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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.

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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 docketings 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)
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*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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<td></td>
<td>Veterinary Medicine, State Board of (24.38)</td>
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<tr>
<th>IDAPA 43</th>
<th>Oilseed Commission, Idaho</th>
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<tbody>
<tr>
<td>IDAPA 50</td>
<td>Pardons and Parole, Commission of</td>
</tr>
<tr>
<td>IDAPA 26</td>
<td>Parks and Recreation, Idaho Department of</td>
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<td>IDAPA 11</td>
<td>Police, Idaho State</td>
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<td>Alcohol Beverage Control (11.05)</td>
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<td>Brand Board (11.02)</td>
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<td>Commercial Vehicle Safety (11.13)</td>
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<td>Forensic Laboratory (11.03)</td>
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<td>Motor Vehicles (11.07)</td>
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<td>Peace Officer Standards and Training Council (11.11)</td>
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<td>Public Safety and Security Information (11.10)</td>
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<td>Racing Commission (11.04)</td>
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<td>IDAPA 29</td>
<td>Potato Commission, Idaho</td>
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<td>IDAPA 61</td>
<td>Public Defense Commission, State</td>
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<td>IDAPA 59</td>
<td>Public Employee Retirement System of Idaho (PERSI)</td>
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<tr>
<td>IDAPA 31</td>
<td>Public Utilities Commission</td>
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<tr>
<td>IDAPA 34</td>
<td>Secretary of State, Office of the</td>
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<td>IDAPA 57</td>
<td>Sexual Offender Management Board</td>
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<tr>
<td>IDAPA 60</td>
<td>Soil and Water Conservation Commission, Idaho State</td>
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<tr>
<td>IDAPA 36</td>
<td>Tax Appeals, Board of</td>
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<td>IDAPA 35</td>
<td>Tax Commission, State</td>
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<td>IDAPA 39</td>
<td>Transportation Department, Idaho</td>
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<tr>
<td>IDAPA 21</td>
<td>Veterans Services, Division of</td>
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<tr>
<td>IDAPA 47</td>
<td>Vocational Rehabilitation, Division of</td>
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<td>IDAPA 37</td>
<td>Water Resources, Department of</td>
</tr>
<tr>
<td>IDAPA 42</td>
<td>Wheat Commission, Idaho</td>
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</tbody>
</table>

MEETING SCHEDULE: Public meetings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on the ISDA website.

### MEETINGS SET FOR PUBLIC PARTICIPATION VIA TELEPHONE AND WEB CONFERENCING

<table>
<thead>
<tr>
<th>02.01.04 – Rules Governing the Idaho Preferred Promotion Program</th>
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<tbody>
<tr>
<td><strong>Wednesday, March 16, 2022</strong></td>
<td><strong>Monday, April 4, 2022</strong></td>
</tr>
<tr>
<td><em>Scheduled time is 9:00 a.m. to 11:00 a.m. (MT) for all meetings</em></td>
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<thead>
<tr>
<th>02.02.02 – Rules Governing Grading and Controlled Atmosphere Storage of Apples</th>
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<tbody>
<tr>
<td><strong>Wednesday, March 16, 2022</strong></td>
<td><strong>Monday, April 4, 2022</strong></td>
</tr>
<tr>
<td><em>Scheduled time is 1:30 p.m. to 3:30 p.m. (MT) for all meetings</em></td>
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<thead>
<tr>
<th>02.04.04 – Rules for Artificial Dairy Products</th>
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<tbody>
<tr>
<td><strong>Monday, March 14, 2022</strong></td>
<td><strong>Tuesday, April 5, 2022</strong></td>
</tr>
<tr>
<td><em>Scheduled time is 9:00 a.m. to 11:00 p.m. (MT) for all meetings</em></td>
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<tr>
<th>02.04.15 – Rules Governing Beef Cattle Animal Feeding Operations</th>
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<tbody>
<tr>
<td><strong>Monday, March 14, 2022</strong></td>
<td><strong>Tuesday, April 5, 2022</strong></td>
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<tr>
<td><em>Scheduled time is 1:30 p.m. to 3:30 p.m. (MT) for all meetings</em></td>
<td></td>
</tr>
</tbody>
</table>
Contact rulesinfo@isda.idaho.gov to make arrangements for participation by telephone and web conferencing.

Rulemaking meetings will be held via web conferencing in order to provide a rulemaking platform that enables broad participation by stakeholders from across the state, and minimize travel for stakeholders.

**METHOD OF PARTICIPATION:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting via telephone and web conferencing. Individuals interested in participating by telephone and web conferencing should contact rulesinfo@isda.idaho.gov. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.
DEPARTMENT OF AGRICULTURE

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

These rules are being presented for authorization as part of the ISDA’s plan to review each rule every 5 years. There are no specific rulemaking changes planned by the ISDA at this time except for evaluation and amendment consistent with the Governor’s Executive Order 2020-01: Zero-Based Regulation. It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. The ISDA intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules’ statutory authority and the Governor’s Executive Order. The ISDA will review the documents that are currently incorporated by reference in this rule and update that list as applicable.

Incorporated by reference documents presented for review will be part of informal negotiated rulemaking and stakeholders will provide input on that process.

The following rule chapters are germane to this rulemaking:

- IDAPA 02.01.04 – Rules Governing the Idaho Preferred Promotion Program
- IDAPA 02.02.02 – Rules Governing Grading and Controlled Atmosphere Storage of Apples
- IDAPA 02.04.04 – Rules for Artificial Dairy Products
- IDAPA 02.04.15 – Rules Governing Beef Cattle Animal Feeding Operations
- IDAPA 02.04.17 – Rules Governing Dead Animal Movement and Disposal
- IDAPA 02.04.29 – Rules Governing Trichomoniasis
- IDAPA 02.06.02 – Rules Governing Registrations and Licenses
- IDAPA 02.06.05 – Rules Governing Plant Disease and Quarantines

ASSISTANCE ON TECHNICAL QUESTIONS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Lloyd Knight, Rules Review Officer at (208) 332-8664. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site at the following web address: www.agri.idaho.gov/rulemaking.

SUBMISSION OF WRITTEN COMMENTS: Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before April 8, 2022.

DATED this 4th day of January, 2022.

Lloyd Knight
Rules Review Officer
Idaho Department of Agriculture
2270 Old Penitentiary Road
P.O. Box 7249
Boise, Idaho 83707
Phone: (208) 332-8664
Fax: (208) 334-2170
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the (year) Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending fee rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule. The action is authorized pursuant to Section 22-1705, Idaho Code; USDA Domestic Hemp Production Program, 7 CFR, Part 990; USDA Final Hemp Rules, 86 CFR 5596.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending fee rule and a statement of any change between the text of the proposed rule and the text of the pending fee rule with an explanation of the reasons for the change.

This rule conforms with the intent and requirements of House Bill 126, the Industrial Hemp Research and Development Act, which was passed by the Legislature and signed into law by the Governor.

H.B. 126 established the legislative intent for the Idaho to:
- Assume primary regulatory authority of industrial hemp as allowed by federal law;
- Allow production, processing, transportation, and research of industrial hemp in Idaho; and
- Require the director to submit a state plan to the secretary of agriculture as expeditiously as possible and, by a date certain, to allow the production of industrial hemp.

H.B. 126 provides direction for ISDA’s rulemaking:
- Production, processing, transportation, and research of industrial hemp are subject to the rules promulgated under Title 22, Chapter 17, Idaho Code, the state plan, and the 2018 Farm Bill and the rules promulgated.
- The department is authorized to promulgate rules establishing fees and penalties for violations associated with the provisions of this chapter.

There are no changes to the pending fee rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the November 3, 2021, Idaho Administrative Bulletin, Vol. 21-11, pages 31-40.

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government.

In terms of hemp regulation, the federal rule provides that hemp producers do not commit a negligent violation if they produce plants that exceed the acceptable hemp THC level and use reasonable efforts to grow hemp and the plant does not have a THC concentration of more than 1.0 percent on a dry weight basis. ISDA’s limit is more stringent per Section 37-2701, Idaho Code. ISDA’s rules also provide a licensing process for hemp handlers. This is not required under federal regulation but is consistent with Title 22, Chapter 17.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to Section 22-1705(4), Idaho Code.
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:

It is anticipated that the fees outlined will result in a fiscal impact of $250,000 in revenue.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Chanel Tewalt, Deputy Director at (208)332-8500 or chanel.tewalt@isda.idaho.gov.

DATED this January 5, 2022.

Lloyd B. Knight
Rules Review Officer
Idaho State Department of Agriculture
2270 Old Penitentiary Road
P.O. Box 7249
Boise, Idaho 83707
Phone: (208)332-8664
Fax: (208)334-2170
Email: rulesinfo@isda.idaho.gov
**EFFECTIVE DATE:** A temporary rule was adopted under this docket number in the July 21, 2021, Idaho Administrative Bulletin, Vol. 21-7Se, pages 675 through 794. The effective date of the amendments to the temporary rule is December 15, 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 Article IX, Section 2, Idaho Constitution and under Sections 33-105, 33-107, 33-116, 33-1001, 33-1002, and 33-1027, 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 08.02.01, Rules Governing Administration.**

This amendment to the temporary would allow for Average Daily Attendance, as it pertains to the calculation of support units for public school funding, to be calculated based on average FTE student enrollment rather than the current methodology that uses daily attendance. Without the amended temporary rule, it is estimated statewide that school districts and charter schools could see 1,015 less support units than estimated in the FY 2022 original appropriation with an estimated negative fiscal impact to public schools in the $111M range. Conversely, by using average FTE enrollment, based on current school district and charter school reporting, it is estimated the fiscal impact would be approximately $26M over the amount estimated in setting the FY 2022 public school appropriation. Based on the current FY2022 appropriation language prohibiting any withdrawals from the Public Education Stabilization Fund, this amount would automatically be offset by a reduction in the discretionary support unit value, eliminating the $26M additional funding over what has been appropriated.

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

The amended temporary rule will confer a benefit by providing stability to the public school funding during the 2021-2022 school year. Due to the ongoing effects of the pandemic school districts and public schools are experiencing very high levels of daily absenteeism. In a normal year, statewide, schools normally experience and annual attendance rate of 95%, that is 95% of public school students are in attendance on any given day. For the current school year, while schools are open and instructing students, they are reporting average attendance rates in 80% range. This has a significant negative impact on public schools budgets. While these students are still receiving instruction, schools are reporting higher rates of students being out sick then what they would have expected to see prior to the pandemic. The amendment would stabilize the fundin by allowing average daily attendance to be calculated on the number of enrolled students rather than those in school on each day.

**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: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the amendment to temporary rule, contact Tracie Bent, Chief Planning and Policy Officer, at (208) 332-1582 or tracie.bent@osbe.idaho.gov.

DATED this 15th day of December, 2021.
THE FOLLOWING IS THE AMENDED TEXT FOR TEMPORARY RULE CHAPTER 08.02.01
(Only Those Sections With Amendments Are Shown.)

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.01 – RULES GOVERNING ADMINISTRATION

(BREAK IN CONTINUITY OF SECTIONS)

250. PUPIL ACCOUNTING AND REQUIRED INSTRUCTIONAL TIME.

01. Required Instructional Time. Excluding transportation to and from school, lunch periods, passing times, and recess, schools must schedule at least the following instructional times: kindergarten, four hundred fifty (450) hours per year or equivalent amount of instruction through an online, distance, or blended learning format; grades one through three (1-3), eight hundred ten (810) hours per year or equivalent amount of instruction through an online, distance, or blended learning format; grades four through eight (4-8), nine hundred (900) hours per year or equivalent amount of instruction through an online, distance, or blended learning format; and grades nine through twelve (9-12), nine hundred ninety (990) hours per year or equivalent amount of instruction through an online, distance, or blended learning format. The equivalent amount of instruction shall be based on the amount of time reported for the same course or amount of coursework delivered in an in-person setting. (7-1-21)T

02. Required Attendance. All pupils will complete four (4) years of satisfactory attendance in grades nine through twelve (9-12) to graduate from an accredited high school, except those who are approved for early graduation. (7-1-21)T

03. Day in Session When Counting Pupils in Attendance. (7-1-21)T

a. A school day for grades one through twelve (1-12) may be counted as a “day in session” when the school is in session and students are under the guidance and direction of teachers in the teaching process for not less than four (4) hours or its equivalent of instruction per day. Lunch periods, breaks, passing time and recess will not be included in the four (4) hours. For kindergarten, each session will be at least two and one-half (2 1/2) hours per day. (7-1-21)T

b. Half-day Session. A half-day in session occurs when the students in grades one through twelve (1-12) are under the guidance and direction of teachers in the teaching process for a minimum of two and one-half (2 1/2) hours or its equivalent of instruction or the teachers are involved in staff development activities for not less than two and one-half (2 1/2) hours. Students attending less than a half-day in session may have their hours aggregated by week for reporting purposes. (7-1-21)T

c. Teacher In-service Activities. For grades one through twelve (1-12), not more than twenty-two (22) hours may be utilized for teacher in-service activities, based on the district approved calendar. In the event a school
district chooses to utilize full days instead of half-days, the attendance reported for these full days will be the average of the attendance for the other days of that same week. (7-1-21)

04. Day of Attendance - Kindergarten. A day of attendance for a kindergarten pupil is one in which a pupil is under the direction and guidance of a teacher while school is in session or under homebound instruction. A homebound student is one who is unable to attend school for at least ten (10) consecutive days due to illness, accident or an unusual disabling condition. Attendance will be reported in half-day increments. Particularly, enrollment figures are not to be used for the beginning or closing weeks of school. (7-1-21)

05. Day of Attendance (ADA) - Grades One Through Twelve (1-12). A day of attendance is one in which a pupil is under the guidance and direction of a teacher or other authorized school district personnel while school is in session or is a homebound student under the instruction of a teacher employed by the district in which the pupil resides, with the exception as stated in “day in session” above. A homebound student is one who is unable to attend school for at least ten (10) consecutive days due to illness, accident or an unusual disabling condition. Attendance will be reported in full or half-days. (7-1-21)

06. Average Daily Attendance. Average daily attendance will be reported by averaging the full-time equivalent enrollment by week for students receiving instruction. To be considered as a student receiving instruction the student must have regular contact with the applicable instructional or pupil service staff member and be completing assignments as applicable to the grade range and course the student is enrolled in. For funding purposes full-time equivalent enrollment in an alternative summer school program shall be based on the student attending two hundred twenty-five (225) hours or more or the proportional share of hours up to one (1) average day of attendance. (12-15-21)

067. Full-Time Equivalent (FTE) Enrollment Reporting. (7-1-21)

a. Kindergarten students enrolled in one (1) LEA for a total number of courses that equal six hundred (600) or more minutes per week shall equal zero point five (0.5) FTE. Grade one (1) through grade twelve (12) students enrolled in one (1) LEA for a total number of courses that equal one thousand two hundred (1,200) or more minutes per week shall equal one (1) FTE. (7-1-21)

b. Kindergarten students enrolled in one (1) or more LEAs for a total number of courses at all LEAs that equal less than six hundred (600) minutes per week, the FTE shall be based on the percentage of time each student’s courses are of six hundred (600) minutes. Grade one (1) through grade twelve (12) students enrolled in one (1) or more LEAs for a total number of courses at all LEAs that equal less than one thousand two hundred (1,200) minutes per week, the FTE shall be based on the percentage of time each student’s courses are of one thousand two hundred (1,200) minutes. (7-1-21)

c. Kindergarten students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal six hundred (600) or more minutes per week and less than or equal to seven hundred fifty (750) minutes per week the FTE shall be fractionalized based on percentage of time for which the student is enrolled. Grade one (1) through grade twelve (12) students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal one thousand two hundred (1,200) or more minutes per week and less than or equal to the respective amounts in the following subsections the FTE shall be fractionalized based on percentage of time for which the student is enrolled:

i. Kindergarten: seven hundred fifty (750) minutes. (7-1-21)

ii. Grade one (1) through grade three (3): one thousand three hundred fifty (1,350) minutes. (7-1-21)

iii. Grade four (4) through grade eight (8): one thousand five hundred (1,500) minutes. (7-1-21)

iv. Grade nine (9) through grade twelve (12): one thousand six hundred fifty (1,650) minutes. (7-1-21)

d. Students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal more than the following minutes the FTE shall be based on the percentage of time for which the student is enrolled:
i. Grade one (1) through grade three (3): one thousand three hundred fifty (1,350) minutes. (7-1-21)

ii. Grade four (4) through grade eight (8): one thousand five hundred (1,500) minutes. (7-1-21)

iii. Grade nine (9) through grade twelve (12): one thousand six hundred fifty (1,650) minutes. (7-1-21)

e. Courses in LEAs with block scheduling that results in students attending courses for a period greater than one (1) week in order to encompass all courses the student is enrolled in for the term will use average minutes per week over the applicable time period to determine the courses minutes per week. (7-1-21)

f. Students enrolled in an alternative summer school or alternative night school program of two hundred twenty-five (225) or more hours of instruction may be counted as an additional zero point two five (0.25) FTE. Alternative summer school enrollment will be included in the October 1 reporting period. (7-1-21)

g. Students enrolled in an alternative summer school or night school program of less than two hundred twenty-five (225) hours FTE will be determined based on the proportional share of two hundred twenty-five (225) hours the program consists of. (7-1-21)

h. Students enrolled in more than one (1) LEA in grade seven (7) through grade twelve (12) shall count enrollment at all LEAs for determining eligibility of overload courses identified in Sections 33-4601 and 33-4602, Idaho Code. (7-1-21)

(BREAK IN CONTINUITY OF SECTIONS)
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2022 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 33-105, 33-4601A, 33-4605, and Chapter 46, Title 33, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

In accordance with Executive Order 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.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 6, 2021 Idaho Administrative Bulletin, Vol. 21-10, pages 14 and 15.

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: NA

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Tracie Bent at tracie.bent@osbe.idaho.gov or (208)332-1582.

DATED this 30th day, November 2021.

Tracie Bent, Chief Planning and Policy Officer
Office of the State Board of Education
650 W. State Street
P.O. Box 83720
Boise, Idaho 83720-0037
Phone: (208) 332-1582
Fax: (208) 334-2632
Email: tracie.bent@osbe.idaho.gov
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2022 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 33-105, 33-107, and Chapter 44, Title 33, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

In accordance with Executive Order 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.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 6, 2021 Idaho Administrative Bulletin, Vol. 21-10, pages 16 and 17.

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: NA

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Tracie Bent at tracie.bent@osbe.idaho.gov or (208)332-1582.

DATED this 30th day, November 2021.

Tracie Bent, Chief Planning and Policy Officer
Office of the State Board of Education
650 W. State Street
P.O. Box 83720
Boise, Idaho 83720-0037
Phone: (208) 332-1582
Fax: (208) 334-2632
Email: tracie.bent@osbe.idaho.gov
IDAPA 13 – IDAHO FISH AND GAME COMMISSION
ESTABLISHING SEASONS AND LIMITS FOR HUNTING, FISHING, AND TRAPPING IN IDAHO
DOCKET NO. 13-0000-2100P9
NOTICE OF ADOPTED / AMENDED PROCLAMATION FOR CALENDAR YEAR 2021

AUTHORITY: As authorized by Section 36-104, Idaho Code, and in compliance with Section 36-105(3), Idaho Code, the Commission adopts proclamations establishing seasons and limits for hunting, fishing, and trapping in Idaho.

AVAILABILITY OF OFFICIAL PROCLAMATIONS: Hunters, anglers, and trappers are advised to consult the text of the Commission’s official proclamation before hunting, fishing, or trapping. All proclamations are available on-line at https://idfg.idaho.gov/rules, with print versions available at Idaho Department of Fish and Game offices and license vendors.

DESCRIPTIVE SUMMARY: The Commission meeting schedule and meeting agendas are available on-line at https://idfg.idaho.gov/about/commission/archive, with opportunities for public comment generally scheduled at its January, March, May, July, and November meetings.


On December 16, 2021, the Commission took the following proclamation actions:

1. Adopted a proclamation establishing the limits on take of grizzly bears in the Greater Yellowstone Ecosystem, to apply if the Commission opens a season for take of grizzly bears. This proclamation does not declare any season open for take of grizzly bears in Idaho. The season for take of grizzly bears in Idaho remains closed until and unless the Commission opens a season.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning proclamations, contact Owen Moroney at (208) 334-3715.
IDAPA 13 – IDAHO FISH AND GAME COMMISSION

ESTABLISHING SEASONS AND LIMITS FOR HUNTING, FISHING, AND TRAPPING IN IDAHO

DOCKET NO. 13-0000-2200P1

NOTICE OF ADOPTION OF PROCLAMATION FOR CALENDAR YEAR 2022

AUTHORITY: As authorized by Section 36-104, Idaho Code, and in compliance with Sections 36-105(3), Idaho Code, the Commission adopts proclamations establishing seasons and limits for hunting, fishing, and trapping in Idaho.

AVAILABILITY OF OFFICIAL PROCLAMATIONS: Hunters, anglers, and trappers are advised to consult the text of the Commission’s official proclamation before hunting, fishing, or trapping. Current versions of Commission proclamations are available on-line at https://idfg.idaho.gov/rules, with print versions available at Idaho Department of Fish and Game offices and license vendors.

DESCRIPTIVE SUMMARY AND PUBLIC MEETING SCHEDULE:
The Commission meeting schedule and meeting agendas are available on-line at Commission Meeting Schedule, with opportunities for public comment generally scheduled at its January, March, May, July, and November meetings.

Current/scheduled proclamations of the Commission include:

• **Big Game:** elk, deer (mule and white-tailed), mountain lion, black bear, pronghorn, gray wolf
  - The proclamation adopted by the Commission for 2021-2022 seasons includes black bear, mountain lion seasons through July 2023 and gray wolf seasons through June 2023.
  - 2023-2024 season setting is scheduled for Commission action at its quarterly meeting in March 2023.

• **Big Game:** moose, bighorn sheep, mountain goat (once-in-a-lifetime big game species)
  - The proclamation adopted by the Commission for 2021-2022 seasons includes moose, bighorn sheep, and mountain goat seasons through 2022.
  - 2023-2024 season setting is scheduled for Commission action at its quarterly meeting in January 2023.

• **Migratory Game Birds**
  - The proclamation adopted by the Commission for 2021-2022 seasons include waterfowl seasons through March 2022.

• **Upland Game, Furbearer, Falconry, Upland (non-migratory) Game Birds:** turkey, pheasant, grouse (except sage grouse), quail, partridge
  - The proclamation adopted by the Commission for 2020-21 include upland game bird seasons through January 2022, upland game animal and falconry seasons through March 2022, and furbearer seasons through June 2022.
  - 2022-2023 season setting is scheduled for Commission action at its quarterly meeting on January 27, 2022.

• **Sage Grouse**

• **Fishing** (except for spring/summer chinook salmon)
  - The proclamation adopted for 2022-2024 seasons (most recently amended November 16, 2021, with changes for spring 2022 steelhead fishing seasons) includes fishing seasons (except for spring/summer chinook salmon) through December 31, 2024.

• **Spring/summer Chinook Salmon**
  - Spring/summer chinook salmon season setting is scheduled for Commission action on March 24, 2022 (public hearing March 23, 2022).
• **Peregrine Falcon Capture** (for falconry use)
  • The 2022-2025 season setting for peregrine capture is scheduled for the quarterly Commission meeting on March 24, 2022 (public hearing March 23, 2022).

As provided in Sections 36-104 and 36-105, Idaho Code, the Commission retains authority to issue proclamations for additional species, amend existing proclamations, and adjust the above schedule as circumstances warrant. As provided in Section 36-106, Idaho Code, the Director has authority to close seasons or reduce bag or possession limits as circumstances may warrant and to open seasons to protect property from wildlife damage or for salvage.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the proclamation, contact Owen Moroney at (208) 334-3715.
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2022 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 63-105, 23-1051, and 23-1319, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The previous rule chapter was repealed in accordance with Executive Order 21-01. This new chapter was written to exclude redundant information and some information was moved to guidance documents on our website.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 6, 2021 Idaho Administrative Bulletin, Volume 21-10, pages 68-70.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Cynthia Adrian at (208) 332-6691.

DATED this 22nd day of November, 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) 334-6691
IDAPA 35 – STATE TAX COMMISSION
35.02.01 – TAX COMMISSION ADMINISTRATION AND ENFORCEMENT RULES
DOCKET NO. 35-0201-2101
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2022 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 63-105, 23-1051, and 23-1319, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The previous rule chapter was repealed in accordance with Executive Order 21-01. This new chapter was written to exclude redundant information and some information was moved to guidance documents on our website.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 6, 2021 Idaho Administrative Bulletin, Volume 21-10, pages 71-85.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Cynthia Adrian at (208) 332-6691.

DATED this 22nd day of November, 2021.

Cynthia Adrian, Income Tax Research Specialist
Idaho State Tax Commission
Taxpayer Resources Unit, Tax Research
(20820) (20811321 W. Chinden Blvd., Bldg. 2, Boise ID 83714
PO Box 36, Boise ID 83722-0036
cynthia.adrian@tax.idaho.gov
(208) 334-6691
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2022 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending fee rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule. The action is authorized pursuant to Sections 40-312 and 67-5229, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending fee rule and a statement of any change between the text of the proposed rule and the text of the pending fee rule with an explanation of the reasons for the change.

As the Idaho Transportation Department (ITD) continues its efforts to address utility accommodation for those seeking access to the state’s right-of-way (ROW), ITD is proposing rule changes to address the permitting process for small wireless facilities. The proposed changes bring clarity to the Department’s accommodation of these utilities in the state’s ROW.

ITD incorporates by reference the July 2003 Edition of the Utility Accommodation Policy (UAP) in IDAPA 39.03.43 – Rules Governing Utilities on State Highway Right-of-Way. Some changes have also been made within the incorporated document.

Although the UAP referenced in IDAPA 39.03.43 addresses all utilities, the focus of this rulemaking is to update portions that directly relate to small wireless facility permitting and accommodation; criteria, standards and policy.

Changes from the proposed rulemaking stage were based on stakeholder feedback and input. Federal code citations were added to several sections as well as the removal of a definition for “Fifth-Generation.”

The text of the pending fee rule has been amended in accordance with Section 67-5227, Idaho Code. The complete text of the proposed rule was published in the November 3, 2021, Idaho Administrative Bulletin, Vol. 21-11, pages 88-91.

FEE SUMMARY: The following identifies the fee or charge imposed or increased through this rulemaking. This fee or charge is being imposed pursuant to Section §40-312(3), Idaho Code.

The new fees being added to this chapter relate to the installation and location of small wireless facilities in the state’s ROW. The assessed fees are in accordance with the Federal Communications Commission’s Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, FCC 18-133, (Sept. 26, 2018). The fees address applications for access and new installations.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending fee rule, please contact Robert Beachler, Broadband Planning Program Manager, at 208-772-1216.

DATED this 22nd Day of December 2021.
DOCKET NO. 39-0343-2102 – ADOPTION OF PENDING FEE RULE

Substantive changes have been made to the pending fee rule. *Italicized red text* indicates changes between the text of the proposed rule as adopted in the pending fee rule.

The text of the proposed rule was published in the Idaho Administrative Bulletin, Volume 21-11, November 3, 2021, pages 88 through 91.

This rule has been adopted as a pending rule by the Agency and is now awaiting review and final approval by the 2022 Idaho State Legislature.

THE FOLLOWING IS TEXT OF THE PENDING FEE RULE FOR DOCKET NO. 39-0343-2102
(New Chapter)

39.03.43 – RULES GOVERNING UTILITIES ON STATE HIGHWAY RIGHT-OF-WAY

000. LEGAL AUTHORITY.
Under authority of Sections 40-312(3) and 67-5229, Idaho Code, the Idaho Transportation Board adopts this rule.

001. SCOPE.
The purpose of the policy is to regulate the location, design and methods for installing, relocating, adjusting and maintaining utilities on State highway right-of-way (ROW) when such use and occupancy is legal, in the public interest and will not adversely affect the highway or its users. The policy applies to new utility installations, to existing utility installations to be retained, relocated, maintained or adjusted because of highway construction or reconstruction, and to the relocation of utility facilities which are found to constitute a definite hazard to the traveling public.

002. ADMINISTRATIVE APPEALS.
Administrative appeals under this chapter shall be governed by Section 2.4 “Administrative Appeal” of the “Utility Accommodation Policy” incorporated by reference.

003. INCORPORATION BY REFERENCE.
The Idaho Transportation Department incorporates by reference the 2022 Edition of the “Utility Accommodation Policy.” This publication is available for public review on the Department’s website at http://itd.idaho.gov.

004. SMALL WIRELESS FACILITIES.
01. Definitions.  


i. The facilities:  

(1) Are mounted on structures fifty (50) feet or less in height including their antennas as defined in 47 C.F.R. § 1.1320(d); or  

(2) Are mounted on structures no more than ten percent (10%) taller than other adjacent structures; or  

(3) Do not extend existing structures on which they are located to a height of more than fifty (50) feet or by more than ten percent (10%), whichever is greater.  

ii. Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of an antenna in 47 C.F.R § 1.1320(d)), is no more than three (3) cubic feet in volume;  

iii. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than twenty-eight (28) cubic feet in volume;  

iv. The facilities do not require antenna structure registration under 47 C.F.R § 17.4;  

v. The facilities are not located on Tribal lands, as defined under 36 CFR 800.16(x); and  

vi. The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 C.F.R. §1.1307(b).  

02. Small Wireless Facility Fees.  

a. Federal Communications Commission (FCC). Per the Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, FCC 18-133, (Sept. 26, 2018), the fee schedule is as follows:  

i. Five hundred dollars ($500) for non-recurring fees, including a single up-front application that includes up to five (5) SWFs, with an additional one hundred dollars ($100) for each SWF beyond five (5); or  

ii. One thousand dollars ($1,000) for non-recurring fees for a new pole (i.e. not a collocation) intended to support one (1) or more SWF; and  

iii. Two hundred seventy dollars ($270) per SWF per year for all recurring fees, including any possible ROW access fee or fee for attachment to structures in the ROW.  

005. – 999. (RESERVED)
**IDAPA 61 – IDAHO STATE PUBLIC DEFENSE COMMISSION**

**61.01.01 – GENERAL PROVISIONS AND DEFINITIONS**

**DOCKET NO. 61-0101-2101**

**NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2022 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 19-850(1)(a), Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

The rulemaking is focused on the definition of Vertical Representation in IDAPA 61.01.01.010.22, as a result of additional input from stakeholders. The text was prepared in collaboration with stakeholders and presented to the legislature.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 1, 2021 Idaho Administrative Bulletin, Vol. 21-9, pages 133-136.

**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: This rule should have no fiscal impact.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the pending rule, contact Kathleen Elliott, (208) 332-1735.

DATED this November 29, 2021

Kathleen J. Elliott, Executive Director
Idaho State Public Defense Commission
816 W. Bannock, Suite 201
Boise, Idaho 83702
Phone: (208) 332-1735
Fax: (208) 364-6147
Email: Kathleen.Elliott@pdc.idaho.gov
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2022 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 19-850(1)(a), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

The rulemaking is focused on specifically identified subsections as a result of additional input from stakeholders. The text was prepared in collaboration with stakeholders and presented to the legislature.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 1, 2021 Idaho Administrative Bulletin, Vol. 21-9, pages 138-149.

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: This rule should have no fiscal impact.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Kathleen Elliott, (208) 332-1735.

DATED this November 29, 2021

Kathleen J. Elliott, Executive Director
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## Sections Affected Index

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08.02.01 – Rules Governing Administration

*Docket No. 08-0000-2100*

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**IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT**
39.03.43 – Rules Governing Utilities on State Highway Right-of-Way

*Docket No. 39-0343-2102 (New Chapter)*

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PUBLIC NOTICE OF INTENT
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THERE ARE NO PROPOSED RULES PUBLISHED IN
THE JANUARY 5, 2022, IDAHO ADMINISTRATIVE BULLETIN, VOL. 22-1

Please refer to the Idaho Administrative Bulletin January 5, 2022, Volume 22-1, 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 – January 5, 2022

(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
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(This Abridged Index includes all active rulemakings.)
**IDAPA 01 – IDAHO BOARD OF ACCOUNTANCY**

**MOVEd AND REDESIGNATED** 01.01.01, Idaho Accountancy Rules

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)

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

**24-0000-2000** IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

**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)

**IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE**

02-ZBRR-2201 Rules of the Idaho Department of Agriculture – Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapter 04; Title 02, Chapter 02; Title 04, Chapters 04, 15, 17, 29; and Title 06, Chapters 02, 05 – Bulletin Vol. 22-1

02-0000-2100 Rules of the Idaho Department of Agriculture – Notice of Omnibus Rulemaking – Adoption of Pending Rule – 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. 21-12SE (PLR 2022)

02-0000-2100 Rules of the Idaho Department of Agriculture – Notice of Omnibus Rulemaking – Proposed Rule – 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. 21-10SE

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)

02-0000-2100F Rules of the Idaho Department of Agriculture – Notice of Omnibus Rulemaking – Adoption of Pending 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; and Title 06, Chapters 01, 02, 04-06, 09, 10, 33 – Bulletin Vol. 21-12SE (PLR 2022)

02-0000-2100F Rules of the Idaho Department of Agriculture – Notice of Omnibus Rulemaking – Proposed (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; and Title 06, Chapters 01, 02, 04-06, 09, 10, 33 – Bulletin Vol. 21-10SE

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)

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) (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) (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 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 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 Temporary (Fee) Rule – Reauthorizes Title 08, Chapter 01 – Bulletin Vol. 20-4SE (eff. 3-20-20)T

02.01.04, Rules Governing the Idaho Preferred® Promotion Program
02-ZBRR-2201 Rules of the Idaho Department of Agriculture — Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 01, Chapter 04 – Bulletin Vol. 22-1

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 Adoption of Pending Fee Rule (New Chapter), Bulletin Vol. 22-1 (PLR 2022)

02-0107-2101 Temporary and Proposed Rule (New Chapter, Fee Rule) – Bulletin Vol. 21-11 (eff. 11-1-21)T

02-0107-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking (New Chapter), Bulletin Vol. 21-6

02.02.02, Rules Governing Grading and Controlled Atmosphere Storage of Apples
02-ZBRR-2201 Rules of the Idaho Department of Agriculture — Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking – Negotiates Title 02, Chapter 02 – Bulletin Vol. 22-1

02.02.14, Rules for Weights and Measures


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


02-0303-2001 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
02.04.04, Rules for Artificial Dairy Products


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)

02.04.15, Rules Governing Beef Cattle Animal Feeding Operations


02.04.17, Rules Governing Dead Animal Movement and Disposal


02.04.19, Rules Governing Domestic Cervidae


02.04.21, Rules Governing the Importation of Animals


02.04.27, Rules Governing Deleterious Exotic Animals


02.04.29, Rules Governing Trichomoniasis


02.06.02, Rules Governing Registrations and Licenses

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- Notice of Omnibus Rulemaking – Adoption of Pending Rule – Reauthorizes Title 01, Chapters 02-04; and Title 02, Chapter 01 – Bulletin Vol. 21-12SE (PLR 2022)
- Notice of Omnibus Rulemaking – Proposed Rule – Reauthorizes Title 01, Chapters 02-04; and Title 02, Chapter 01 – Bulletin Vol. 21-10SE
- 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)

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- Notice of Proclamation of Omnibus Rulemaking – Reauthorizes Title 01, Chapter 01; and Title 02, Chapters 01-90 – Bulletin Vol. 20-7 (eff. 7-1-20)

**Rules of the 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)
- 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)
- Notice of Omnibus Rulemaking – Adoption of Temporary (Fee) Rule – Reauthorizes Title 1, 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)

(MOVED AND REDESIGNATED) 07.01.01, Rules of the Idaho Electrical Board

(MOVED AND REDESIGNATED) 07.02.02, Rules Governing Plumbing
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)
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(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
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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)

(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)

(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 – Amendment to Temporary Rule – Amends Title 02, Chapter 01 – Bulletin Vol. 22-1 (eff. 12-15-21)T

08-0000-2100  Rules of the State Board of Education and the Department of Education  – Notice of Omnibus Rulemaking – Adoption of Pending Rule – Reauthorizes Title 01, Chapters 11, 13; Title 02, Chapters 01-05; Title 03, Chapter 01; and Title 04, Chapter 01 – Bulletin Vol. 21-12SE (PLR 2022)

08-0000-2100  Rules of the State Board of Education and the Department of Education  – Notice of Omnibus Rulemaking – Proposed Rule – Reauthorizes Title 01, Chapters 11, 13; Title 02, Chapters 01-05; Title 03, Chapter 01; and Title 04, Chapter 01 – Bulletin Vol. 21-10SE

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 Pending Fee Rule – Reauthorizes Title 01, Chapter 11, Sections 200 and 300 only; Title 02, Chapter 02, Sections 066 and 075 only; and Title 02, Chapter 03, Section 128 only – Bulletin Vol. 21-12SE (PLR 2022)

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<tr>
<td>16-0000-2100</td>
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<tr>
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<tr>
<td>16-0000-2100F</td>
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<td>16-0000-2100F</td>
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<td>16-0000-2000F</td>
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<td>16-0000-2000F</td>
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