho State Tax Commission to Administer the Budget and Levy Components of the Governor's Public Safety Grant Initiative for Cities and Counties, Bulletin Vol. 20-9
Executive Order No. 2020-14	Temporary Reduction of General Fund Spending Authority, Bulletin Vol. 20-8
Executive Order No. 2020-13	Regulatory Relief to Support Economic Recovery, Bulletin Vol. 20-7
Executive Order No. 2020-12	Related to Return to Work Bonuses, Bulletin Vol. 20-7
Executive Order No. 2020-11	Related to the Idaho Department of Labor, Bulletin Vol. 20-7
Executive Order No. 2020-10	Enhancing Licensing Freedom: Organization of the Department of Self-Governing Agencies, Bulletin Vol. 20-7
Executive Order No. 2020-09	Establishing a Program to Procure and Distribute Personal Protective Equipment to Idaho Businesses and Nonprofits, Bulletin Vol. 20-7
Executive Order No. 2020-08-A	Establishing Idaho Rebound Cash Grants for Small Businesses, Bulletin Vol. 20-6
Executive Order No. 2020-08	Establishing Idaho Rebound Cash Grants for Small Businesses, Bulletin Vol. 20-5
Executive Order No. 2020-07	Establishing a Process to Evaluate & Implement Federal Coronavirus Funding, Bulletin Vol. 20-5
Executive Order No. 2020-06	Authorizing the Transfer of Funds to the Disaster Emergency Account, Bulletin Vol. 20-4
Executive Order No. 2020-05	Temporary Reduction of General Fund Spending Authority, Bulletin Vol. 20-4
Executive Order No. 2020-04	Creating the Idaho Behavioral Health Council, Bulletin Vol. 20-4
Executive Order No. 2020-03	Families First Act, Bulletin Vol. 20-4
Executive Order No. 2020-02	Transparency In Agency Guidance Documents, Bulletin Vol. 20-2
Executive Order No. 2020-01	Zero-Based Regulation, Bulletin Vol. 20-2
Executive Order No. 2019-15	Assignments of All-Hazard Prevention, Protection, Mitigation, Response and Recovery Functions to State Agencies in Support of Local and State Government Relating to Emergencies and Disasters, Bulletin Vol. 20-6
Executive Order No. 2019-14	Establishing the Idaho Early Childhood Advisory Council, Bulletin Vol. 20-6
Executive Order No. 2019-13	Transportation of Hemp, Bulletin Vol. 20-1

Proclamations of the Governor

Proclamation No. [ID-02-2021](#) 2021 Wildfires, Bulletin Vol. 21-9

Idaho Commission On Aging

[15-0100-2100](#) *Rules of the Idaho Commission on Aging* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 01-03, 20 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

Idaho Commission for the Blind and Visually Impaired

[15-0200-2100](#) *Rules of the Idaho Commission for the Blind and Visually Impaired* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 02, Chapters 02-04, 30 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

15.02.02, Vocational Rehabilitation Services

[15-0202-2101](#) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-6

15.02.03, Rules Governing the Independent Living Program

15-0203-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-6

Idaho Forest Products Commission

15-0301-2100F *Rules of the Idaho Forest Products Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 15-0300-2000F – Reauthorizes Title 03, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

15-0300-2000F *Rules of the Idaho Forest Products Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 03, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

15-0300-2000F *Rules of the Idaho Forest Products Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 03, Chapter 01 – Bulletin Vol. 20-9SE

15-0300-2000F *Rules of the Idaho Forest Products Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (*temporary rule rescinded*)

Division of Human Resources and Personnel Commission

15-0400-2100 *Rules of the Division of Human Resources and Personnel Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 04, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

15.04.01, Rules of DHR & Idaho Personnel Commission

15-0401-2002 *Vacation of Proposed Rulemaking, Bulletin Vol. 20-11*

15-0401-2002 *Proposed Rulemaking, Bulletin Vol. 20-9*

15-0401-2001 Adoption of Temporary Rule, Bulletin Vol. 20-4 (eff. 3-25-20)T

Idaho Military Division

15-0600-2100 *Rules of the Idaho Military Division* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 06, Chapters 01, 04, 05 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

15-0600-2000F *Rules of the Idaho Military Division* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 06, Chapter 03 – Bulletin Vol. 20-11SE (PLR 2021)

15-0600-2000F *Rules of the Idaho Military Division* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 06, Chapter 03 – Bulletin Vol. 20-9SE

15-0600-2000F *Rules of the Idaho Military Division* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 06, Chapter 03 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

Idaho State Liquor Division

15-1001-2100F *Rules of the Idaho State Liquor Division* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 15-1000-2000F – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

15-1000-2000F *Rules of the Idaho State Liquor Division* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

15-1000-2000F *Rules of the Idaho State Liquor Division* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-9SE

15-1000-2000F *Rules of the Idaho State Liquor Division* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (*temporary rule rescinded*)

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16-0000-2100 *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 01, Chapter 03 – Bulletin Vol. 21-10 (eff. 8-19-21)T

- 16-0000-2100** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 02, 03, 05, 06, 12; Title 02, Chapters 02, 06, 10-12, 15, 19, 23, 24; Title 03, Chapters 01, 02, 04-11, 13, 14, 17, 21, 24, 25; Title 04, Chapters 14, 17; Title 05, Chapters 01, 03, 04, 07; Title 06, Chapters 05, 12, 13; and Title 07, Chapters 17, 19, 25, 33, 37, 39 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 16-0000-2100F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 16-0000-2000F – Reauthorizes Title 01, Chapter 07; Title 02, Chapters 01, 08, 13, 14, 25-27; Title 03, Chapters 03, 18, 19, 22; Title 04, Chapter 07; Title 05, Chapter 06; Title 06, Chapters 01, 02; and Title 07, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Correction to Pending Fee and Temporary Rule – Corrects Title 06, Chapter 02 – Bulletin Vol. 21-2
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 07; Title 02, Chapters 01, 08, 13, 14, 25-27; Title 03, Chapters 03, 18, 19, 22; Title 04, Chapter 07; Title 05, Chapter 06; Title 06, Chapters 01, 02; and Title 07, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 07; Title 02, Chapters 01, 08, 13, 14, 25-27; Title 03, Chapters 03, 18, 19, 22; Title 04, Chapter 07; Title 05, Chapter 06; Title 06, Chapters 01, 02; and Title 07, Chapter 01 – Bulletin Vol. 20-9SE
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 02, Chapter 01; Title 03, Chapters 19, 22; Title 05, Chapter 06 – Bulletin Vol. 20-7 (eff. 7-1-20)
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Correction to Omnibus Rulemaking – Adoption of Temporary Rule – Corrects Title 02, Chapter 01; Title 03, Chapters 19, 22; Title 05, Chapter 06 – Bulletin Vol. 20-6 (eff. 3-20-20)T
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 07; Title 02, Chapters 01, 08, 13, 14, 25-27; Title 03, Chapters 03, 18, 19, 22; Title 04, Chapter 07; Title 05, Chapter 06; Title 06, Chapters 01, 02; Title 07, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

16.01.03, Emergency Medical Services (EMS) -- Agency Licensing Requirements

- 16-0000-2100** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 01, Chapter 03 – Bulletin Vol. 21-10 (eff. 8-19-21)T

16.01.05, Emergency Medical Services (EMS) -- Education, Instructor, & Examination Requirements

- 16-0105-2101** (Second) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-5
- 16-0105-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

16.02.01, Rules of the Idaho Time Sensitive Emergency System Council

- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-9SE
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 02, Chapter 01 – Bulletin Vol. 20-7 (eff. 7-1-20)T
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Correction to Omnibus Rulemaking – Adoption of Temporary Rule – Corrects Title 02, Chapter 01 – Bulletin Vol. 20-6 (eff. 3-20-20)T
- 16-0000-2000F** *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

16.02.08, Vital Statistics Rules

- 16-0208-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

16.02.09, Crisis Standards of Care for Healthcare Entities

- 16-0209-2101** Adoption of Temporary Rule (New Chapter), Bulletin Vol. 21-1 (eff. 12-11-20)T

16.02.25, Fees Charged by the State Laboratory

- 16-0225-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-5

16.02.26, The Idaho Children’s Special Health Program

16-0226-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-3

16.03.06, Refugee Medical Assistance

16-0306-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

16.03.07, Home Health Agencies

16-0307-2101 (Second) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

16-0307-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-3

16-0307-2001 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)

16-0307-2001 Proposed Rulemaking, Bulletin Vol. 20-9

16.03.09, Medicaid Basic Plan Benefits

16-0309-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-5

16-0309-2004 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)

16-0309-2004 Proposed Rulemaking, Bulletin Vol. 20-10

16-0309-2003 Adoption of Temporary Rule, Bulletin Vol. 20-4 (eff. 3-13-20)T

16-0309-2002 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)

16-0309-2002 Proposed Rulemaking, Bulletin Vol. 20-10

16-0309-2002 Adoption of Temporary Rule, Bulletin Vol. 20-4 (eff. 3-20-20)T

16-0309-2001 *OARC Omnibus Notice of Legislative Action - Temporary Rule Not Extended, Bulletin Vol. 20-5 (Expired: Null and Void)*

16-0309-2001 *Adoption of Temporary Rule, Bulletin Vol. 20-1 (eff. 1-1-20)T (Expired)*

16.03.10, Medicaid Enhanced Plan Benefits

16-0310-2003 Adoption of Temporary Rule, Bulletin Vol. 20-10 (eff. 10-1-20)T

16-0310-2002 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)

16-0310-2002 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 20-11

16-0310-2002 Proposed Rulemaking, Bulletin Vol. 20-10

16-0310-2001 Adoption of Temporary Rule, Bulletin Vol. 20-4 (eff. 3-13-20)T

16.03.13, Consumer-Directed Services

16-0313-2001 Adoption of Temporary Rule, Bulletin Vol. 20-4 (eff. 3-13-20)T

16.03.19, Certified Family Homes

16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 03, Chapter 19 – Bulletin Vol. 20-11SE (PLR 2021)

16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 03, Chapter 19 – Bulletin Vol. 20-9SE

16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 03, Chapter 19 – Bulletin Vol. 20-7 (eff. 7-1-20)T

16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Correction to Omnibus Rulemaking – Adoption of Temporary Rule – Corrects Title 03, Chapter 19 – Bulletin Vol. 20-6 (eff. 3-20-20)T

16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 19 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

16.03.21, Developmental Disabilities Agencies (DDA)

16-0321-2101 (Third) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

16-0321-2101 (Second) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-3

16-0321-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-2

- 16-0321-2001 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)
16-0321-2001 Proposed Rulemaking, Bulletin Vol. 20-9

16.03.22, Residential Assisted Living Facilities

- 16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 03, Chapter 22 – Bulletin Vol. 20-11SE (PLR 2021)
**Rulemaking changes chapter name from “Residential Care or Assisted Living Facilities in Idaho”*
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 03, Chapter 22 – Bulletin Vol. 20-9SE
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 03, Chapter 22 – Bulletin Vol. 20-7 (eff. 7-1-20)T
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Correction to Omnibus Rulemaking – Adoption of Temporary Rule – Corrects Title 03, Chapter 22 – Bulletin Vol. 20-6 (eff. 3-20-20)T
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 22 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

16.03.23, Uniform Assessments for State-Funded Clients

- 16-0323-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

16.04.17, Residential Habilitation Agencies

- 16-0417-2001 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)
16-0417-2001 Proposed Rulemaking, Bulletin Vol. 20-9

16.05.06, Criminal History and Background Checks

- 16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 05, Chapter 06 – Bulletin Vol. 20-11SE (PLR 2021)
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 05, Chapter 06 – Bulletin Vol. 20-9SE
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 05, Chapter 06 – Bulletin Vol. 20-7 (eff. 7-1-20)T
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Correction to Omnibus Rulemaking – Adoption of Temporary Rule – Corrects Title 05, Chapter 06 – Bulletin Vol. 20-6 (eff. 3-20-20)T
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 05, Chapter 06 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

16.05.07, The Investigation and Enforcement of Fraud, Abuse, and Misconduct

- 16-0507-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

16.06.02, Child Care Licensing

- 16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Correction to Pending Fee and Temporary Rule – Corrects Title 06, Chapter 02 – Bulletin Vol. 21-2
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 06, Chapter 02 – Bulletin Vol. 20-11SE (PLR 2021)
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 06, Chapter 02 – Bulletin Vol. 20-9SE
16-0000-2000F *Rules of the Department of Health and Welfare* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 06, Chapter 02 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

16.06.13, Emergency Assistance for Families and Children

- 16-0613-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-5

16.07.17, Substance Use Disorders Services

- 16-0717-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-2

16.07.39, Designated Examiners and Dispositioners

- 16-0739-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-2

IDAPA 17 – INDUSTRIAL COMMISSION

- 17-0000-2100** *Rules of the Idaho Industrial Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 10, Chapter 01; and Title 11, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 17-0000-2100F** *Rules of the Department of Finance* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 17-0000-2000F – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 17-0000-2000F** *Rules of the Idaho Industrial Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 17-0000-2000F** *Rules of the Idaho Industrial Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE
- 17-0000-2000F** *Rules of the Idaho Industrial Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (**temporary rule rescinded**)

17.01.01, Administrative Rules Under the Worker's Compensation Law

- 17-0101-2102** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-7
- 17-0101-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-6

IDAPA 18 – DEPARTMENT OF INSURANCE

- 18-0000-2100** *Rules of the Idaho Department of Insurance* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01; Title 02, Chapters 01-03; Title 03, Chapters 02-05; Title 04, Chapters 01-15; Title 05, Chapter 01; Title 06, Chapters 01-06; Title 07, Chapters 01-06, 08-10; and Title 08, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 18-0000-2100F** *Rules of the Idaho Department of Insurance* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 18-0000-2000F – Reauthorizes Title 01, Chapter 02; and Title 08, Chapter 02 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 18-ZBRR-2101** *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 02, Chapter 01; Title 03, Chapters 01, 05; Title 04, Chapters 01, 02, 07, 09, 10; Title 06, Chapter 04; and Title 07, Chapter 07 – Bulletin Vol. 21-6
- 18-0000-2000F** *Rules of the Idaho Department of Insurance* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 02; and Title 08, Chapter 02 – Bulletin Vol. 20-11SE (PLR 2021)
- 18-0000-2000F** *Rules of the Idaho Department of Insurance* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 02; and Title 08, Chapter 02 – Bulletin Vol. 20-9SE
- 18-0000-2000F** *Rules of the Idaho Department of Insurance* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 02; Title 08, Chapter 02 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (**temporary rule rescinded**)

18.02.01, Insurance Rates and Credit Rating

- 18-0201-2101** Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-9
- 18-ZBRR-2101** *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 02, Chapter 01 – Bulletin Vol. 21-6

18.03.01, Suitability in Annuity Transactions

- 18-ZBRR-2101** *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 03, Chapter 01 – Bulletin Vol. 21-6

18.03.05, Credit Life and Credit Disability Insurance

- 18-0305-2101** Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-9

18-ZBRR-2101 *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 03, Chapter 05 – Bulletin Vol. 21-6

18.04.01, Health Carrier External Review

18-0401-2101 Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-9

18-ZBRR-2101 *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 04, Chapter 01 – Bulletin Vol. 21-6

18.04.02, Rule to Implement Uniform Coverage for Newborn and Newly Adopted Children

18-0402-2101* Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-9

**Changes chapter name from “Rule to Implement Uniform Coverage for Newborn and Newly Adopted Children”*

18-ZBRR-2101 *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 04, Chapter 02 – Bulletin Vol. 21-6

18.04.07, Restrictions on Discretionary Clauses in Health Insurance Contracts

18-0407-2101 Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-9

18-ZBRR-2101 *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 04, Chapter 07 – Bulletin Vol. 21-6

18.04.09, Complications of Pregnancy

18-ZBRR-2101 *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 04, Chapter 09 – Bulletin Vol. 21-6

18.04.10, The Medicare Supplement Insurance Minimum Standards Model Act

18-0410-2101* Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-9

**Changes chapter name from “The Medicare Supplement Insurance Minimum Standards Model Act”*

18-ZBRR-2101 *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 04, Chapter 10 – Bulletin Vol. 21-6

18.06.04, Continuing Education

18-0604-2101 Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-9

18-ZBRR-2101 *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 06, Chapter 04 – Bulletin Vol. 21-6

18.07.07, Credit for Reinsurance Rules

18-ZBRR-2101 *Rules of the Idaho Department of Insurance* – Notice of Intent to Promulgate Rules – Zero-Based Regulation
Negotiated Rulemaking – Negotiates Title 07, Chapter 07 – Bulletin Vol. 21-6

18.08.01, Adoption of the International Fire Code

18-0801-2001 Adoption of Pending Rule, Bulletin Vol. 20-11 (PLR 2021)

18-0801-2001 Proposed Rulemaking, Bulletin Vol. 20-9

18-0801-2001 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 20-6

IDAPA 19 – BOARD OF DENTISTRY

(MOVED AND REDESIGNATED) 19.01.01, Rules of the Idaho State Board of Dentistry

19-0000-2000 **IDAPA 19 – IDAHO STATE BOARD OF DENTISTRY** – Notice of Legislative and Executive Action Affecting the Idaho State Board of Dentistry Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 31, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 31, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

19-0101-2000F *Rules of the Idaho State Board of Dentistry* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends IDAPA 24, Title 31, Chapter 01 – Bulletin Vol. 20-11 (eff. 7-24-20)T

19-0101-2000F *Rules of the Idaho State Board of Dentistry* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 20 – DEPARTMENT OF LANDS

20-0000-2100 *Rules of the Idaho Department of Lands* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01; Title 02, Chapter 01; Title 04, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

20-0000-2100F *Rules of the Idaho Department of Lands* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 20-0000-2000F – Title 02, Chapter 14; Title 03, Chapters 01-05, 08, 09, 13-17; Title 04, Chapter 02; Title 06, Chapter 01; and Title 07, Chapter 02 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

20-0000-2000F *Rules of the Idaho Department of Lands* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapter 14; Title 03, Chapters 01-05, 08, 09, 13-17; Title 04, Chapter 02; Title 06, Chapter 01; and Title 07, Chapter 02 – Bulletin Vol. 20-11SE (PLR 2021)

20-0000-2000F *Rules of the Idaho Department of Lands* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapter 14; Title 03, Chapters 01-05, 08, 09, 13-17; Title 04, Chapter 02; Title 06, Chapter 01; and Title 07, Chapter 02 – Bulletin Vol. 20-9SE

20-0000-2000F *Rules of the Idaho Department of Lands* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 02, Chapter 14; Title 03, Chapters 01-05, 08, 09, 13-17; Title 04, Chapter 02; Title 06, Chapter 01; Title 07, Chapter 02 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (**temporary rule rescinded**)

20.02.01, Rules Pertaining to the Idaho Forest Practices Act

20-0201-2101 Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-9

20-0201-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

20.03.02, Rules Governing Mined Land Reclamation

20-0302-2001 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking (New Chapter), Bulletin Vol. 20-5

20-0000-2000F *Rules of the Idaho Department of Lands* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 03, Chapter 02 – Bulletin Vol. 20-11SE (PLR 2021)

20-0000-2000F *Rules of the Idaho Department of Lands* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 03, Chapter 02 – Bulletin Vol. 20-9SE

20-0000-2000F *Rules of the Idaho Department of Lands* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 02 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

20.03.09, Easements on State-Owned Submerged Lands and Formerly Submerged Lands

20-0309-2101* Proposed Rulemaking (New ZBR Chapter, Fee Rule), Bulletin Vol. 21-9

**Changes chapter name from “Easements on State-Owned Submerged Lands and Formerly Submerged Lands”*

20-0309-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

20.06.01, Rules of the Idaho Board of Scaling Practices

20-0601-2101 Proposed Rulemaking (New ZBR Chapter, Fee Rule), Bulletin Vol. 21-9

20-0601-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-3

IDAPA 21 – DIVISION OF VETERANS SERVICES

21-0000-2100 *Rules of the Division of Veterans Services* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 06 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

21-0000-2100F *Rules of the Division of Veterans Services* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 21-0000-2000F – Reauthorizes Title 01, Chapters 01, 04 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

- 21-0000-2000F** *Rules of the Division of Veterans Services* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapters 01, 04 – Bulletin Vol. 20-11SE (PLR 2021)
- 21-0000-2000F** *Rules of the Division of Veterans Services* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapters 01, 04 – Bulletin Vol. 20-9SE
- 21-0000-2000F** *Rules of the Division of Veterans Services* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapters 01, 04 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (**temporary rule rescinded**)

21.01.04, Rules Governing the Idaho State Veterans Cemetery

- 21-0104-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-6

IDAPA 22 – BOARD OF MEDICINE

- 22-0000-2000** **IDAPA 22 – BOARD OF MEDICINE** – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapters 01** through **07** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapters 01 – 07** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 22-0000-2000F** *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapters 01, 03, 07, 10, 11, 13 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *22.01.01, Rules of the Board of Medicine for the Licensure to Practice Medicine and Osteopathic Medicine in Idaho*

- 22-0000-2000** **IDAPA 22 – BOARD OF MEDICINE** – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 22-0000-2000F** *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 01** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *22.01.03, Rules for the Licensure of Physician Assistants*

- 22-0000-2000** **IDAPA 22 – BOARD OF MEDICINE** – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 02** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 02** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 22-0000-2000F** *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 03** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *22.01.05, General Provisions of the Board of Medicine*

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 03** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 03** – Bulletin Vol. 20-7 (eff. 7-1-20)

(MOVED AND REDESIGNATED) *22.01.07, Rules for the Licensure of Naturopathic Medical Doctors*

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 04** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 04** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F Rules of the Idaho Board of Medicine – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 07** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *22.01.10, Rules for the Licensure of Athletic Trainers to Practice in Idaho*

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 05** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 05** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F Rules of the Idaho Board of Medicine – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 10** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *22.01.11, Rules for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho*

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 06** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 06** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F Rules of the Idaho Board of Medicine – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 11** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

(MOVED AND REDESIGNATED) *22.01.13, Rules for the Licensure of Dietitians*

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 07** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 07** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F Rules of the Idaho Board of Medicine – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 13** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 23 – BOARD OF NURSING

(MOVED AND REDESIGNATED) 23.01.01, Rules of the Idaho Board of Nursing

23-0000-2000 IDAPA 23 – BOARD OF NURSING – Notice of Legislative and Executive Action Affecting the Idaho Board of Nursing Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 34, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 34, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

23-0101-2000F Rules of the Idaho Board of Nursing – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24-0000-2100 Rules of the Division of Occupational and Professional Licenses – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 33, Chapter 03; and Title 39, Chapters 32, 60, 80 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

24-0000-2100F Rules of the Division of Occupational and Professional Licenses – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Dockets 01-0101-2000F, 07-0000-2000F, 10-0101-2000F, 19-0101-2000F, 22-0000-2000F, 23-0101-2000F, 24-0101-2000F, 24-0201-2000F, 24-0301-2000F, 24-0401-2000F, 24-0501-2000F, 24-0601-2000F, 24-0701-2000F, 24-0801-2000F, 24-0901-2000F, 24-1001-2000F, 24-1101-2000F, 24-1201-2000F, 24-1310-2000F, 24-1401-2000F, 24-1501-2000F, 24-1601-2000F, 24-1701-2000F, 24-1801-2000F, 24-1901-2000F, 24-2101-2000F, 24-2201-2000F, 24-2301-2000F, 24-2401-2000F, 24-2501-2000F, 24-2601-2000F, 24-2701-2000F, 24-2801-2000F, 24-2901-2000F, 27-0101-2000F, 33-0101-2000F, and 46-0101-2000F – Reauthorizes Title 01, Chapter 01; Title 02, Chapter 01; Title 03, Chapter 01; Title 04, Chapter 01; Title 05, Chapter 01; Title 06, Chapter 01; Title 07, Chapter 01; Title 08, Chapter 01; Title 09, Chapter 01; Title 10, Chapter 01; Title 11, Chapter 01; Title 12, Chapter 01; Title 13, Chapter 01; Title 14, Chapter 01; Title 15, Chapter 01; Title 16, Chapter 01; Title 17, Chapter 01; Title 18, Chapter 01; Title 19, Chapter 01; Title 21, Chapter 01; Title 22, Chapter 01; Title 23, Chapter 01; Title 24, Chapter 01; Title 25, Chapter 01; Title 26, Chapter 01; Title 27, Chapter 01; Title 28, Chapter 01; Title 29, Chapter 01; Title 30, Chapter 01; Title 31, Chapter 01; Title 32, Chapter 01; Title 33, Chapters 01, 02, 04-07; Title 34, Chapter 01; Title 36, Chapter 01; Title 37, Chapter 01; Title 38, Chapter 01; and Title 39, Chapters 10, 20, 30, 31, 33, 34, 40, 50, 70, 90 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0101-2000F Rules of the Board of Architectural Examiners – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-0101-2000F Rules of the Board of Architectural Examiners – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01, – Bulletin Vol. 20-9SE

24-0101-2000F Rules of the Board of Architectural Examiners – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

- 24-0201-2000F** *Rules of the State Athletic Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-0201-2000F** *Rules of the State Athletic Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0201-2000F** *Rules of the State Athletic Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-0301-2000F** *Rules of the State Board of Chiropractic Physicians* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 03, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-0301-2000F** *Rules of the State Board of Chiropractic Physicians* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 03, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0301-2000F** *Rules of the State Board of Chiropractic Physicians* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-0401-2000F** *Rules of Procedure of the Board of Registration for Professional Geologists* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 04, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-0401-2000F** *Rules of Procedure of the Board of Registration for Professional Geologists* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 04, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0401-2000F** *Rules of Procedure of the Board of Registration for Professional Geologists* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 04, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-0501-2000F** *Rules of the Board of Drinking Water and Wastewater Professionals* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 05, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-0501-2000F** *Rules of the Board of Drinking Water and Wastewater Professionals* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 05, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0501-2000F** *Rules of the Board of Drinking Water and Wastewater Professionals* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 05, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-0601-2000F** *Rules for the Licensure of Occupational Therapists & Occupational Therapy Assistants* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 06, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-0601-2000F** *Rules for the Licensure of Occupational Therapists & Occupational Therapy Assistants* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 06, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0601-2000F** *Rules for the Licensure of Occupational Therapists & Occupational Therapy Assistants* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 06, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-0701-2000F** *Rules of the Idaho State Board of Landscape Architects* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 07, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-0701-2000F** *Rules of the Idaho State Board of Landscape Architects* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 07, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0701-2000F** *Rules of the Idaho State Board of Landscape Architects* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 07, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-0801-2000F** *Rules of the State Board of Morticians* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-0801-2000F** *Rules of the State Board of Morticians* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 08, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0801-2000F** *Rules of the State Board of Morticians* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-0901-2000F** *Rules of the Board of Examiners of Nursing Home Administrators* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 09, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-0901-2000F** *Rules of the Board of Examiners of Nursing Home Administrators* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 09, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0901-2000F** *Rules of the Board of Examiners of Nursing Home Administrators* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 09, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1001-2000F** *Rules of the Board of Optometry* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1001-2000F** *Rules of the Board of Optometry* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 10, Chapter 01, – Bulletin Vol. 20-9SE

- 24-1001-2000F** *Rules of the Board of Optometry* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1101-2000F** *Rules of the State Board of Podiatry* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 11, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1101-2000F** *Rules of the State Board of Podiatry* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 11, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1101-2000F** *Rules of the State Board of Podiatry* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 11, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1201-2000F** *Rules of the Idaho State Board of Psychological Examiners* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 12, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1201-2000F** *Rules of the Idaho State Board of Psychological Examiners* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 12, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1201-2000F** *Rules of the Idaho State Board of Psychological Examiners* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 12, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1301-2000F** *Rules Governing the Physical Therapy Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 13, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1301-2000F** *Rules Governing the Physical Therapy Licensure Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 13, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1301-2000F** *Rules Governing the Physical Therapy Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 13, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1401-2000F** *Rules of the State Board of Social Work Examiners* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 14, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1401-2000F** *Rules of the State Board of Social Work Examiners* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 14, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1401-2000F** *Rules of the State Board of Social Work Examiners* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 14, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1501-2000F** *Rules of the Idaho Licensing Board of Professional Counselors & Marriage and Family Therapists* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 15, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1501-2000F** *Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 15, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1501-2000F** *Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 15, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1601-2000F** *Rules of the State Board of Dentistry* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 16, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1601-2000F** *Rules of the State Board of Dentistry* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 16, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1601-2000F** *Rules of the State Board of Dentistry* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 16, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1701-2000F** *Rules of the State Board of Acupuncture* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 17, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1701-2000F** *Rules of the State Board of Acupuncture* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 17, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1701-2000F** *Rules of the State Board of Acupuncture* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 17, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-1801-2000F** *Rules of the Real Estate Appraiser Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 18, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1801-2000F** *Rules of the Real Estate Appraiser Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 18, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1801-2000F** *Rules of the Real Estate Appraiser Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 18, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

- 24-1901-2000F** *Rules of the Board of Examiners of Residential Care Facility Administrators* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 19, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-1901-2000F** *Rules of the Board of Examiners of Residential Care Facility Administrators* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 19, Chapter 01, – Bulletin Vol. 20-9SE
- 24-1901-2000F** *Rules of the Board of Examiners of Residential Care Facility Administrators* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 19, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2101-2000F** *Rules of the Idaho State Contractors Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 21, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2101-2000F** *Rules of the Idaho State Contractors Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 21, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2101-2000F** *Rules of the Idaho State Contractors Board* – Notice of Omnibus Rulemaking – Amendment to Temporary (Fee) Rule – Amends Title 21, Chapter 01 – Bulletin Vol. 20-8 (eff. 7-1-20)
- 24-2101-2000F** *Rules of the Idaho State Contractors Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 21, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2201-2000F** *Rules of the Idaho State Liquefied Petroleum Gas Safety Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 22, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2201-2000F** *Rules of the Idaho State Liquefied Petroleum Gas Safety Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 22, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2201-2000F** *Rules of the Idaho State Liquefied Petroleum Gas Safety Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 22, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2301-2000F** *Rules of the Speech, Hearing and Communication Services Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 23, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2301-2000F** *Rules of the Speech, Hearing and Communication Services Licensure Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 23, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2301-2000F** *Rules of the Speech, Hearing and Communication Services Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 23, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2401-2000F** *Rules of the Genetic Counselors Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 24, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2401-2000F** *Rules of the Genetic Counselors Licensing Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 24, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2401-2000F** *Rules of the Genetic Counselors Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 24, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2501-2000F** *Rules of the Idaho Driving Businesses Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 25, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2501-2000F** *Rules of the Idaho Driving Businesses Licensure Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 25, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2501-2000F** *Rules of the Idaho Driving Businesses Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 25, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2601-2000F** *Rules of the Idaho Board of Midwifery* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 26, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2601-2000F** *Rules of the Idaho Board of Midwifery* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 26, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2601-2000F** *Rules of the Idaho Board of Midwifery* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 26, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2701-2000F** *Rules of the Idaho State Board of Massage Therapy* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 27, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2701-2000F** *Rules of the Idaho State Board of Massage Therapy* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 27, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2701-2000F** *Rules of the Idaho State Board of Massage Therapy* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 27, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2801-2000F** *Rules of the Barber and Cosmetology Services Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 28, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

- 24-2801-2000F** *Rules of the Barber and Cosmetology Services Licensing Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 28, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2801-2000F** *Rules of the Barber and Cosmetology Services Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 28, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-2901-2000F** *Rules of Procedure of the Idaho Certified Shorthand Reporters Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 29, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2901-2000F** *Rules of Procedure of the Idaho Certified Shorthand Reporters Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 29, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2901-2000F** *Rules of Procedure of the Idaho Certified Shorthand Reporters Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 29, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 24-3001-2000F** *Idaho Accountancy Rules* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 30, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3001-2000F** *Idaho Accountancy Rules* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 30, Chapter 01 – Bulletin Vol. 20-9SE
- 24-3101-2000F** *Rules of the Idaho State Board of Dentistry* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 31, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3101-2000F** *Rules of the Idaho State Board of Dentistry* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 31, Chapter 01 – Bulletin Vol. 20-9SE
- 24-3201-2000F** *Rules of the Board of Professional Engineers and Professional Land Surveyors* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 32, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3201-2000F** *Rules of the Board of Professional Engineers and Professional Land Surveyors* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 32, Chapter 01 – Bulletin Vol. 20-9SE
- 24-3300-2000F** *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 33, Chapters 01, 02, 04-07 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3300-2000F** *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 33, Chapters 01, 02, 04-07 – Bulletin Vol. 20-9SE
- 24-3401-2000F** *Rules of the Idaho Board of Nursing* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 34, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3401-2000F** *Rules of the Idaho Board of Nursing* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 34, Chapter 01 – Bulletin Vol. 20-9SE
- 24-3501-2000** *Rules of the Outfitters and Guides Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Pending Rule – Reauthorizes Title 35, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3501-2000** *Rules of the Outfitters and Guides Licensing Board* – Notice of Omnibus Rulemaking – Proposed Rule – Reauthorizes Title 35, Chapter 01 – Bulletin Vol. 20-9SE
- 24-3601-2000F** *Rules of the Idaho State Board of Pharmacy* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 36, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3601-2000F** *Rules of the Idaho State Board of Pharmacy* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 36, Chapter 01 – Bulletin Vol. 20-9SE
- 24-3701-2000F** *Rules of the Idaho Real Estate Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 37, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3701-2000F** *Rules of the Idaho Real Estate Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 37, Chapter 01 – Bulletin Vol. 20-9SE
- 24-3801-2000F** *Rules of the Idaho Board of Veterinary Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 38, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3801-2000F** *Rules of the Idaho Board of Veterinary Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 38, Chapter 01 – Bulletin Vol. 20-9SE
- 24-3900-2000F** *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapters 10, 20, 30, 31, 33, 34, 40, 50, 70, 90 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapters 10, 20, 30, 31, 33, 34, 40, 50, 70, 90 – Bulletin Vol. 20-9SE

24.02.01, Rules of the State Athletic Commission

24-0201-2001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 20-4

24-0201-2000F *Rules of the State Athletic Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-0201-2000F *Rules of the State Athletic Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapter 01, – Bulletin Vol. 20-9SE

24-0201-2000F *Rules of the State Athletic Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 02, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.03.01, Rules of the State Board of Chiropractic Physicians

24-0301-2001 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking (New Chapter), Bulletin Vol. 20-6

24-0301-2000F *Rules of the State Board of Chiropractic Physicians* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 03, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-0301-2000F *Rules of the State Board of Chiropractic Physicians* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 03, Chapter 01, – Bulletin Vol. 20-9SE

24-0301-2000F *Rules of the State Board of Chiropractic Physicians* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.08.01, Rules of the State Board of Morticians

24-0801-2001 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-4

24-0801-2000F *Rules of the State Board of Morticians* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-0801-2000F *Rules of the State Board of Morticians* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 08, Chapter 01, – Bulletin Vol. 20-9SE

24-0801-2000F *Rules of the State Board of Morticians* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.12.01, Rules of the Idaho State Board of Psychologist Examiners

24-1201-2001 *Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-4 (Terminated)*

24-1201-2000F *Rules of the Idaho State Board of Psychological Examiners* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 12, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-1201-2000F *Rules of the Idaho State Board of Psychological Examiners* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 12, Chapter 01, – Bulletin Vol. 20-9SE

24-1201-2000F *Rules of the Idaho State Board of Psychological Examiners* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 12, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.13.01, Rules Governing the Physical Therapy Licensure Board

24-1301-2001 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-4

24-1301-2000F *Rules Governing the Physical Therapy Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 13, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-1301-2000F *Rules Governing the Physical Therapy Licensure Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 13, Chapter 01, – Bulletin Vol. 20-9SE

24-1301-2000F *Rules Governing the Physical Therapy Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 13, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.20.01, Rules of the Division of Occupational and Professional Licenses

24-2001-2002 Adoption of Temporary Rule, Bulletin Vol. 20-10 (eff. 8-7-20)T

24-2001-2001 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-4

24.25.01, Rules of the Idaho Driving Businesses Licensure Board

- 24-2501-2001** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-4
- 24-2501-2000F** *Rules of the Idaho Driving Businesses Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 25, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2501-2000F** *Rules of the Idaho Driving Businesses Licensure Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 25, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2501-2000F** *Rules of the Idaho Driving Businesses Licensure Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 25, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.28.01, Rules of the Barber and Cosmetology Services Licensing Board

- 24-2801-2001** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-4
- 24-2801-2000F** *Rules of the Barber and Cosmetology Services Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 28, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-2801-2000F** *Rules of the Barber and Cosmetology Services Licensing Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 28, Chapter 01, – Bulletin Vol. 20-9SE
- 24-2801-2000F** *Rules of the Barber and Cosmetology Services Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 28, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.30.01, Idaho Accountancy Rules

**(Re-designated from IDAPA 01.01.01 to 24.30.01)*

- 24-3001-2000F** *Idaho Accountancy Rules* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 30, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3001-2000F** *Idaho Accountancy Rules* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 30, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 30, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 01-0000-2000** **IDAPA 01 – IDAHO BOARD OF ACCOUNTANCY** – Notice of Legislative and Executive Action Affecting the Idaho Board of Accountancy Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 30, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)
- 01-0101-2000F** *Idaho Accountancy Rules* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.31.01, Rules of the Idaho State Board of Dentistry

**(Re-designated from IDAPA 19.01.01 to 24.31.01)*

- 24-3101-2000F** *Rules of the Idaho State Board of Dentistry* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 31, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3101-2000F** *Rules of the Idaho State Board of Dentistry* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 31, Chapter 01, – Bulletin Vol. 20-9SE
- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 31, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 19-0000-2000** **IDAPA 19 – IDAHO STATE BOARD OF DENTISTRY** – Notice of Legislative and Executive Action Affecting the Idaho State Board of Dentistry Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 31, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)
- 19-0101-2000F** *Rules of the Idaho State Board of Dentistry* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends IDAPA 24, Title 31, Chapter 01 – Bulletin Vol. 20-11 (eff. 7-24-20)T

19-0101-2000F *Rules of the Idaho State Board of Dentistry* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.32.01, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors
**(Re-designated from IDAPA 10.01.01 to 24.32.01)*

24-3201-2000F *Rules of the Board of Professional Engineers and Professional Land Surveyors* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 32, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-3201-2000F *Rules of the Board of Professional Engineers and Professional Land Surveyors* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 32, Chapter 01, – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 32, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

10-0000-2000 IDAPA 10 – IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS – Notice of Legislative and Executive Action Affecting the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 32, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)

10-0101-2000F *Rules of the Board of Professional Engineers and Professional Land Surveyors* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.33.01, Rules of the Board of Medicine for the Licensure to Practice Medicine and Osteopathic Medicine in Idaho
**(Re-designated from IDAPA 22.01.01 to 24.33.01)*

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 33, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 33, Chapter 01 – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 01** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.33.02, Rules for the Licensure of Physician Assistants
**(Re-designated from IDAPA 22.01.03 to 24.33.02)*

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 33, Chapter 02 – Bulletin Vol. 20-11SE (PLR 2021)

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 33, Chapter 02 – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 02** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 02** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 03** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.33.03, General Provisions of the Board of Medicine

**(Re-designated from IDAPA 22.01.05 to 24.33.03)*

24-3303-2001 Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)

24-3303-2001 Proposed Rulemaking, Bulletin Vol. 20-9

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 03** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 03** – Bulletin Vol. 20-7 (eff. 7-1-20)

24.33.04, Rules for the Licensure of Naturopathic Medical Doctors

**(Re-designated from IDAPA 22.01.07 to 24.33.04)*

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 33, Chapter 04 – Bulletin Vol. 20-11SE (PLR 2021)

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 33, Chapter 04 – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 04** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 04** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 07** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.33.05, Rules for the Licensure of Athletic Trainers to Practice in Idaho

**(Re-designated from IDAPA 22.01.10 to 24.33.05)*

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 33, Chapter 05 – Bulletin Vol. 20-11SE (PLR 2021)

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 33, Chapter 05 – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 05** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000 IDAPA 22 – BOARD OF MEDICINE – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 05** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 10** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.33.06, Rules for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho

**(Re-designated from IDAPA 22.01.11 to 24.33.06)*

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 33, Chapter 06 – Bulletin Vol. 20-11SE (PLR 2021)

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 33, Chapter 06 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 06** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000 **IDAPA 22 – BOARD OF MEDICINE** – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 06** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 11** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.33.07, Rules for the Licensure of Dietitians

**(Re-designated from IDAPA 22.01.13 to 24.33.07)*

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 33, Chapters 07 – Bulletin Vol. 20-11SE (PLR 2021)

24-3300-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 33, Chapter 07 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 07** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000 **IDAPA 22 – BOARD OF MEDICINE** – Notice of Legislative and Executive Action Affecting the Idaho Board of Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 33, Chapter 07** – Bulletin Vol. 20-7 (eff. 7-1-20)

22-0000-2000F *Rules of the Idaho Board of Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 01, Chapter 13** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.34.01, Rules of the Idaho Board of Nursing

**(Re-designated from IDAPA 23.01.01 to 24.34.01)*

24-3401-2000F *Rules of the Idaho Board of Nursing* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 34, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-3401-2000F *Rules of the Idaho Board of Nursing* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 34, Chapter 01 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 34, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

23-0000-2000 **IDAPA 23 – BOARD OF NURSING** – Notice of Legislative and Executive Action Affecting the Idaho Board of Nursing Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 34, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)

23-0101-2000F *Rules of the Idaho Board of Nursing* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.35.01, Rules of the Outfitters and Guides Licensing Board**(Re-designated from IDAPA 25.01.01 to 24.35.01)*

- 24-3501-2000** *Rules of the Outfitters and Guides Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Pending Rule – Reauthorizes Title 35, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3501-2000** *Rules of the Outfitters and Guides Licensing Board* – Notice of Omnibus Rulemaking – Proposed Rule – Reauthorizes Title 35, Chapter 01 – Bulletin Vol. 20-9SE
- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 35, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 25-0000-2000** **IDAPA 25 – IDAHO OUTFITTERS AND GUIDES LICENSING BOARD** – Notice of Legislative and Executive Action Affecting the Idaho Outfitters and Guides Licensing Board Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 35, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)
- 25-0101-2000F** *Rules of the Outfitters and Guides Licensing Board* – Notice of Omnibus Rulemaking – Amendment to Temporary (Fee) Rule – Amends IDAPA 24, Title 35, Chapter 01 – Bulletin Vol. 20-9 (eff. 10-1-20)T
- 25-0101-2000F** *Rules of the Outfitters and Guides Licensing Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 25-0101-2001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 20-3

24.36.01, Rules of the Idaho State Board of Pharmacy**(Re-designated from IDAPA 27.01.01 to 24.36.01)*

- 24-3601-2000F** *Rules of the Idaho State Board of Pharmacy* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 36, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3601-2000F** *Rules of the Idaho State Board of Pharmacy* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 36, Chapter 01 – Bulletin Vol. 20-9SE
- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 36, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 27-0000-2000** **IDAPA 27 – BOARD OF PHARMACY** – Notice of Legislative and Executive Action Affecting the Idaho Board of Pharmacy Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 36, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)
- 27-0101-2000F** *Rules of the Idaho State Board of Pharmacy* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.37.01, Rules of the Idaho Real Estate Commission**(Re-designated from IDAPA 33.01.01 to 24.37.01)*

- 24-3701-2000F** *Rules of the Idaho Real Estate Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 37, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 24-3701-2000F** *Rules of the Idaho Real Estate Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 37, Chapter 01 – Bulletin Vol. 20-9SE
- 24-0000-2000** **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 37, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)
- 33-0000-2000** **IDAPA 33 – REAL ESTATE COMMISSION** – Notice of Legislative and Executive Action Affecting the Idaho Real Estate Commission Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 37, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)

33-0101-2000F *Rules of the Idaho Real Estate Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.38.01, Rules of the State of Idaho Board of Veterinary Medicine

**(Re-designated from IDAPA 46.01.01 to 24.38.01)*

24-3801-2000F *Rules of the Idaho Board of Veterinary Medicine* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 38, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

24-3801-2000F *Rules of the Idaho Board of Veterinary Medicine* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 38, Chapter 01 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 38, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

46-0000-2000 **IDAPA 46 – IDAHO BOARD OF VETERINARY MEDICINE** – Notice of Legislative and Executive Action Affecting the State of Idaho Board of Veterinary Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 38, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)

46-0101-2000F *Rules of the Idaho Board of Veterinary Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.01, Rules of the Division of Building Safety

**(Re-designated from IDAPA 07.11.01 to 24.39.01)*

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

24.39.10, Rules of the Idaho Electrical Board

**(Re-designated from IDAPA 07.01.01 to 24.39.10)*

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 10 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 10 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 10** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 10** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.20, Rules Governing Plumbing

**(Re-designated from IDAPA 07.02.02 to 24.39.20)*

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 20 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 20 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 20** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 20** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 02, Chapter 02** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.30, Rules of Building Safety (Building Code Rules)

**(Re-designated from IDAPA 07.03.01 to 24.39.30)*

24-3930-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-4

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapters 30 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 30 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 30** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 30** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes **Title 03, Chapter 01** – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.31, Rules for Modular Buildings

**(Re-designated from IDAPA 07.03.03 to 24.39.31)*

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 31 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 31 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 31** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 31** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 03 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.32, Rules Governing Manufactured Homes – Consumer Complaints – Dispute Resolution

**(Re-designated from IDAPA 07.03.09 to 24.39.32)*

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 32** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 32** – Bulletin Vol. 20-7 (eff. 7-1-20)

24.39.33, Rules Governing Manufactured/Mobile Home Industry Licensing

**(Re-designated from IDAPA 07.03.11 to 24.39.33)*

24-3900-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 33 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 33 – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 33** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 33** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 11 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.34, Rules Governing Manufactured or Mobile Home Installations

**(Re-designated from IDAPA 07.03.12 to 24.39.34)*

24-3900-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 34 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 34 – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 34** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 34** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 03, Chapter 12 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.35, Rules Governing Mobile Home Rehabilitation

**(Re-designated from IDAPA 07.03.13 to 24.39.35)*

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 35** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 35** – Bulletin Vol. 20-7 (eff. 7-1-20)

24.39.40, Safety Rules for Elevators, Escalators, and Moving Walks

**(Re-designated from IDAPA 07.04.02 to 24.39.40)*

24-3900-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 40 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 40 – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 40** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 40** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 04, Chapter 02 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.50, Rules of the Public Works Contractors License Board

**(Re-designated from IDAPA 07.05.01 to 24.39.50)*

24-3900-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 50 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 50 – Bulletin Vol. 20-9SE

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 50** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 50** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F Rules of the Division of Building Safety – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 05, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.60, Rules Governing Uniform School Building Safety

**(Re-designated from IDAPA 07.06.01 to 24.39.60)*

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 60** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 IDAPA 07 – DIVISION OF BUILDING SAFETY – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 60** – Bulletin Vol. 20-7 (eff. 7-1-20)

24.39.70, Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems

**(Re-designated from IDAPA 07.07.01 to 24.39.70)*

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 70 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 70 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 70** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 70** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 07, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

24.39.80, Idaho Minimum Safety Standards and Practices for Logging

**(Re-designated from IDAPA 07.08.01 to 24.39.80)*

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 80** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 80** – Bulletin Vol. 20-7 (eff. 7-1-20)

24.39.90, Rules Governing the Damage Prevention Board

**(Re-designated from IDAPA 07.10.01 to 24.39.90)*

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 39, Chapter 90 – Bulletin Vol. 20-11SE (PLR 2021)

24-3900-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 39, Chapter 90 – Bulletin Vol. 20-9SE

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 90** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000 **IDAPA 07 – DIVISION OF BUILDING SAFETY** – Notice of Legislative and Executive Action Affecting the Division of Building Safety and Its Constituent Boards Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 39, Chapter 90** – Bulletin Vol. 20-7 (eff. 7-1-20)

07-0000-2000F *Rules of the Division of Building Safety* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 10, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 25 – OUTFITTERS AND GUIDES LICENSING BOARD

(MOVED AND REDESIGNATED) 25.01.01, *Rules of the Outfitters and Guides Licensing Board*

25-0000-2000 **IDAPA 25 – IDAHO OUTFITTERS AND GUIDES LICENSING BOARD** – Notice of Legislative and Executive Action Affecting the Idaho Outfitters and Guides Licensing Board Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 35, Chapter 01**, – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 35, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

25-0101-2000F Rules of the Outfitters and Guides Licensing Board – Notice of Omnibus Rulemaking – Amendment to Temporary (Fee) Rule – Amends IDAPA 24, Title 35, Chapter 01 – Bulletin Vol. 20-9 (eff. 10-1-20)T

25-0101-2000F Rules of the Outfitters and Guides Licensing Board – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

25-0101-2001 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-3

IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION

26-0000-2100 Rules of the Department of Parks and Recreation – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 03, 21, 22, 24, 30, 31, 34, 37 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

26-0000-2100F Rules of the Department of Parks and Recreation – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 26-0000-2000F – Reauthorizes Title 01, Chapters 10, 20, 33 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

26-ZBRR-2101 Rules of the Department of Parks and Recreation – Second Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapters 31, 33 – Bulletin Vol. 21-7

26-ZBRR-2101 Rules of the Department of Parks and Recreation – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapters 03, 30, 31, 33 – Bulletin Vol. 21-6

26-0000-2000F Rules of the Department of Parks and Recreation – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapters 10, 20, 33 – Bulletin Vol. 20-11SE (PLR 2021)

26-0000-2000F Rules of the Department of Parks and Recreation – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapters 10, 20, 33 – Bulletin Vol. 20-9SE

26-0000-2000F Rules of the Department of Parks and Recreation – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapters 10, 20, 33 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

26.01.03, Rules Governing Recreational Registration Program Vendors

26-ZBRR-2101 Rules of the Department of Parks and Recreation – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapter 03 – Bulletin Vol. 21-6

26.01.30, Idaho Safe Boating Rules

26-ZBRR-2101 Rules of the Department of Parks and Recreation – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapter 30 – Bulletin Vol. 21-6

26.01.31, Rules Governing the Administration of the Idaho Department of Parks and Recreation State and Federal Grant Funds

26-ZBRR-2101 Rules of the Department of Parks and Recreation – Second Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapter 31 – Bulletin Vol. 21-7

26-ZBRR-2101 Rules of the Department of Parks and Recreation – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapter 31 – Bulletin Vol. 21-6

26.01.33, Rules Governing the Administration of the Land and Water Conservation Fund Program

26-ZBRR-2101 Rules of the Department of Parks and Recreation – Second Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapter 33 – Bulletin Vol. 21-7

26-ZBRR-2101 Rules of the Department of Parks and Recreation – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapter 33 – Bulletin Vol. 21-6

IDAPA 27 – BOARD OF PHARMACY

(MOVED AND REDESIGNATED) 27.01.01, Rules of the Idaho State Board of Pharmacy

27-0000-2000 IDAPA 27 – BOARD OF PHARMACY – Notice of Legislative and Executive Action Affecting the Idaho Board of Pharmacy Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 36, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 36, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

27-0101-2000F Rules of the Idaho State Board of Pharmacy – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 28 – DEPARTMENT OF COMMERCE

28-0000-2100 Rules of the Idaho Department of Commerce – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 02, Chapter 03; and Title 04, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

IDAPA 29 – IDAHO POTATO COMMISSION

29-0000-2100 Rules of the Idaho Potato Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

IDAPA 31 – PUBLIC UTILITIES COMMISSION

31-0000-2100 Rules of the Idaho Public Utilities Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01; Title 12, Chapter 01; Title 21, Chapter 01; Title 26, Chapter 01; Title 31, Chapter 01; Title 36, Chapter 01; Title 41, Chapter 01; Title 46, Chapters 01, 02; Title 61, Chapter 01; Title 81, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

31.01.01, Rules of Procedure of the Idaho Public Utilities Commission

31-0101-2101 Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-10

31-0101-2101 Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-6

IDAPA 32 – ENDOWMENT FUND INVESTMENT BOARD

32-0101-2100F Rules of the Endowment Fund Investment Board – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 32-0101-2000F – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

32-0101-2000F Rules of the Credit Enhancement Program for School Districts – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

32-0101-2000F Rules of the Credit Enhancement Program for School Districts – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE

32-0101-2000F Rules of the Credit Enhancement Program for School Districts – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (**temporary rule rescinded**)

IDAPA 33 – REAL ESTATE COMMISSION

(MOVED AND REDESIGNATED) 33.01.01, Rules of the Idaho Real Estate Commission

33-0000-2000 IDAPA 33 – REAL ESTATE COMMISSION – Notice of Legislative and Executive Action Affecting the Idaho Real Estate Commission Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 37, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 37, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

33-0101-2000F Rules of the Idaho Real Estate Commission – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 34 – SECRETARY OF STATE

34-0000-2100 Rules of the Idaho Secretary of State – Notice of Omnibus Rulemaking – Adoption of Temporary Rule \ Rescission of Previous Temporary Rule Under Docket 34-0701-2002 – Reauthorizes Title 02, Chapter 02; Title 03, Chapter 01; Title 04, Chapter 02; Title 06, Chapter 01; and Title 07, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

34-0000-2100F Rules of the Idaho Secretary of State – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 34-0000-2000F – Reauthorizes Title 05, Chapters 01-03, 06 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

34-0000-2000F Rules of the Idaho Secretary of State – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 05, Chapters 01-03, 06 – Bulletin Vol. 20-11SE (PLR 2021)

34-0000-2000F Rules of the Idaho Secretary of State – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 05, Chapters 01-03, 06 – Bulletin Vol. 20-9SE

34-0000-2000F Rules of the Idaho Secretary of State – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 05, Chapters 01-03, 06 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (**temporary rule rescinded**)

34.07.01, Rules Governing Notarial Acts Performed for Remotely Located Individuals

34-0701-2002 Adoption of Temporary Rule (New Chapter), Bulletin Vol. 20-4 (eff. 3-20-20)T (**temporary rule rescinded**)

34-0701-2001 OARC Omnibus Notice of Legislative Action – Temporary Rule Not Extended, Bulletin Vol. 20-5 (**Expired: Null & Void**)

34-0701-2001 Adoption of Temporary Rule (New Chapter), Bulletin Vol. 20-1 (eff. 1-1-20)T (**Expired**)

IDAPA 35 – STATE TAX COMMISSION

35-0000-2100 Rules of the Idaho State Tax Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 01-03, 05-10; and Title 02, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

35.01.01, Income Tax Administrative Rules

35-0101-2001 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)

35-0101-2001 Proposed Rulemaking, Bulletin Vol. 20-9

35.01.03, Property Tax Administrative Rules

35-0103-2001 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)

35-0103-2001 Proposed Rulemaking, Bulletin Vol. 20-9

35.01.07, Kilowatt Hour Tax Administrative Rules

35-0107-2101 Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-10

35-0107-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-5

35.01.09, Idaho Beer and Wine Taxes Administrative Rules

35-0109-2001 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)

35-0109-2001 Proposed Rulemaking, Bulletin Vol. 20-9

35.02.01, Tax Commission Administration and Enforcement Rules

35-0201-2101 Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-10

35-0201-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-5

35-0201-2001 Adoption of Pending Rule, Bulletin Vol. 21-1 (PLR 2021)

35-0201-2001 Proposed Rulemaking, Bulletin Vol. 20-10

IDAPA 36 – IDAHO BOARD OF TAX APPEALS

36-0101-2000 *Idaho Board of Tax Appeals Rules* – Notice of Omnibus Rulemaking – Adoption of Pending Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

36-0101-2000 *Idaho Board of Tax Appeals Rules* – Notice of Omnibus Rulemaking – Proposed Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE

36-0101-2000F *Idaho Board of Tax Appeals Rules* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 37 – DEPARTMENT OF WATER RESOURCES

37-0000-2100 *Rules of the Idaho Department of Water Resources* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 02, Chapters 01, 04; and Title 03, Chapters 11, 12 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

37-0000-2100F *Rules of the Idaho Department of Water Resources* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 37-0000-2000F – Reauthorizes Title 01, Chapter 01; Title 02, Chapter 03; and Title 03, Chapters 01-10 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

37-0000-2000F *Rules of the Idaho Department of Water Resources* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01; Title 02, Chapter 03; & Title 03, Chapters 01-10 – Bulletin Vol. 20-11SE (PLR 2021)

37-0000-2000F *Rules of the Idaho Department of Water Resources* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01; Title 02, Chapter 03; and Title 03, Chapters 01-10 – Bulletin Vol. 20-9SE

37-0000-2000F *Rules of the Idaho Department of Water Resources* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01; Title 02, Chapter 03; Title 03, Chapters 01-10 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

37.01.01, Rules of Procedure of the Idaho Department of Water Resources

37-0101-2101 Proposed Rulemaking (New ZBR Chapter), Bulletin Vol. 21-10

37-0101-2101 Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-4

37.03.07, Stream Channel Alteration Rules

37-0307-2101 Proposed Rulemaking (New ZBR Chapter, Fee Rule), Bulletin Vol. 21-9

37-0307-2101 Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-4

IDAPA 38 – IDAHO DEPARTMENT OF ADMINISTRATION

38-0000-2100 *Rules of the Idaho Department of Administration* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 04, Chapter 08 – Bulletin Vol. 21-10 (eff. 9-3-21)T

38-0000-2100 *Rules of the Idaho Department of Administration* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 04, Chapters 06-09; and Title 05, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

38-0000-2100F *Rules of the Idaho Department of Administration* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 38-0000-2000F – Reauthorizes Title 04, Chapter 04 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

- 38-0000-2000F** *Rules of the Idaho Department of Administration* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 04, Chapter 04 – Bulletin Vol. 20-11SE (PLR 2021)
- 38-0000-2000F** *Rules of the Idaho Department of Administration* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 04, Chapter 04 – Bulletin Vol. 20-9SE
- 38-0000-2000F** *Rules of the Idaho Department of Administration* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 04, Chapter 04 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

38.04.08, Rules Governing Use of Idaho State Capitol Exterior

- 38-0000-2100** *Rules of the Idaho Department of Administration* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 04, Chapter 08 – Bulletin Vol. 21-10 (eff. 9-3-21)T
- 38-0408-2101** *Adoption of Temporary Rule, Bulletin Vol. 21-2 (eff. 1-7-21)T (temporary rule expired - null and void 7-1-21)*

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

- 39-0000-2100** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 02, Chapters 02, 03, 09, 27, 42, 43, 45, 46, 70-73, 75, 76, 80; Title 03, Chapters 01, 02, 04-08, 40-44, 47-50, 60, 65, 80; and Title 04, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 39-0000-2100F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 39-0000-2000F – Title 02, Chapters 04, 05, 22, 26, 41, 60; and Title 03, Chapter 03 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 39-ZBRR-2101** *Rules of the Idaho Transportation Department* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 02, Chapters 04, 05, 41, 61 – Bulletin Vol. 21-6
- 39-0000-2000F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapters 04, 05, 22, 26, 41, 60; and Title 03, Chapter 03 – Bulletin Vol. 20-11SE (PLR 2021)
- 39-0000-2000F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 02, Chapter 60 – Bulletin Vol. 20-10 (eff. 1-1-21)T
- 39-0000-2000F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapters 04, 05, 22, 26, 41, 60; and Title 03, Chapter 03 – Bulletin Vol. 20-9SE
- 39-0000-2000F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 02, Chapters 04, 05, 22, 26, 41, 60; Title 03, Chapter 03 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

39.02.04, Rules Governing Manufacture and New Vehicle Dealer Hearing Fees

- 39-ZBRR-2101** *Rules of the Idaho Transportation Department* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 02, Chapter 04 – Bulletin Vol. 21-6

39.02.05, Rules Governing Issuance of Certificates of Title

- 39-ZBRR-2101** *Rules of the Idaho Transportation Department* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 02, Chapter 05 – Bulletin Vol. 21-6

39.02.41, Rules Governing Special Provisions Applicable to Fees for Services

- 39-ZBRR-2101** *Rules of the Idaho Transportation Department* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 02, Chapter 41 – Bulletin Vol. 21-6

39.02.60, Rules Governing License Plate Provisions

- 39-ZBRR-2101** *Rules of the Idaho Transportation Department* – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 02, Chapter 60 – Bulletin Vol. 21-6

- 39-0260-2001** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking (New Chapter), Bulletin Vol. 20-6

- 39-0000-2000F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 02, Chapter 60 – Bulletin Vol. 20-11SE (PLR 2021)

- 39-0000-2000F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Amendment to Temporary Rule – Amends Title 02, Chapter 60 – Bulletin Vol. 20-10 (eff. 1-1-21)T
- 39-0000-2000F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 02, Chapter 60 – Bulletin Vol. 20-9SE
- 39-0000-2000F** *Rules of the Idaho Transportation Department* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 02, Chapter 60 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

39.02.71, Rules Governing Driver’s License Violation Point System

- 39-0271-2001** Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)
- 39-0271-2001** Temporary and Proposed Rulemaking, Bulletin Vol. 20-10 (eff. 8-20-20)T
- 39-0271-2001** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 20-6

39.03.42, Rules Governing Highway Right-of-Way Encroachments on State Rights-of Way

- 39-0342-2101** *Rescission of Temporary Rule, Bulletin Vol. 21-7 (eff. 7-1-21)*
- 39-0342-2101** *Adoption of Temporary Rule, Bulletin Vol. 21-4 (eff. sine die 2021)T*
- 39-0342-2001** Adoption of Temporary Rule, Bulletin Vol. 20-11 (eff. 10-15-20)T [expires 7-1-21]

39.03.43, Rules Governing Utilities on State Highway Right-of-Way

- 39-0343-2102** (Second) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-7
- 39-0343-2102** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-6
- 39-0343-2101** *Rescission of Temporary Rule, Bulletin Vol. 21-7 (eff. 7-1-21)*
- 39-0343-2101** *Adoption of Temporary Rule, Bulletin Vol. 21-4 (eff. sine die 2021)T*
- 39-0343-2001** Adoption of Temporary Rule, Bulletin Vol. 20-11 (eff. 10-15-20)T [expires 7-1-21]

IDAPA 40 – IDAHO COMMISSION ON THE ARTS

- 40-0000-2100** *Rules of the Idaho Commission on the Arts* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

IDAPA 41 – PUBLIC HEALTH DISTRICTS

- 41-0101-2100** *Rules of the Idaho Public Health Districts (Panhandle Health District #1)* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule \ Rescission of Previous Temporary Rule Under Docket 41-0101-2000 – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 41-0101-2000** *Rules of the Idaho Public Health Districts (Panhandle Health District #1)* – Notice of Omnibus Rulemaking – Adoption of Pending Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 41-0101-2000** *Rules of the Idaho Public Health Districts (Panhandle Health District #1)* – Notice of Omnibus Rulemaking – Proposed Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE
- 41-0101-2000** *Rules of the Idaho Public Health Districts (Panhandle Health District #1)* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

IDAPA 42 – IDAHO WHEAT COMMISSION

- 42-0101-2100F** *Rules of the Idaho Wheat Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 42-0101-2000F – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 42-0101-2000F** *Rules of the Idaho Wheat Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

42-0101-2000F *Rules of the Idaho Wheat Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE

42-0101-2000F *Rules of the Idaho Wheat Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

IDAPA 43 – IDAHO OILSEED COMMISSION

43-0101-2100F *Rules Governing the Idaho Oilseed Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 43-0101-2000F – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

43-0101-2000F *Rules Governing the Idaho Oilseed Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)

43-0101-2000F *Rules Governing the Idaho Oilseed Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE

43-0101-2000F *Rules Governing the Idaho Oilseed Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

IDAPA 45 – HUMAN RIGHTS COMMISSION

45-0101-2100 *Rules of the Idaho Human Rights Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

IDAPA 46 – BOARD OF VETERINARY MEDICINE

(MOVED AND REDESIGNATED) *46.01.01, Rules of the State of Idaho Board of Veterinary Medicine*

46-0000-2000 **IDAPA 46 – IDAHO BOARD OF VETERINARY MEDICINE** – Notice of Legislative and Executive Action Affecting the State of Idaho Board of Veterinary Medicine Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 38, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

24-0000-2000 **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES** – Notice of Legislative and Executive Action Affecting Certain Boards and Commissions Under the Department of Self-Governing Agencies – House Bill 318, Session Law 96, and Executive Order 2020-10 and Assignment of New IDAPA Designation Number Under the Division of Occupational and Professional Licenses – Redesignated as **IDAPA 24, Title 38, Chapter 01** – Bulletin Vol. 20-7 (eff. 7-1-20)

46-0101-2000F *Rules of the Idaho Board of Veterinary Medicine* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

IDAPA 47 – DIVISION OF VOCATIONAL REHABILITATION

47.01.01, Rules Governing Vocational Rehabilitation Services

47-0101-2001 Adoption of Pending Rule (New Chapter), Bulletin Vol. 21-1 (PLR 2021)

47-0101-2001 Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 20-9 (eff. 6-10-20)T

47.01.02, Rules Governing the Extended Employment Services Program

47-0102-2101 Notice of Intent to Promulgate Rules (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 21-7

IDAPA 48 – GRAPE GROWERS AND WINE PRODUCERS COMMISSION

48-0101-2100F *Rules of the Idaho Grape Growers and Wine Producers Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 48-0101-2000F – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

- 48-0101-2000F** *Rules of the Idaho Grape Growers and Wine Producers Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 48-0101-2000F** *Rules of the Idaho Grape Growers and Wine Producers Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE
- 48-0101-2000F** *Rules of the Idaho Grape Growers and Wine Producers Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

IDAPA 50 – COMMISSION OF PARDONS AND PAROLE

- 50-0101-2100** *Rules of the Commission of Pardons and Parole* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

50.01.01, Rules of the Commission of Pardons and Parole

- 50-0101-2101** *Adoption of Temporary Rule, Bulletin Vol. 21-1 (eff. 11-19-20)T (temporary rule expired - null and void 7-1-21)*
- 50-0101-2001** Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)
- 50-0101-2001** Proposed Rulemaking, Bulletin Vol. 20-10
- 50-0101-2001** Adoption of Temporary Rule, Bulletin Vol. 20-3 (eff. 1-13-20)T

IDAPA 51 – IDAHO BEEF COUNCIL

- 51-0101-2100F** *Rules of the Idaho Beef Council* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 51-0101-2000F – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 51-0101-2000F** *Rules of the Idaho Beef Council* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 51-0101-2000F** *Rules of the Idaho Beef Council* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE
- 51-0101-2000F** *Rules of the Idaho Beef Council* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

IDAPA 52 – IDAHO STATE LOTTERY COMMISSION

- 52-0103-2100F** *Rules of the Idaho State Lottery Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 52-0103-2000F – Reauthorizes Title 01, Chapter 03 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 52-0103-2000F** *Rules of the Idaho State Lottery Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 03 – Bulletin Vol. 20-11SE (PLR 2021)
- 52-0103-2000F** *Rules of the Idaho State Lottery Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 03 – Bulletin Vol. 20-9SE
- 52-0103-2000F** *Rules of the Idaho State Lottery Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 03 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

IDAPA 53 – IDAHO BARLEY COMMISSION

- 53-0101-2100F** *Rules of the Idaho Barley Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 53-0101-2000F – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

- 53-0101-2000F** *Rules of the Idaho Barley Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 53-0101-2000F** *Rules of the Idaho Barley Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE
- 53-0101-2000F** *Rules of the Idaho Barley Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

IDAPA 54 – OFFICE OF THE STATE TREASURER

54.02.01, Rules Governing the College Savings Program

- 54-0201-2001** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-12 (PLR 2021)
- 54-0201-2001** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-10

IDAPA 55 – DIVISION OF CAREER TECHNICAL EDUCATION

- 55-0000-2100** *Rules of the Idaho Division of Career Technical Education* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 03, 04 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

IDAPA 57 – SEXUAL OFFENDER MANAGEMENT BOARD

- 57-0101-2100F** *Rules of the Sexual Offender Management Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 57-0101-2000F – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 57-0101-2000F** *Rules of the Sexual Offender Management Board* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 57-0101-2000F** *Rules of the Sexual Offender Management Board* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE
- 57-0101-2000F** *Rules of the Sexual Offender Management Board* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

- 58-0000-2100** *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 02, 03, 10, 16, 17, 21-24 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 58-0000-2100F** *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule \ Rescission of Previous Temporary Rule Under Docket 58-0000-2000F – Reauthorizes Title 01, Chapters 01, 05-09, 11-14, 18, 25 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 58-0000-2000F** *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rules and Adoption of Temporary Fee Rule affecting IDAPA 58.01.13 only (eff. 11-6-20)T – Reauthorizes Title 01, Chapters 01, 05-09, 11-14, 18, 25 – Bulletin Vol. 20-11SE (PLR 2021)
- 58-0000-2000F** *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapters 01, 05-09, 11-14, 18, 25 – Bulletin Vol. 20-9SE
- 58-0000-2000F** *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapters 01, 05-09, 11-14, 18, 20, 25 – Bulletin Vol. 20-4SE (eff. 3-20-20)T (temporary rule rescinded)

TMDLs:

- 58-0000-2104** Notice of Final Decision, Salmon Falls Creek Subbasin Total Maximum Daily Load (TMDLs) – 2021 Temperature TMDLs (HUC 17040213), Bulletin Vol. 21-8
- 58-0000-2103** Notice of Final Decision, Brownlee Reservoir Subbasin – Weiser Flats Total Maximum Daily Load (TMDL) - Bacteria (HUC 17050201), Bulletin Vol. 21-8

- [58-0000-2102](#) Upper and Lower Henrys Fork Subbasins – 2021 Sediment and Bacteria Total Maximum Daily Loads (TMDLs) (HUC 17040202 & 17040203), Bulletin Vol. 21-4
- [58-0000-2101](#) South Fork Clearwater Escherichia Coli (E. Coli) Total Maximum Daily Loads (TMDLs) and Review (HUC 17060305), Bulletin Vol. 21-2
- [58-0000-2001](#) Lolo Creek Tributaries Watershed – 2017 Temperature Total Maximum Daily Load (TMDL) (HUC 17060306), Bulletin Vol. 20-11

58.01.01, Rules for the Control of Air Pollution in Idaho

- [58-0101-2101](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-10

- [58-0000-2000F](#) *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- [58-0000-2000F](#) *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-9SE
- [58-0000-2000F](#) *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

- [58-0101-1902](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5
- [58-0101-1901](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-3

58.01.02, Water Quality Standards

- [58-0102-2001](#) Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)
- [58-0102-2001](#) Proposed Rulemaking, Bulletin Vol. 20-9
- [58-0102-2001](#) Notice of Meeting of the Idaho Board of Environmental Quality, Bulletin Vol. 20-9
- [58-0102-2001](#) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-4

- [58-0102-1801](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-4

58.01.03, Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks

- [58-0103-1901](#) Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)
- [58-0103-1901](#) Proposed Rulemaking, Bulletin Vol. 20-9
- [58-0103-1901](#) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 19-6

58.01.04, Rules for Administration of Wastewater Treatment Facility Grants

- [58-0104-1901](#) Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-7 (PLR 2021)
- [58-0104-1901](#) Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 19-11 (**Repeals and Consolidates into 58.01.22*)
- [58-0104-1901](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-8

58.01.05, Rules and Standards for Hazardous Waste

- [58-0105-2101](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-4

58.01.06, Solid Waste Management Rules

- [58-0000-2000F](#) *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 06 – Bulletin Vol. 20-11SE (PLR 2021)
- [58-0000-2000F](#) *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 06 – Bulletin Vol. 20-9SE
- [58-0000-2000F](#) *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 06 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

- [58-0106-1901*](#) *Proposed Rulemaking, Bulletin Vol. 19-11 (*proposed changes consolidated in omnibus docket 58-0000-2000F)*
- [58-0106-1901*](#) *Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-8*

58.01.09, Rules Regulating Swine Facilities

- [58-0109-2101](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-4

58.01.12, Rules for Administration of Water Pollution Control Loans

58-0000-2000F **Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 12 – Bulletin Vol. 20-11SE (PLR 2021)

(*Rulemaking changes chapter name to: “*Rules for Administration of Wastewater and Drinking Water Loan Funds*” and consolidates 58.01.20 into this chapter)

58-0000-2000F **Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 12 – Bulletin Vol. 20-9SE

58-0000-2000F **Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 12 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

58-0112-1901* *Proposed Rulemaking, Bulletin Vol. 19-11 (Consolidates 58.01.20 into this chapter)*

(*proposed changes consolidated in omnibus docket 58-0000-2000F)

58-0112-1901* *Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 19-8*

58.01.13, Rules for Ore Processing by Cyanidation

58-0000-2000F **Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule and Adoption of Temporary Fee Rule affecting IDAPA 58.01.13 only (eff. 11-6-20)T – Reauthorizes Title 01, Chapter 13 – Bulletin Vol. 20-11SE (PLR 2021)

58-0000-2000F **Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 13 – Bulletin Vol. 20-9SE

58-0000-2000F **Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 13 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

58-0113-1901* *(Second) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-2*

(*changes negotiated under this docket were consolidated in omnibus docket 58-0000-2000F)

58-0113-1901* *Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5*

58.01.18, Idaho Land Remediation Rules

58-0118-2101 *Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-4*

58.01.19, Rules for the Design and Construction of Phosphogypsum Stacks

58-0119-2001 *Notice of Intent to Promulgate Rules – Negotiated Rulemaking (New Chapter), Bulletin Vol. 20-4*

58.01.20, Rules for Administration of Drinking Water Loan Program

58-0000-2000F **Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Rulemaking combines Title 01, Chapter 20 with 58.01.12, current chapter will expire – Bulletin Vol. 20-9SE

58-0000-2000F **Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 20 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

58-0120-1901* *Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 19-11 (Repeals and Consolidates into 58.01.12)*

(*proposed changes consolidated in omnibus docket 58-0000-2000F)

58-0120-1901 *Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-8*

58.01.21, Rules Governing the Protection and Disclosure of Records in the Possession of the Department of Environmental Quality

58-0121-2101 *Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Bulletin Vol. 21-6*

58.01.22, Rules for Administration of Planning Grants for Drinking Water Facilities

58-0122-1901* *Adoption of Pending Rule, Bulletin Vol. 20-7 (PLR 2021)*

(*Rulemaking changes chapter name to: “*Rules for Administration of Planning Grants for Drinking Water and Wastewater Facilities*”)

58-0122-1901* *Proposed Rulemaking**, Bulletin Vol. 19-11 (**Consolidates 58.01.04 into this chapter)*

58-0122-1901 *Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-8*

58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality

58-0123-2101 *Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 21-4*

58.01.25, Rules Regulating the Idaho Pollutant Discharge Elimination System Program

- 58-0000-2000F** *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 01, Chapter 25 – Bulletin Vol. 20-11SE (PLR 2021)
- 58-0000-2000F** *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 01, Chapter 25 – Bulletin Vol. 20-9SE
- 58-0000-2000F** *Rules of the Department of Environmental Quality* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 01, Chapter 25 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
- 58-0125-2001*** *Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 20-4*
(*changes negotiated under this docket were consolidated in omnibus docket 58-0000-2000F)

IDAPA 59 – PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)

- 59-0000-2100** *Rules of the Public Employees Retirement System of Idaho* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01; and Title 02, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T

59.01.01, Rules for the Public Employee Retirement System of Idaho (PERSI)

- 59-0101-2001** Adoption of Pending Rule, Bulletin Vol. 20-12 (PLR 2021)
- 59-0101-2001** Proposed Rulemaking, Bulletin Vol. 20-10

IDAPA 60 – IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

60.05.01, Rules of the Idaho State Soil and Water Conservation Commission

- 60-0501-2100** *Rules of the Idaho State Soil and Water Conservation Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule \ Rescission of Previous Temporary Rule Under Docket 60-0501-2000F – Reauthorizes Title 05, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T
- 60-0501-2000F** *Rules of the Idaho State Soil and Water Conservation Commission* – Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule – Reauthorizes Title 05, Chapter 01 – Bulletin Vol. 20-11SE (PLR 2021)
- 60-0501-2000F** *Rules of the Idaho State Soil and Water Conservation Commission* – Notice of Omnibus Rulemaking – Proposed (Fee) Rule – Reauthorizes Title 05, Chapter 01 – Bulletin Vol. 20-9SE
- 60-0501-2000F** *Rules of the Idaho State Soil and Water Conservation Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 05, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T
(temporary rule rescinded)

IDAPA 61 – STATE PUBLIC DEFENSE COMMISSION

- 61-0000-2100** *Rules of the Idaho State Public Defense Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Authorizes Title 01, Chapters 01-04 – Bulletin Vol. 21-7SE (eff. 7-1-21)T (expires *sine die* 2021)

Omnibus Rulemaking – Consolidation and Reorganization of Chapters Under the Direction of ISPDC Chapters 61.01.01, through 61.01.08

- 61-0100-2001OM** Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

61.01.01, General Provisions and Definitions

- 61-0000-2100** *Rules of the Idaho State Public Defense Commission* – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Authorizes Title 01, Chapter 01 – Bulletin Vol. 21-7SE (eff. 7-1-21)T (expires *sine die* 2021)
- 61-0101-2102** Adoption of Temporary Rule, Bulletin Vol. 21-6 (eff. *sine die* 2021)T
- 61-0101-2101** Proposed Rulemaking, Bulletin Vol. 21-9
- 61-0101-2101** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-5
- 61-0101-2002** Adoption of Pending Rule (New Chapter), Bulletin Vol. 20-12 (PLR 2021)
- 61-0101-2002** Proposed Rulemaking (New Chapter), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

(Rule Expired 7-1-21) 61.01.01, Rules Governing Training Requirements for Defending Attorneys and the Administration of Training Funds

61-0101-2001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-12 (PLR 2021)

61-0101-2001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

61.01.02, Requirements and Procedures for Representing Indigent Persons

61-0000-2100 **Rules of the Idaho State Public Defense Commission** – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Authorizes Title 01, Chapter 02 – Bulletin Vol. 21-7SE (eff. 7-1-21)T (expires *sine die* 2021)

61-0102-2102 Adoption of Temporary Rule, Bulletin Vol. 21-6 (eff. *sine die* 2021)T

61-0102-2101 Proposed Rulemaking, Bulletin Vol. 21-9

61-0102-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-5

61-0102-2002 Adoption of Pending Rule (New Chapter), Bulletin Vol. 20-12 (PLR 2021)

61-0102-2002 Proposed Rulemaking (New Chapter), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

(Rule Expired 7-1-21) 61.01.02, Rules Governing Uniform Data Reporting Requirements and Forms for Defending Attorney Annual Reports

61-0102-2001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-12 (PLR 2021)

61-0102-2001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

61.01.03, Records, Reporting, and Review

61-0000-2100 **Rules of the Idaho State Public Defense Commission** – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Authorizes Title 01, Chapter 03 – Bulletin Vol. 21-7SE (eff. 7-1-21)T (expires *sine die* 2021)

61-0103-2002 Adoption of Pending Rule (New Chapter), Bulletin Vol. 20-12 (PLR 2021)

61-0103-2002 Proposed Rulemaking (New Chapter), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

(Rule Expired 7-1-21) 61.01.03, Rules Governing Contracts and Core Requirements for Contracts Between Counties and Private Attorneys for the Provision of Indigent Defense Services

61-0103-2001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-12 (PLR 2021)

61-0103-2001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

61.01.04, Financial Assistance and Training Resources

61-0000-2100 **Rules of the Idaho State Public Defense Commission** – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Authorizes Title 01, Chapter 04 – Bulletin Vol. 21-7SE (eff. 7-1-21)T (expires *sine die* 2021)

61-0104-2002 Adoption of Pending Rule (New Chapter), Bulletin Vol. 20-12 (PLR 2021)

61-0104-2002 Proposed Rulemaking (New Chapter), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

(Rule Expired 7-1-21) 61.01.04, Rules Governing Procedures and Forms for the Application and Disbursement of Indigent Defense Financial Assistance

61-0104-2001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-12 (PLR 2021)

61-0104-2001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

(Rule Expired 7-1-21) 61.01.06, Rules Governing Procedures for the Oversight, Implementation, Enforcement, and Modification

of Indigent Defense Standards

61-0106-2001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-12 (PLR 2021)

61-0106-2001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

(Rule Expired 7-1-21) 61.01.07, Rules Governing Standards for Defending Attorneys that Utilize Idaho’s Principles of an Indigent Defense Delivery System

61-0107-2001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 20-12 (PLR 2021)

61-0107-2001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 20-10

61-0100-2001OM Notice of Intent to Promulgate Rules – Omnibus Negotiated Rulemaking, Bulletin Vol. 20-7

(Rule Expired 7-1-21) 61.01.08, Rules Governing the Administration of Idaho’s Indigent Defense Delivery Systems – Rule Definitions

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