

LEGAL NOTICE

Summary of Proposed Rulemakings

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the latest publication of the state Administrative Bulletin.

*The proposed rule public hearing request deadline is July 19, 2017 unless otherwise posted. The proposed rule written comment submission deadline is July 26, 2017 unless otherwise posted. (Temp & Prop) indicates the rulemaking is both Temporary and Proposed. (*PH) indicates that a public hearing has been scheduled.*

IDAPA 02 – DEPARTMENT OF AGRICULTURE PO Box 790, Boise, ID 83701-8552

02.01.01 - Idaho Rules of Practice and Procedure of the Idaho Department of Agriculture.

02-0101-1701, Chapter repeal.

02-0101-1702, Chapter rewrite renames chapter and conforms rules of procedure to Idaho's statutory code.

02-0214-1703, Rules for Weights and Measures. Incorporates by reference the 2018 NIST Handbook 44.

IDAPA 09 – IDAHO DEPARTMENT OF LABOR 317 Main St., Boise, ID 83735

09-0130-1709, Unemployment Insurance Benefits Administrative Rules. (Temp & Prop) Clarifies benefit claims filing process and provides department needed flexibility to relocate claims center due to natural disaster or financial necessity.

IDAPA 10 – BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS 1510 E. Watertower Street, Meridian, ID 83642

**10-0102-1701, Rules of Professional Responsibility.* (*PH) Clarifies the requirement that consultants and subconsultants follow the Qualifications Based Selection statute Section 67-2320, Idaho Code.

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE PO Box 83720, Boise, ID 83720-0036

16-0310-1705, Medicaid Enhanced Plan Benefits. (Temp & Prop) Deletes the restriction that limits exception reviews to only participants who require residential high or intense supportive living services to allow all developmental disability waiver participants the option to pursue exception review.

16-0601-1701, Child and Family Services. (Temp & Prop) Increases the foster care reimbursement rates by 20% as appropriated by the 2017 legislature.

IDAPA 20 – DIVISION OF VETERANS SERVICES 351 Collins Road, Boise, ID 83702

21-0101-1701, Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure. (Temp & Prop) Conforms rule to Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services, recently updated regulations for long-term care facilities.

**IDAPA 35 – IDAHO STATE TAX COMMISSION
PO Box 36, Boise, ID 83722-0410**

35-0101-1701, Income Tax Administrative Rules. Adds 2017 tax brackets retaining 5 years of data history; updates the amount of guaranteed payments that are sourced as compensation for services; adds language stating that the amount of grocery tax credit is \$100 for tax years 2015 and after.

35-0109-1701, Idaho County Option Kitchen and Table Wine Tax Administrative Rules. Adds appeals provision to rule and incorporates by reference provisions of IDAPA 35.02.01, Tax Commission Administration and Enforcement Rules.

35-0110-1701, Idaho Cigarette and Tobacco Products Tax Administrative Rules. Incorporates by reference provisions of IDAPA 35.02.01, Tax Commission Administration and Enforcement Rules.

35-0112-1701, Idaho Beer Tax Administrative Rules. Adds appeals provision to rule and incorporates by reference provisions of IDAPA 35.02.01, Tax Commission Administration and Enforcement Rules.

NOTICES OF ADOPTION OF TEMPORARY RULE ONLY**IDAPA 35 – Idaho State Tax Commission**

35-0103-1705, Property Tax Administrative Rules (eff. 7-1-17)T

NOTICE OF INTENT TO PROMULGATE - NEGOTIATED RULEMAKING**IDAPA 02 – Department of Agriculture**

02-0214-1701 and 02-0214-1702, Rules for Weights and Measures (meetings scheduled)
02-0414-1701 and 02-0414-1702, Rules Governing Dairy Byproduct (meeting scheduled)
02-0602-1701, Rules Pertaining to the Idaho Commercial Feed Law (to participate respond by 7/19/17)
02-0612-1701, Rules Pertaining to the Idaho Fertilizer Law (to participate respond by 7/19/17)
02-0621-1701, Rules for Voluntary Public Services of the Idaho Department of Agriculture Laboratories (meeting scheduled)
02-0641-1701, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001 (to participate respond by 7/19/17)

IDAPA 08 – State Board of Education/Department of Education

08-0202-1708 and 08-0202-1709, Rules Governing Uniformity (to participate respond by 7/14/17)
08-0203-1709 and 08-0203-1710, Rules Governing Thoroughness (to participate respond by 7/14/17)
08-0501-1701, Rules Governing Seed and Plant Certification (to participate respond by 7/14/17)

IDAPA 13 – Department of Fish and Game

13-0104-1701, 13-0104-1702, and 13-0104-1703, Rules Governing Licensing (to participate respond by 7/26/17)
13-0108-1702, 13-0108-1703, and 13-0108-1704, Rules Governing the Taking of Big Game Animals in the State of Idaho (to participate respond by 7/26/17)
13-0117-1701, Rules Governing the Use of Bait and Trapping for Taking Big Game Animals (to participate respond by 7/26/17)

IDAPA 15 – Commission for the Blind and Visually Impaired (Office of the Governor)

15-0202-1701, Vocational Rehabilitation Services (meeting scheduled)

IDAPA 16 – Department of Health and Welfare

16-0305-1701, Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD) (meeting scheduled)
16-0308-1701, Rules Governing the Temporary Assistance for Families in Idaho (TAFI) Program (meeting scheduled)

IDAPA 18 – Department of Insurance

18-0102-1701, Insurance Policy Titles (meeting scheduled)
18-0108-1701, Filing for Life Policy Forms (meeting scheduled)
18-0120-1701, Cancellation of, or Refusal to Renew Automobile Insurance Policies (meeting scheduled)

18-0122-1701, Sale of Insurance by Vending Machines (meeting scheduled)

18-0125-1701, Title Insurance and Title Insurance Agents and Escrow Officers (meeting scheduled)

18-0130-1701, Individual Disability and Group Supplemental Disability Insurance Minimum Standards Rule (meeting scheduled)

18-0135-1701, Guidelines Respecting the Use of Claim Forms for Disability Insurance Claims (meeting scheduled)

18-0156-1701, Rebates and Illegal Inducements to Obtaining Title Insurance Business Rules (meeting scheduled)

18-0173-1701, Rule to Implement the Individual Health Insurance Availability Act Plan Design (meeting scheduled)

IDAPA 19 – Idaho State Board of Dentistry

19-0101-1701, **19-0101-1702** and **19-0101-1703**, Rules of the Idaho State Board of Dentistry (to participate respond by 7/26/17)

IDAPA 23 – Idaho Board Of Nursing

23-0101-1701, Rules of the Idaho Board of Nursing (meeting scheduled)

IDAPA 35 – Idaho State Tax Commission

35-0102-1702 and **35-0102-1703**, Idaho Sales and Use Tax Administrative Rules (meeting scheduled)

35-0103-1706, Property Tax Administrative Rules (See Bulletin for information)

35-0105-1701, Idaho Motor Fuels Tax Administrative Rules (See Bulletin for information)

35-0106-1701, Hotel/Motel Room and Campground Sales Tax Administrative Rules (meeting scheduled)

IDAPA 61 – State Public Defense Commission

61-0107-1702, Rules Governing Standards for Defending Attorneys That Utilize Idaho’s Principles of an Indigent Defense Delivery System (to participate respond by 7/21/17)

Please refer to the Idaho Administrative Bulletin **July 5, 2017, Volume 17-7**, for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and contact information.

Issues of the Idaho Administrative Bulletin can be viewed at adminrules.idaho.gov.

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