

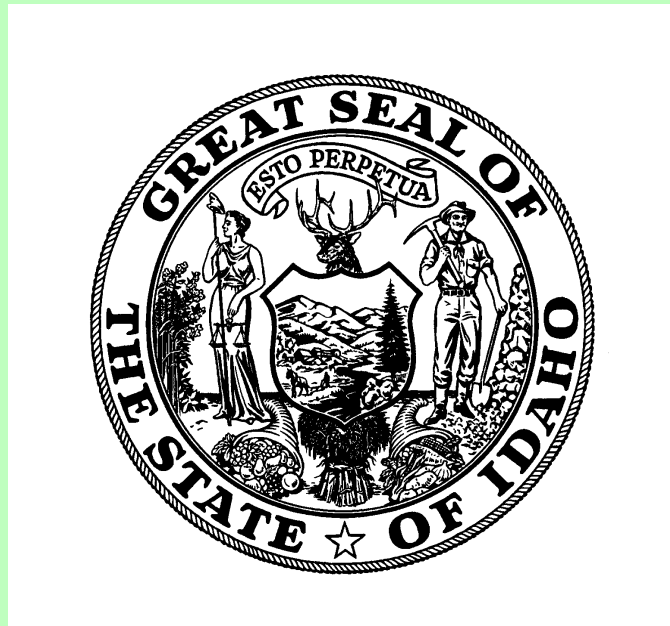
PENDING FEE RULES

COMMITTEE RULES

REVIEW BOOK

Submitted for Review Before
**Senate Commerce & Human
Resources Committee**

**63rd Idaho Legislature
Second Regular Session**



Prepared by:

*Office of the Administrative Rules Coordinator
Department of Administration*

January 2016

SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

ADMINISTRATIVE RULES REVIEW

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DOCKET NO. 07-0203-1501

NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2016 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee 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 54-2605, 54-2606, 54-2622 and 54-2623, 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:

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 October 7, 2015 Idaho Administrative Bulletin, [Vol. 15-10, pages 22 - 25](#).

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 54-2602, Idaho Code.

This rule increases the inspection fee for a separate water or sewer inspection from thirty-eight dollars (\$38) to the standard DBS base inspection rate of sixty-five dollars (\$65).

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 increases the inspection fee for a separate water or sewer inspection from thirty-eight dollars (\$38) to the standard DBS base inspection rate of sixty-five dollars (\$65). This will result in a revenue increase of approximately nine thousand five hundred dollars (\$9,500) to the dedicated fund, based on an average of three hundred fifty (350) of these types of inspections annually. This does not affect the General Fund.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending fee rule, contact Steve Keys, Deputy Administrator - Operations, at (208) 332-8986.

DATED this 29th Day of October 2015.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-8986
Fax: (877) 810-2840

THE FOLLOWING NOTICE WAS PUBLISHED WITH THE PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-2605, 54-2606, 54-2622, and 54-2623, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2015.

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

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

When the thirty-eight dollar (\$38) fee for individual water or sewer permits was proposed, the proposal was premised on the assumption that most of these permits would be issued in conjunction with new construction projects, and that other plumbing inspections occurring concurrently would mitigate the decrease in revenues. Unfortunately, the premise has proved untrue, as evidenced by the three hundred fifty (350) inspections of this type conducted on an annual basis. Unfortunately, many of these inspections are for line repairs and or replacements in outlying rural areas where travel costs are significant.

Fees for individual water or sewer line permits increase from thirty-eight dollars (\$38) to sixty-five dollars (\$65). The permit fee for installations where both sewer and water lines are installed at the same time remains at sixty-five dollars (\$65).

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

The Plumbing Board is authorized to establish fees pursuant to Section 54-2602, Idaho Code. This rule increases the inspection fee for a separate water or sewer inspection from thirty-eight dollars (\$38) to the standard DBS base inspection rate of sixty-five dollars (\$65).

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

This rule increases the inspection fee for a separate water or sewer inspection from thirty-eight (\$38) to the standard DBS base inspection rate of sixty-five dollars (\$65). This will result in a revenue increase of approximately nine thousand five hundred dollars (\$9,500) to the dedicated fund, based on an average of three hundred fifty (350) of these types of inspections annually. This does not affect the General Fund.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 1, 2015 Idaho Administrative Bulletin, [Vol. 15-4, pages 14 and 15](#).

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Steve Keys, Deputy Administrator - Operations, at (208) 332-8986.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2015.

DATED this 18th Day of August, 2015.

LSO Rules Analysis Memo

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 07-0203-1501

011. FEE SCHEDULE.

01. New Residential - Single Family Dwelling. Includes all buildings with plumbing systems being constructed on each property.

New Residential - Single-Family Dwelling		
Up to 1,500 Square feet of living space	-	\$130
1,501 to 2,500 Square feet of living space	-	\$195
2,501 to 3,500 Square feet of living space	-	\$260
3,501 to 4,500 Square feet of living space	-	\$325
Over 4,500 Square feet of living space	-	\$325 plus \$65 for each additional 1,000 square feet or portion thereof

(4-9-09)

02. New Residential - Multi-Family Dwellings.

New Residential - Multi-Family Dwellings		
Duplex Apartment	-	\$260
Three (3) or more Multi-family Units	-	\$130 per Building plus \$65 per Unit

(3-26-08)

03. Existing Residential. Sixty-five dollars (\$65) plus ten dollars (\$10) for each additional plumbing fixture being installed up to a maximum of the corresponding square footage of the residential building. (3-26-08)

04. Other Installations Including Industrial and Commercial. The inspection fees listed in this Section shall apply to any and all plumbing installations not specifically mentioned elsewhere in this schedule. The plumbing cost shall be the cost to the owner of all labor charges and all other costs that are incurred in order to complete the installation of any and all plumbing equipment and materials installed as part of the plumbing system. (3-26-08)

a. Plumbing system cost not exceeding ten thousand dollars (\$10,000): sixty dollars (\$60) plus two percent (2%) of the total plumbing system cost. (3-26-08)

b. Plumbing system cost over ten thousand dollars (\$10,000), but not exceeding one hundred thousand dollars (\$100,000): two hundred sixty dollars (\$260) plus one percent (1%) of the plumbing system cost

exceeding ten thousand dollars (\$10,000). (3-26-08)

c. Plumbing system cost over one hundred thousand dollars (\$100,000): one thousand one hundred sixty dollars (\$1,160) plus one half of one percent (.5%) of the plumbing system cost exceeding one hundred thousand dollars (\$100,000). (3-26-08)

d. All fees calculated under this schedule must be calculated on the total plumbing cost of the job and this figure must be shown on the permit. (3-26-08)

05. Requested Inspections. A fee of sixty-five dollars (\$65) per hour or portion of an hour shall apply, with the requesting party responsible for all costs incurred in out-of-state travel. (3-26-08)

06. Additional Fees and Re-Inspection Fees. A fee of sixty-five dollars (\$65) per hour or portion of an hour shall apply to:

a. Trips to inspect when: (3-26-08)

i. The submitter of the permit has given notice to the Division of Building Safety that the work is ready for inspection and it is not; or (3-26-08)

ii. If the submitter has not accurately identified the work location; or (3-26-08)

iii. If the inspector cannot gain access to make the inspection. (3-26-08)

b. Trips to inspect corrections required by the inspector as a result of the submitter improperly responding to a corrective notice. (3-26-08)

c. When corrections have not been made in the prescribed time, unless an extension has been requested and granted. (3-26-08)

d. No permit - failure to post or send permit and required fee in the prescribed time will, at the discretion of the Division, result in the assessment of a double fee. (3-26-08)

07. Plan Checking Fee. Sixty-five dollars (\$65) per hour or portion thereof. (3-26-08)

08. Mobile Homes. Each connection or re-connection to existing sewer and water stubs shall be sixty-five dollars (\$65). (3-26-08)

09. Mobile Home Parks and/or RV Parks. Sewer and water service lines in mobile home parks and RV parks shall be classed as commercial. NOTE: This does not include or permit the connection of the mobile home. See Subsection 011.04, of these rules. (7-11-89)

10. Residential. Lawn sprinklers shall be sixty-five dollars (\$65). (3-26-08)

11. Water Conditioners. Water conditioners shall be sixty-five dollars (\$65). (3-26-08)

12. Sewer and Water Permit Fees. ~~Residential-s~~Sewer and water service line fees shall apply to all new construction; ~~and~~ installations, ~~and as well as~~ replacements. ~~(3-30-06)~~()

a. ~~Nonresidential S~~ewer and water ~~service line~~ permit fees ~~for excavators or property owners~~ shall be assessed ~~at the same rate as residential or nonresidential based on the classification of the construction project in accordance with Subsection 011.04 of these rules.~~ ~~(3-30-06)~~()

b. Residential sewer and water service lines installation permit fees ~~will shall~~ be assessed at the rate of ~~thirty-eight sixty-five~~ dollars (~~\$3865~~) each, or sixty-five dollars (\$65) for a combination of both if only one (1) inspection is required and the work is ~~done performed~~ by the same ~~individual contractor or homeowner.~~ ~~(3-26-08)~~()

13. Non-Residential. Lawn sprinkler permit fees shall be calculated at the same rate as industrial and commercial plumbing installations. (3-26-08)

14. Nonresidential Sewer and Water Service Lines Permit Fees. If installed by someone other than the plumbing contractor of the building, fees shall be calculated at the same rate as industrial and commercial plumbing installations. (3-26-08)

15. Technical Service Fee. Sixty-five dollars (\$65) per hour for each hour or portion thereof. (3-26-08)

16. Multipurpose Residential Fire Sprinkler and Domestic Water Supply System Fee. The inspection fee for the installation of the fire sprinkler portion of a multipurpose residential fire sprinkler and domestic water supply system in a one (1)-family or two (2)-family residence shall be a minimum of sixty-five dollars (\$65) or four dollars (\$4) per fire sprinkler head, whichever is greater. (3-26-08)

17. Gray Water Systems. Gray water systems in residential occupancies shall be permitted at one hundred thirty dollars (\$130). (4-9-09)

18. Reclaimed Water Systems. Reclaimed water systems shall be calculated at the same rate as industrial and commercial installations in the same manner provided for in Subsection 011.04 of these rules. (4-9-09)

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.03.01 - RULES OF BUILDING SAFETY

DOCKET NO. 07-0301-1502

NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2016 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee 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 39-4103 and 39-4107, 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 rule with an explanation of the reasons for the change:

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 October 7, 2015 Idaho Administrative Bulletin, [Vol. 15-10, pages 35 - 40](#).

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 39-4107, Idaho Code.

A fee for inspections performed on annual permits will be charged at the rate of \$100 per hour.

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:

A slight decrease in dedicated fund revenue is expected as permit fees are aggregated at a lower composite rate than would be realized through individual permits.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending fee rule, contact Steve Keys, Deputy Administrator - Operations, at (208) 332-8986.

DATED this 29th Day of October 2015.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-8986
Fax: (877) 810-2840

THE FOLLOWING NOTICE WAS PUBLISHED WITH THE PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 39-4103, and 39-4107, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2015.

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

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

This proposed rulemaking would allow state entities who perform minor alterations on their own buildings, structures, or premises with their own regularly employed qualified trade persons or maintenance staffs to obtain a single annual permit from the Division of Building Safety (DBS) for such minor alterations. The ability to issue a single annual permit will alleviate the need for such state entities to continually obtain permits throughout the year from the DBS for each individual minor alteration or equivalent remodeling project that may be performed on buildings or structures on their premises.

The rulemaking allows a state agency or organization which regularly employs qualified trade person(s) to secure an annual permit from the DBS to perform minor alterations in buildings, structures or on the premises or campus owned or operated by the applicant for the permit in lieu of obtaining individual permits for each such minor alteration. The rulemaking requires such state entity to maintain records of such minor alterations, and allow DBS access thereto, as well as for such alterations to be inspected by the DBS upon completion in the same manner as is already established. The rulemaking also defines what constitutes a "minor alteration" for which an annual permit may be issued, and establishes the fee for inspections of such work.

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

A fee for inspections performed on annual permits will be charged at the rate of one hundred dollars (\$100) per hour. This fee is authorized pursuant to Section 39-4107, 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 resulting from this rulemaking:

A slight decrease in dedicated fund revenue is expected as permit fees are aggregated at a lower composite rate than would be realized through individual permits.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rulemaking is simple in nature and only affects a few larger state entities which obtain building permits from the Division of Building Safety and which additionally regularly employ qualified trade persons who perform minor building alterations on their own buildings or premises for which a permit is necessary. Additionally, the topic was addressed and discussed at several Building Code Board meetings and no opposition to an annual permit was expressed.

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Steve Keys, Deputy Administrator - Operations, at (208) 332-8986.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2015.

DATED this 18th Day of August, 2015.

LSO Rules Analysis Memo

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 07-0301-1502

026. DEFINITIONS.

The terms defined in this section shall have the following meaning for all parts of this chapter, unless the context clearly indicates another meaning: (3-30-06)

01. Act. The Idaho Building Code Act, Title 39, Chapter 41, Idaho Code. (3-30-06)

02. Administrator. The administrator of the Division of Building Safety for the state of Idaho. (3-30-06)

03. Alterations or Conversions of Modular Buildings. Any change from the approved plans or installation instructions which would affect the structural, mechanical, electrical or plumbing systems of modular buildings bearing a Division insignia of approval and shall include the replacement, addition, modification or removal of any structural member, plumbing, heat-producing or electrical equipment, or installation which may affect such systems prior to first occupancy. Any such alteration or conversion shall first be approved by testing and inspection in the same manner as original systems or component parts. The following shall not constitute alteration or conversion: (3-30-06)

a. Repairs with approved replacement parts; (3-30-06)

b. Conversion of listed fuel-burning appliances in accordance with the terms of their listing;(3-30-06)

c. Replacement of equipment and appliances in kind; (3-30-06)

d. Adjustment and maintenance of equipment. (3-30-06)

04. Alterations to Manufactured Homes. The replacement, addition, and modification, or removal of any equipment or installation after sale by a manufacturer to a dealer but prior to sale by a dealer to a purchaser which may affect the construction, fire safety, occupancy, plumbing, heat-producing or electrical system. It includes any modification made in a manufactured home which may affect the compliance of the home with the standards, but it does not include the repair or replacement of a component or appliance “plug-in” to an electrical receptacle where the replaced item is of the same configuration and rating as the one being replaced. It also does not include the addition of an appliance requiring “plug-in” to an electrical receptacle, which appliance was not provided with the manufactured home by the manufacturer, if the rating of the appliance does not exceed the rating of the receptacle to which it is connected. (3-30-06)

05. Alterations or Conversions of Commercial Coaches. Any change from the approved plans or installation instructions which would affect the structural, mechanical, electrical or plumbing systems of commercial coaches bearing a Division insignia of approval and shall include the replacement, addition, modification or removal of any structural member; plumbing, heat-producing or electrical equipment; or installation which may affect such systems prior to first occupancy. Any such alteration or conversion shall first be approved by testing and inspection in the same manner as original systems or component parts. The following shall not constitute alteration or conversion: (3-30-06)

a. Repairs with approved replacement parts; (3-30-06)

b. Conversion of listed fuel-burning appliances in accordance with the terms of their listing;(3-30-06)

c. Replacement of equipment and appliances in kind; (3-30-06)

- d. Adjustment and maintenance of equipment. (3-30-06)
- Code. **06. Board.** The Idaho Building Code Board created under the provisions of Title 39, Chapter 41, Idaho Code. (3-30-06)
- 07. Bureau.** The Building Bureau of the Division of Building Safety. (3-30-06)
- 08. Commercial Coach.** In order to further clarify the definition of “commercial coach” as cited in Section 39-4105(5), Idaho Code, the phrase “made so as to be readily movable as a unit on its own running gear” shall mean that the running gear shall be a permanent part of the unit and not intended to be removed or replaced, and such modular structure is used for commercial purposes. (3-30-06)
- 09. Division.** The Division of Building Safety of the state of Idaho. (3-30-06)
- 10. Equipment.** All equipment, materials, appliances, devices, fixtures, fittings or accessories installed in the manufacture and assembly of modular buildings. (3-30-06)
- 11. Field Technical Service.** Interpretation and clarification of the technical data relating to the application of these rules, but not including inspection. (3-30-06)
- 12. First Purchaser.** The first purchaser of a commercial coach for other than resale. (3-30-06)
- 13. Insignia.** A label, tab or tag issued by the Division to indicate compliance with the codes, standards, rules and regulations established for manufactured building systems, subsystems, or building elements, modular buildings, and commercial coaches. (3-30-06)
- 14. Labeled.** Equipment or other building components bearing a label or other approved marking authorized or issued for use by a recognized testing/listing or evaluation agency. (3-30-06)
- 15. Listed.** Equipment or other building components included within a current list published by a recognized testing/listing agency that maintains periodic inspection on current production of listed equipment or other building components and whose listing states either that the equipment or component complies with recognized standards or has been tested and determined to be suitable for the use intended. (3-30-06)
- 16. Listing Agency.** A person, firm, association, partnership or corporation which is in the business of listing or labeling and which maintains a periodic inspection program on current production of listed materials, and which makes available, not less frequently than annually, a published report of such listing in which specific information is included that the product has been tested to nationally approved standards and found safe for use in a specified manner. (3-30-06)
- 17. Minor Alteration.** The following definition shall be used for the purpose of administering annual permits. ()
- a.** Minor alterations shall include, but are not limited to, the following: partition walls constructed within a defined room; relocation of or existing openings or installation of new doors and windows in non-load bearing walls and not in construction meant to compartmentalize fire; window replacement in unaltered existing openings; roof repairs involving installation of less than one hundred (100) square feet of new roof covering; and new suspended ceilings that are not part of a required fire resistive assembly. ()
- b.** Minor alterations shall not include: work that alters the fire resistive characteristics of the building or fire suppression systems; work that creates new openings in construction meant to compartmentalize fire such as fire walls, fire barriers, fire partitions, smoke barriers, smoke partitions, horizontal assemblies, shaft enclosures, stair enclosures; work that increases the floor area or height of the building; work that changes the structural load path of the building for gravity or horizontal loads; work that reduces the thermal resistant capacity of the building envelop; changes in the occupancy classification of the building or space; increases in the floor loads. ()

~~178.~~ **Model.** As referred to in Section 39-4113(3), Idaho Code, for modular buildings and commercial coaches shall mean a specific outside dimension and floor plan with specific structural, plumbing, electrical, and mechanical systems as designated by the manufacturer to be the standard for imitation reproduction. (3-30-06)

~~189.~~ **Testing/Listing Agency.** A person, firm, association, partnership or corporation which is: (3-30-06)

a. In the business of testing equipment or other building components; and (3-30-06)

b. Recognized by the Division as being qualified and equipped to conduct experimental testing in accordance with recognized standards; and (3-30-06)

c. Not under the jurisdiction or control of any single manufacturer or supplier for an affected industry; and (3-30-06)

d. Making available, not less frequently than annually, a published report in which specific information is included stating that the equipment and systems have been tested and found safe for use in a specified manner. (3-30-06)

~~1920.~~ **Transit Damage.** Application to manufactured home means that damage encountered en route from the place of manufacture to the dealer or first owner involving structural integrity or any repair that does not result in return to the same construction or assembly as specified in the manufacturer's design approval without additional reinforcement or change. (3-30-06)

~~201.~~ **State Buildings.** All buildings to be constructed, altered, or repaired by or for any state of Idaho agency or entity, without regard to purpose, occupancy, or the source of funding for such construction, alteration, or repair. (3-30-06)

~~212.~~ **Running Gear.** Springs, spring hangers, axles, bearings, wheels, brakes, rims and tires and their related hardware. (3-30-06)

~~223.~~ **Substantially Prefabricated or Assembled.** The module or major portion of modular buildings assembled in such manner that all portions may not be inspected without disassembly or destruction of the part. (3-30-06)

~~234.~~ **Substantially Prefabricated or Assembled.** The module or major portion of commercial coaches is assembled in such manner that all portions may not be inspected without disassembly or destruction of the part. (3-30-06)

~~245.~~ **Systems Plan.** A design plan concept that allows the interchanging of various approved construction systems to include structural, electrical, plumbing, and mechanical aspects of the system. (3-30-06)

~~256.~~ **Technical Service.** Conducting research, evaluation, consultation, model and systems plan reviews, interpretation and clarification by the Division of technical data relating to the application of these rules, and shall also include special field inspections that are not covered in other portions of these rules. (3-30-06)

027. PERMITS.

~~01.~~ **Building Permits.** Building permits shall be obtained from the Division prior to the construction of structures governed by the act or rules promulgated by the Board. ~~(3-30-06)~~()

~~02.~~ **Annual Permit.** In lieu of an individual permit for each minor alteration to an already approved building, the Division may issue an annual permit upon application therefor to any state agency or state governmental organization regularly employing one (1) or more qualified trade persons in the building, structure or on the premises or campus owned or operated by the applicant for the permit. The agency to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The Division shall be allowed access to such records at all times or such records shall be filed with the Division as designated. The permit holder shall request

inspections and make the work accessible for inspection as required by the adopted codes and this rule. ()

(BREAK IN CONTINUITY OF SECTIONS)

029. FEES.

The following fee schedule shall be applicable for the functions cited: (3-30-06)

01. Document Fees. (3-30-06)

a. The administrator shall charge such reasonable and suitable fees necessary for copies of any record, plan approval, permit, map, sketch, drawing or other instrument. (3-30-06)

b. Charges for copies of separate published documents shall be actual cost to the Division plus postage. (3-30-06)

02. Technical Service Fee. One hundred dollars (\$100) per hour. (4-7-11)

03. Modular Building Fees. Other than as herein specified in this Section, the fee schedule for modular buildings shall be as provided herein in Table 1-A, and such fees shall be based on the Freight On Board (FOB) cost to the dealer at the point of manufacture. (3-30-06)

04. Insignia Tag Fee. In instances where building permit fees are not charged for modular buildings, a one hundred dollar (\$100) fee will be charged for an insignia. (3-30-06)

05. Payment of Fees. Fees shall be paid to and collected by the Division. (3-30-06)

06. Commercial Coaches. Other than as herein specified in this Section, the fee schedule for commercial coaches shall be as provided in Table 1-A, and such fees shall be based on the Freight On Board (FOB) cost to the dealer at the point of manufacture. (3-30-06)

07. Building Permit Fees. The building permit fee for each permit shall be as set forth in the following table. The determination of value or valuation shall be made by the administrator and shall be the total value of all construction work for which a permit is issued. (4-7-11)

TABLE 1-A - BUILDING PERMIT FEES	
Total Valuation	Fee
\$1 to \$500	= \$23.50
\$501 to \$2,000	= \$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	= \$69.25 for the first \$2,000 plus \$14 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	= \$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	= \$643.75 for the first \$50,000 plus \$7 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	= \$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000

TABLE 1-A - BUILDING PERMIT FEES	
Total Valuation	Fee
\$500,001 to \$1,000,000	= \$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 to \$5,000,000	= \$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000, or fraction thereof, to and including \$5,000,000
\$5,000,001 to \$10,000,000	= \$20,208.75 for the first \$5,000,000 plus \$2.75 for each additional \$1,000, or fraction thereof, to and including \$10,000,000
\$10,000,001 and up	= \$33,958.75 for the first \$10,000,000 plus \$2 for each additional \$1,000, or fraction thereof

(4-7-11)

08. **Fees for Annual Permits.** A fee for inspections performed on annual permits shall be charged at the rate of one hundred dollars (\$100) per hour. The Division shall bill the applicant for annual permits and failure of the applicant to pay the fee within sixty (60) days may result in cancellation of the annual permit. ()

082. **Plan Review Fees.** Plan review fees shall be charged at an hourly rate of one hundred dollars (\$100) per hour up to a maximum of sixty-five percent (65%) of the calculated building permit fee with a minimum required fee of forty percent (40%) of the calculated building permit fee. All requests for plan review services shall at such time be accompanied by a payment in the amount of at least forty percent (40%) of the calculated building permit fee. Upon completion of the plan review, any additional fees, above the minimum required, shall be due to the Division by the requesting party. (4-7-11)

109. **Refund of Plan Review Fees.** There shall be no refund of plan review fees. (3-30-06)

101. **Refund of Permit Fees.** The Administrator may authorize a refund of any permit fee paid which was erroneously paid or collected. The Administrator may authorize a refund of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with these rules. The Administrator shall not authorize a refund of any permit fee paid except upon written application filed by the original applicant not later than one hundred eighty (180) days after the date of permit issuance. (4-7-11)

IDAPA 14 - BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS

14.01.01 - RULES OF PROCEDURE OF THE BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS

DOCKET NO. 14-0101-1502

NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2016 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee 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 67-2614 (Bureau of Occupational Licenses), and 54-2802, 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:

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 October 7, 2015 Idaho Administrative Bulletin, [Vol. 15-10, pages 229 and 230](#).

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 67-2614, Idaho Code.

The Board operates solely on dedicated funds derived primarily from licensing and registration fees. This rule will increase the reinstatement fee from \$25 to \$35. The number of annual renewal fees collected will be capped at just one (1) rather than one (1) for each year that a license is expired. It is expected that the higher reinstatement fee will be offset by the fact that multiple renewal fees will no longer be collected.

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:

There will be no fiscal impact to the state general fund since licensing and registration fees collected are dedicated funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending fee rule, contact Cherie Simpson at (208) 334-3233.

DATED this 3rd Day of November, 2015.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State
P.O. Box 83720
Boise, ID 83702
(208) 334-3233 Ph. / (208) 334-3945 fax

THE FOLLOWING NOTICE WAS PUBLISHED WITH THE PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 67-2614 (Bureau of Occupational Licenses), and 54-2802, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2015.

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

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

During the 2015 regular legislative session, the Legislature passed House Bill (HB) 117 which amended Idaho Code §67-2614, the Idaho Bureau of Occupational License's (IBOL) section on renewal or reinstatement of licenses or registrations. HB 117 simplified and standardized the license renewal process for licensing boards served by the Bureau. While boards have the option of maintaining their individual licensing requirements, this Board has decided to amend its rules to align them with the Bureau's statute. Other boards are in the process of amending their statutes to allow them to align their rules, and the statutes and rules of other boards are already in synch with the Bureau's statute. The changes contained in this rule were discussed and decided upon by the Board at a properly noticed open Board meeting.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: The Board operates solely on dedicated funds derived primarily from licensing and registration fees. This rule will increase the reinstatement fee from \$25 to \$35. The number of annual renewal fees collected will be capped at just one (1) rather than one (1) for each year that a license is expired. It is expected that the higher reinstatement fee will be offset by the fact that multiple renewal fees will no longer be collected. The statute authorizing the reinstatement fee is Section 67-2614, 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 resulting from this rulemaking:

There will be no fiscal impact to the state general fund since licensing and registration fees collected are dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the Board discussed and decided to propose this rule at properly noticed open meetings to which interested parties were welcome to attend. Additionally, licensees and registrants who will allow their licenses/registrations to lapse in the future and later seek reinstatement cannot be identified.

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 577-2584.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2015.

DATED this 17th Day of September, 2015.

LSO Rules Analysis Memo

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 14-0101-1502

150. FEES.

The fees for registration under the Act shall be the following: (4-9-09)

01. Application. A non-refundable fee for application shall be one hundred dollars (\$100). (4-9-09)

02. Initial Certificate. The fee for the initial certificate shall be twenty dollars (\$20). (4-9-09)

03. Examination/Reexamination. The fee for the National examination is set at the current Association of State Boards of Geology (ASBOG) rate and is non-refundable. (4-9-09)

04. Annual Renewal Fee. Annual renewal fee shall be sixty dollars (\$60). (4-9-09)

05. Annual Renewal Fee for Registrants Seventy (70) Years of Age or Older. Annual renewal fee shall be one-half (1/2) of the current renewal fee for registrants seventy (70) years of age or older. (4-9-09)

06. Reinstatement Fee. Reinstatement fee ~~shall be twenty five dollars (\$25)~~ is as provided in Section 67-2614, Idaho Code. ~~(4-9-09)~~ ()

07. Duplicate Certificate Fee. The fee for replacing a lost, destroyed, or mutilated certificate shall be twenty dollars (\$20). (4-9-09)

IDAPA 18 - IDAHO DEPARTMENT OF INSURANCE

18.01.44 - SCHEDULE OF FEES, LICENSES, AND MISCELLANEOUS CHARGES

DOCKET NO. 18-0144-1501

NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2016 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee 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 41-211, 41-401, 41-1006(2), 41-4005(4), 41-4011(4), 41-5806(1)(g), 41-5807(2) and (3), 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 rule with an explanation of the reasons for the change:

The pending fee rule changes fees consistent with recent statutory changes, removes from the fee rule a specific enumerated fee paid by applicants to a third party vendor and references the amount by contract, and makes technical changes. 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 2, 2015 Idaho Administrative Bulletin, **Vol. 15-9, pages 207 - 212.**

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 41-211, 41-401, 41-1006(2), 41-4005(4), 41-4011(4), 41-5806(1)(g), 41-5807(2) and (3), 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:

The fiscal impact of the changes is expected to be revenue neutral.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending fee rule, contact Tom Donovan, (208) 334-4214 or tom.donovan@doi.idaho.gov.

DATED this 9th Day of October, 2015.

Dean L. Cameron, Director
Idaho Department of Insurance
700 W State St, 3rd Floor
P.O. Box 83720
Boise, ID 83720-0043
Phone: (208) 334-4250
Fax: (208) 334-4398

THE FOLLOWING NOTICE WAS PUBLISHED WITH THE PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 41-211, 41-401, 41-1006(2), 41-4005(4), 41-4011(4), 41-5806(1)(g), 41-5807(2) and (3), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 16, 2015.

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

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

Title 41, Chapter 40, was amended in 2013 to provide that post-secondary educational institutions could provide students self-funded health care plans in Idaho. Previously, registration of such plans was limited to employee plans. The rulemaking will seek to clarify the language that the registration fee is paid by all self-funded plans registering with the department.

Title 41, Chapter 58, Idaho Code, permits the department to license public adjusters. The proposed rule provides that public adjusters pay the same licensing and examination fees as producers and adjusters.

The department contracts with a private contractor to administer insurance producer, adjuster and public adjuster examinations. The examination fee is currently established per rule at \$60. The rulemaking will revise language concerning the amount paid by an applicant for licensure as a producer, adjuster and public adjuster for an examination to a third party testing vendor.

The statutory provision for a solicitation permit application and fee (former Idaho Code § 41-2807) was repealed by the Idaho Legislature in 2003, so the reference to a fee in department rule should be removed.

Technical corrections are also made.

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

The proposed rulemaking will:

1. Amend 18.01.44.020.03 to clarify that registration of self-funded student health plans is subject to the licensing/renewal \$500 fee just like self-funded employer plans by removing the specific reference to “employee” plans;
2. Amend IDAPA 18.01.44.030 to add a licensing/renewal fee for public adjusters of \$80;
3. Amend IDAPA 18.01.44.030 to change the provision regarding the cost paid to a third party vendor by an applicant for a producer, public adjuster, or adjuster license to take an examination by eliminating the \$60 fee referenced and provide that the applicant will pay an amount to the vendor as provided for by contract between the department and testing vendor;
4. Eliminate fees for solicitation permits in section 18.01.040, as related code sections have been repealed; and
5. Make technical corrections in section 18.01.040 to update terminology and include catchall language regarding service of process fees, and eliminate unnecessary language in 18.01.020.04.

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

The fiscal impact of the changes is expected to be revenue neutral.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 1, 2015 Idaho Administrative Bulletin, [Vol. 15-7, page 69](#).

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance

on technical questions concerning the proposed rule, contact Thomas Donovan, tom.donovan@doi.idaho.gov, (208) 334-4214.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 23, 2015.

DATED this 7th Day of August, 2015.

LSO Rules Analysis Memo

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 18-0144-1501

020. INSURER FEES.

01. Annual Continuation Fee. All insurers and other entities (set forth in Section 020) licensed, listed, or otherwise approved to do business in the state of Idaho shall pay an annual continuation fee. (7-1-00)

a. The annual continuation fee shall be due on March 1st each year and shall provide for payment of the insurer's fees due through the last day of February next proceeding. (7-1-00)

b. The annual continuation fee shall be charged at the time the insurer applies for admission to do business in the state of Idaho. If the application is approved, the fee paid shall cover the insurer's fees through the last day of February next proceeding. (7-1-00)

02. Fee for Insurers. For all insurance companies receiving a certificate of authority pursuant to Chapter 3, Title 41, Idaho Code, the amount of the annual continuation fee shall be as follows: (7-1-00)

a. If insurer's surplus as regards policyholders at the preceding December 31 is less than ten million dollars (\$10,000,000) - One thousand dollars (\$1,000). (7-1-00)

b. If insurer's surplus as regards policyholders at the preceding December 31 is ten million (\$10,000,000) or more, but less than one hundred million (\$100,000,000) -- Two thousand five hundred dollars (\$2,500). (7-1-00)

c. If insurer's surplus as regards policyholders at the preceding December 31 is one hundred million (\$100,000,000) or greater - Four thousand five hundred dollars (\$4,500). (7-1-00)

03. Fees of Other Entities. For the following entities, the amount of the annual continuation fee shall be: (7-1-01)

a. Five hundred dollars (\$500): (7-1-01)

i. Accredited reinsurers, listed pursuant to Section 41-514(1)(b), Idaho Code. (7-1-00)

ii. Trusteed reinsurers, listed pursuant to Section 41-514(1)(d), Idaho Code. (7-1-00)

iii. Authorized surplus line insurers. (7-1-00)

iv. County mutual insurers. (7-1-00)

v. Fraternal benefit societies. (7-1-00)

- vi. Hospital and/or professional service corporations. (7-1-00)
- vii. Hospital liability trusts. (7-1-00)
- viii. Self funded *employee* health care plans. ~~(7-1-00)~~()
- ix. Domestic Risk retention groups. (7-1-01)
- x. Petroleum clean water trusts. (7-1-00)
- xi. Rating organizations. (7-1-00)
- xii. Advisory organizations. (7-1-00)
- b.** One hundred dollars (\$100): (7-1-01)
 - i. Purchasing groups. (7-1-00)
- 04. What Payment of Fee Shall Cover.** Payment of the annual continuation fee shall be deemed to be payment of all fees that would ordinarily be paid to the Department by the insurer or entity during the relevant year, including, but not limited to, the following: (7-1-00)
 - a.** Certificate of authority renewal, license renewal, and annual registration. (7-1-00)
 - b.** Arson, Fire and Fraud. (7-1-00)
 - c.** Annual statement filing. (7-1-00)
 - d.** Agent appointment and renewal of appointment. (7-1-00)
 - e.** Filings under Chapter 38, Title 41, Idaho Code, Acquisition of control and insurance holding company systems. (7-1-00)
 - f.** Filing of amendments to Articles of Incorporation. (7-1-00)
 - g.** Filing of amendments to Bylaws. (7-1-00)
 - h.** Amendments to Certificate of Authority. (7-1-00)
 - i.** Filing of notice of significant transactions pursuant to Section 41-345, Idaho Code. (7-1-00)
 - j.** Quarterly statement filing. (7-1-00)
 - k.** Examination expenses, *except for those set forth in Subsection 020.05.g.* ~~(7-1-00)~~()
- 05. Fees Not Included.** Payment of the annual continuation fee will not exempt the insurer or entity from the following: (7-1-00)
 - a.** Fees for application for producer license. (7-1-00)
 - b.** Costs incurred by the Department for investigation of an applicant for producer license. (7-1-00)
 - c.** Attorney's fees and costs incurred by the Department when allowed pursuant to Idaho Code. (7-1-00)
 - d.** Costs incurred for experts and consultants when allowed by Idaho Code. (7-1-00)

e. Penalties or fines levied by or payable to the Department of Insurance. (7-1-00)

f. All fees set forth under Section 040. (7-1-00)

06. Failure to Pay Fee. Failure to pay the annual continuation fee on or before March 1st each year shall be treated as failure to pay the continuation fee and will result in expiration of the insurer's or entity's authority to do business in the state of Idaho pursuant to Section 41-324, Idaho Code. (7-1-00)

07. Reinstatement Fee. The reinstatement fee referenced in Section 41-324(3), Idaho Code, shall be the amount referenced above for the insurer or entity continuation fee. (7-1-00)

021. -- 029. (RESERVED)

030. PRODUCER AND MISCELLANEOUS LICENSING FEES.

01. Original License Application. The following fees are due and must be paid with the filing application for original license, which fees include the issuance of a license, if issued: (3-13-02)

a. Administrators -- three hundred dollars (\$300). (7-1-00)

b. Producers -- eighty dollars (\$80). (3-13-02)

c. Designation as a managing general agent -- eighty dollars (\$80). (3-13-02)

d. Adjusters and public adjusters -- eighty dollars (\$80). ~~(3-13-02)~~()

e. Reinsurance intermediary -- eighty dollars (\$80). (3-13-02)

f. Surplus line brokers -- eighty dollars (\$80). (3-13-02)

g. Life settlement providers -- five hundred dollars (\$500). (3-29-10)

h. Life settlement brokers -- three hundred dollars (\$300). (3-29-10)

i. Independent review organization -- five hundred dollars (\$500). (3-29-10)

j. Vendor of portable electronics insurance, a type of limited lines producer: (3-27-13)

i. A vendor of portable electronic insurance who is engaged in portable electronic transactions at more than ten (10) locations in the state of Idaho -- one thousand dollars (\$1,000). (3-27-13)

ii. A vendor of portable electronic insurance who is engaged in portable electronic transactions at ten (10) or fewer locations in the state of Idaho -- one hundred dollars (\$100). (3-27-13)

02. Examination Fees. The following fees are due and must be paid in order to take examinations for the following licenses: (3-13-02)

a. Producers, public adjusters, and adjusters -- application for examination and each time taken -- ~~sixty dollars (\$60)~~ a fee set forth by contract between the department and third-party testing vendor, which entire amount is to be paid by the applicant to the vendor and retained by the vendor. ~~(3-13-02)~~()

03. Fingerprint Processing. Processing fingerprints (when required) -- not to exceed eighty dollars (\$80). (3-27-13)

04. License Renewal. The following fees are due and must be paid for each license in order to renew or continue each and every license: (3-13-02)

- a. Adjusters, public adjusters, and producers (biennial) -- eighty dollars (\$80), or sixty dollars (\$60) if renewed electronically. ~~(3-16-04)~~()
- i. A vendor of portable electronic insurance who is engaged in portable electronic transactions at more than ten (10) locations in the state of Idaho -- five hundred dollars (\$500). (3-27-13)
- ii. A vendor of portable electronic insurance who is engaged in portable electronic transactions at ten (10) or fewer locations in the state of Idaho -- one hundred dollars (\$100). (3-27-13)
- b. Redesignation as managing general agent (annual) -- eighty dollars (\$80). (3-13-02)
- c. Administrators (biennial) -- eighty dollars (\$80). (3-19-07)
- i. Renewal form shall be filed on or before December 31. (3-19-07)
- ii. Any renewal form postmarked after December 31 shall include a penalty in an amount equal to the renewal fee. (3-19-07)
- iii. A renewal form postmarked after January 31 must be submitted as a new application with supporting documents and the full application fee. (3-19-07)
- d. Surplus line brokers (biennial) -- eighty dollars (\$80), or sixty dollars (\$60) if renewed electronically. (3-16-04)
- e. Life settlement providers (biennial) -- three hundred dollars (\$300). (3-29-10)
- f. Life settlement brokers (biennial) -- eighty dollars (\$80). (3-29-10)
- g. Independent review organization (biennial) -- three hundred dollars (\$300). (3-29-10)

031. -- 039. (RESERVED)

040. MISCELLANEOUS FEES.

Miscellaneous fees shall be as follows. (7-1-00)

01. Certified Copy. Certified copy of certificate of authority, license or registration - Fifty dollars (\$50). (7-1-00)

~~**02. Solicitation Permit—Organization and financing of insurer.** (7-1-00)~~

~~**a. Filing application for solicitation permit—Nine hundred dollars (\$900).** (7-1-00)~~

~~**b. Issuance of solicitation permit—One hundred eighty dollars (\$180).** (7-1-00)~~

~~**032. Certificate Under Seal.** Director's certificate under seal (except for those under Subsection 040.01 of this rule) - Twenty dollars (\$20). (7-1-00)~~

~~**043. Documents Filed.** For each copy of document filed in his office, a reasonable cost as fixed by the director. For rate and form filings not submitted electronically through the national System for Electronic Rate and Form Filing (SERFF) -- Twenty dollars (\$20) for each rate or form filed in excess of ten (10) per calendar year. (4-9-09)~~

~~**054. Life Insurance Valuation.** For valuing life insurance, actual cost of valuation but not to exceed one cent (\$.01) for each one thousand dollars (\$1,000) of insurance. (7-1-00)~~

~~**065. Insurer Service of Process.** For receiving and forwarding copy of summons or other process~~

served upon the director as process agent of an insurer -- Thirty dollars (\$30). (7-1-00)

076. **Agent Service of Process.** For receiving and forwarding copy of summons or other process served upon the director as process agent of a nonresident ~~agent, broker or consultant~~ producer or other person for which the director is authorized to serve as statutory agent for service of process -- Thirty dollars (\$30). ~~(7-1-00)~~()

087. **Continuing Education.** Filing continuing education applications for approval and certification of subjects of courses (each application) -- Twenty-five dollars (\$25). (7-1-00)

098. **Small Employer Health Program.** Administrative expenses incurred in implementing and approving Idaho small employer health reinsurance program and plan of operation: (7-1-00)

- a. Initial deposit for program setup, approval and processing - One thousand dollars (\$1,000). (7-1-00)
- b. Any additional reasonable expenses incurred in establishing and maintaining the program. (7-1-00)
- c. Annual filings of Board, pursuant to Section 41-4711(12), Idaho Code - Three hundred dollars (\$300). (7-1-00)

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.00.01 - LICENSING BOARDS SERVED BY THE BUREAU OF OCCUPATIONAL LICENSES

DOCKET NO. 24-0001-1500

OMNIBUS NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2016 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee 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 67-2614 (Bureau of Occupational Licenses), and 54-2406 (Drinking Water/Wastewater); 54-3717 (Occupational Therapists); 54-3003 (Landscape Architects); 54-2206 (Physical Therapists); 54-4106 (Real Estate Appraisers); 54-5310 (Liquid Petroleum Gas Dealers); 54-5403 (Driving Businesses); 54-4007 (Massage Therapists), 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 rule with an explanation of the reasons for the change:

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 October 7, 2015 Idaho Administrative Bulletin, [Vol. 15-10, pages 408 - 415](#).

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 67-2614, Idaho Code.

The boards listed above operate solely on dedicated funds derived primarily from licensing and registration fees. This rulemaking increases the reinstatement fee for five boards from \$25 to \$35, will have no effect on one board, and will reduce the fee for two other boards from \$75 and \$50 to \$35. The number of annual renewal fees collected will be capped at just one rather than one for each year that a license is expired. It is expected that the higher reinstatement fee will be offset by the fact that multiple renewal fees will no longer be collected. The statute authorizing the reinstatement fee is Section 67-2614, Idaho Code.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than \$10,000 during the fiscal year:

There will be no fiscal impact to the state general fund since licensing and registration fees collected are dedicated funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending fee rule, contact Cherie Simpson at (208) 334-3233.

DATED this 3rd Day of November, 2015.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W. State Street
P.O. Box 83720
Boise, ID 83702
(208) 334-3233 Ph. / (208) 334-3945 fax

THE FOLLOWING NOTICE WAS PUBLISHED WITH THE PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 67-2614 (Bureau of Occupational Licenses), and 54-2406 (Drinking Water/Wastewater); 54-3717 (Occupational Therapists); 54-3003 (Landscape Architects); 54-2206 (Physical Therapists); 54-4106 (Real Estate Appraisers); 54-5310 (Liquid Petroleum Gas Dealers); 54-5403 (Driving Businesses); 54-4007 (Massage Therapists) Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2015.

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

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

During the 2015 regular legislative session, the Legislature passed House Bill (HB) 117 which amended Section 67-2614, Idaho Code, the Idaho Bureau of Occupational License's (IBOL) section on renewal or reinstatement of licenses or registrations. HB 117 simplified and standardized the license renewal process for licensing boards served by the Bureau. While boards have the option of maintaining their individual licensing requirements, eight (8) boards have decided to amend their rules to align them with the Bureau's statute. Other boards are in the process of amending their statutes to allow them to align their rules, and the statutes and rules of other boards are already in synch with the Bureau's statute. The changes contained in this rule were discussed and decided upon by each board at a properly noticed open board meeting.

The 8 Board rules affected by this proposed rulemaking action include:

- 24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals;
- 24.06.01 - Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants;
- 24.07.01 - Rules of the Idaho State Board of Landscape Architects;
- 24.13.01 - Rules Governing the Physical Therapy Licensure Board;
- 24.18.01 - Rules of the Real Estate Appraiser Board;
- 24.22.01 - Rules of the Idaho State Liquefied Petroleum Gas Safety Board;
- 24.25.01 - Rules of the Idaho Driving Businesses Licensure Board; and
- 24.27.01 - Rules of the Idaho State Board of Massage Therapy.

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

The boards listed above operate solely on dedicated funds derived primarily from licensing and registration fees. This rulemaking increases the reinstatement fee for five boards from \$25 to \$35, will have no effect on one board, and will reduce the fee for two other boards from \$75 and \$50 to \$35. The number of annual renewal fees collected will be capped at just one rather than one for each year that a license is expired. It is expected that the higher reinstatement fee will be offset by the fact that multiple renewal fees will no longer be collected. The statute authorizing the reinstatement fee is Section 67-2614, 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 resulting from this rulemaking:

There will be no fiscal impact to the state general fund since licensing and registration fees collected are dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because regulatory boards discussed and decided to propose this rule at properly noticed open meetings to

which interested parties were welcome to attend. Additionally, licensees and registrants who will allow their licenses/registrations to lapse in the future and later seek reinstatement cannot be identified.

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 577-2584.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2015.

DATED this 4th Day of September, 2015.

LSO Rules Analysis Memo

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 24-0001-1500

IDAPA 24
TITLE 05
CHAPTER 01

24.05.01 - RULES OF THE BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS

200. FEES FOR EXAMINATION AND LICENSURE (RULE 200).

The fees for each license type and classification shall be as follows: (3-24-05)

01. Application Fee. Application fee -- twenty-five dollars (\$25). (3-24-05)

02. Examination Fee. The examination fees shall not be greater than those fees charged by the Association of Boards of Certification (ABC) or other approved examination provider. Fees paid by applicants approved for a scheduled examination are not refundable. New examination fees are required for each scheduled additional examination. (3-20-14)

03. Endorsement Fee. Endorsement fee -- thirty dollars (\$30). (3-20-14)

04. Original License Fee. Original license fee -- thirty dollars (\$30). (3-20-14)

05. Annual Renewal Fee. Annual renewal fee -- thirty dollars (\$30). (3-20-14)

06. Reinstatement Fees. Reinstatement fee -- ~~twenty-five dollars (\$25)~~ is as provided in Section 67-2614, Idaho Code. (3-24-05)()

07. Refund of Fees. No refund of fees shall be made to any person who has paid such fees for application. (3-21-12)

BREAK IN TITLES

IDAPA 24
TITLE 06
CHAPTER 01

**24.06.01 - RULES FOR THE LICENSURE OF OCCUPATIONAL THERAPISTS
AND OCCUPATIONAL THERAPY ASSISTANTS**

041. FEES.

- 01. Fees.** Necessary fees shall accompany applications. Fees shall not be refundable. (3-29-10)
- 02. Initial Licensure.** The fee for initial licensure of occupational therapists shall be one hundred dollars (\$100) and the fee for occupational therapy assistants shall be seventy-five dollars (\$75). (4-6-15)
- 03. Limited Permit or Temporary License.** The fee for a limited permit or temporary license shall be twenty-five dollars (\$25). (4-6-15)
- 04. Active License Renewal Fee.** The annual renewal fee for an active license shall be fifty-five dollars (\$55) for occupational therapists and thirty-five dollars (\$35) for occupational therapy assistants. (4-6-15)
- 05. Reinstatement Fee.** The fee to reinstate an lapsed expired license ~~shall be thirty-five dollars (\$35)~~ is as provided in Section 67-2614, Idaho Code. ~~(3-29-10)~~ ()
- 06. Inactive License Renewal Fee.** The annual renewal fee for an inactive license shall be twenty-five dollars (\$25) for occupational therapists and occupational therapy assistants. (4-6-15)
- 07. Inactive to Active License Fee.** The fee for reinstating an inactive license to an active license is the difference between the current inactive and active license renewal fees. (4-7-11)

BREAK IN TITLES

IDAPA 24
TITLE 07
CHAPTER 01

24.07.01 - RULES OF THE IDAHO STATE BOARD OF LANDSCAPE ARCHITECTS

400. FEES (RULE 400).

Fees are not refundable, therefore, applications should not be filed unless the applicant can meet all requirements. (7-1-93)

- 01. Application Fee.** Application Fee: One hundred dollars (\$100). (3-20-14)
- 02. Landscape Architect-in-Training Application Fee.** Landscape architect-in-training application fee: Twenty-five dollars (\$25). (3-26-08)
- 03. Examination Fees.** Examination fees will be as established by the Council of Landscape Architectural Registration Boards. (3-20-04)
- 04. Original License and Annual License Fee.** Original license and annual license fee: One hundred fifty dollars (\$150). (3-21-07)
- 05. Reinstatement Fee.** Reinstatement fee: ~~Twenty-five dollars (\$25)~~ is as provided in Section 67-2614, Idaho Code. ~~(7-1-93)~~ ()

BREAK IN TITLES

IDAPA 24
TITLE 13
CHAPTER 01

24.13.01 - RULES GOVERNING THE PHYSICAL THERAPY LICENSURE BOARD

- 200. FEES (RULE 200).**
 - 01. License Fee.** (3-19-07)
 - a.** The fee for the initial licensure and the annual renewal of a physical therapist shall be twenty-five dollars (\$25). (3-20-14)
 - b.** The fee for the initial licensure and the annual renewal of a physical therapist assistant shall be twenty dollars (\$20). (3-20-14)
 - 02. Examination Fee.** The fee for examination shall be that set by the examination entity approved by the Board and shall include an additional administrative fee of twenty dollars (\$20). (3-20-14)
 - 03. Reinstatement Fee.** ~~A~~ Reinstatement fee ~~shall be twenty five dollars (\$25) and satisfactory proof of successful completion of the continuing education requirement~~ is as provided in Section 67-2614, Idaho Code. ~~(4-9-09)~~ ()
 - 04. Application Fee.** The application fee shall be twenty-five dollars (\$25) and shall accompany all applications. Fees shall not be refundable. (3-20-14)

BREAK IN TITLES

IDAPA 24
TITLE 18
CHAPTER 01

24.18.01 - RULES OF THE REAL ESTATE APPRAISER BOARD

150. FEES (RULE 150).

Fees are established in accord with Section 54-4113, Idaho Code as follows: (7-1-93)

- 01. Application.** Application fee for License - two hundred fifty dollars (\$250). (4-11-06)
- 02. Original License.** Original License - one hundred forty dollars (\$140*). (3-21-12)
- 03. License Renewal.** License renewal - three hundred sixty-five dollars (\$365*). (3-21-12)
- 04. Reinstatement.** Reinstatement fees ~~are~~ is as provided in Section 67-2614, Idaho Code ~~twenty-five dollars (\$25).~~ (7-1-93) ()
- 05. Application for Reciprocity.** Application for reciprocity - two hundred fifty dollars (\$250*). (3-30-01)
- 06. Original License Via Reciprocity.** Original License via reciprocity - one hundred dollars (\$100*). (3-21-12)
- 07. Temporary Permit.** Temporary permit - one hundred dollars (\$100). (7-1-93)
- 08. Trainee Registration Fee.** Trainee registration fee - fifty dollars (\$50). (3-13-02)
- 09. Examination and Reexamination Fees.** Examination and Reexamination fees will be calculated based on the actual cost of the examination. Successful applicants will be notified of the fees at the time they are scheduled for examination. (7-1-97)
- 10. Continuing Education Provider Application Fee.** Continuing Education Provider Application fee - one hundred dollars (\$100). (3-21-12)
- 11. Fees are Non-Refundable.** Fees are non-refundable. (7-1-93)
- 12. Fees Followed By Asterisk (*) Means.** Proposed fees for these categories marked with an asterisk (*) include forty dollars (\$40) to be submitted by the state to the federal government. Title XI, Section 1109 of the FIRREA as amended requires each state to submit a roster listing of state licensed appraisers to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council "no less than annually." The state is also required to collect from such individuals who perform appraisals in federally related transactions an annual registry fee of "not more than eighty-five dollars (\$85)," such fees to be transmitted by the state to the federal government on an annual basis. This fee is subject to change by the Appraisal Subcommittee. (3-21-12)

BREAK IN TITLES

IDAPA 24
TITLE 22
CHAPTER 01

24.22.01 - RULES OF THE IDAHO STATE LIQUEFIED PETROLEUM GAS SAFETY BOARD

175. FEES (RULE 175).

Applications should not be filed unless the applicant can meet all requirements. (3-30-06)

01. Application Fee. Application fee - thirty dollars (\$30). (3-30-06)

02. Original Individual License and Annual Renewal Fee. License fee - seventy-five dollars (\$75). (3-29-10)

03. Dealer-in-Training License Fee. License fee - fifty dollars (\$50). (4-7-11)

04. Original Facility License Fee and Annual Renewal Fee. Facility with ten thousand (10,000) gallon or less storage capacity - one hundred dollars (\$100). (3-29-10)

05. Original Bulk Storage Facility Fee and Annual Renewal Fee. Bulk Storage Facility with more than ten thousand (10,000) gallon storage capacity - four hundred dollars (\$400). (3-29-10)

06. Endorsement Fee. Endorsement fee - seventy-five dollars (\$75). (3-29-10)

07. Reinstatement Fee. Reinstatement fee ~~fifty dollars (\$50)~~ is as provided in Section 67-2614, Idaho Code. ~~(3-30-06)~~ ()

08. Refund of Fees. No refund of fees shall be made to any person who has paid such fees for application or reinstatement of a license. (3-30-06)

BREAK IN TITLES

IDAPA 24
TITLE 25
CHAPTER 01

24.25.01 - RULES OF THE IDAHO DRIVING BUSINESSES LICENSURE BOARD

175. FEES (RULE 175).

- 01. Fees.** The following fees are established by the Board: (4-7-11)
- a.** Initial application processing fee - fifty dollars (\$50). (4-7-11)
 - b.** Original instructor license fee and renewal fee - fifty dollars (\$50). (4-7-11)
 - c.** Instructor apprentice permit fee - fifty dollars (\$50). (4-7-11)
 - d.** Original business license fee and renewal fee - five hundred dollars (\$500). (4-7-11)
 - e.** Reinstatement fee ~~twenty five dollars (\$25)~~ is as provided in Section 67-2614, Idaho Code.
(4-7-11)()
- 02. Refund of Fees.** All fees are non-refundable. (4-7-11)

BREAK IN TITLES

**IDAPA 24
TITLE 27
CHAPTER 01**

24.27.01 - RULES OF THE IDAHO STATE BOARD OF MASSAGE THERAPY

250. FEES.

Fees are established in accordance with Section 54-4008, Idaho Code, as follows: (3-27-13)

- 01. Application Fee.** Application fee is fifty dollars (\$50). (3-27-13)
- 02. Original License Fee.** Original license fee is seventy-five dollars (\$75). (3-27-13)
- 03. Annual Renewal Fee.** Annual renewal fee is seventy-five dollars (\$75). (3-27-13)
- 04. License by Endorsement Fee.** License by endorsement fee is seventy-five dollars (\$75). (3-27-13)
- 05. Duplicate License Fee.** Duplicate license fee is ten dollars (\$10). (3-27-13)
- 06. Reinstatement Fee.** Reinstatement fee is ~~twenty five dollars (\$25)~~ as provided in Section 67-2614, Idaho Code.
(3-27-13)()
- 07. Examination Fee.** The fee for those examinations administered by a third party administrator shall be that fee determined by the administrator, and shall be paid directly to the administrator by the applicant. (3-27-13)
- 08. Refund of Fees.** All fees are non-refundable except that, if a license is not issued, the license fee will be refunded. (3-27-13)

(BREAK IN CONTINUITY OF SECTIONS)

400. RENEWAL OR EXPIRATION OF LICENSE.

A license expires on the license holder's birth date. The individual must annually renew the license before the license holder's birth date. Licenses not so renewed will be immediately cancelled in accordance with Section 67-2614, Idaho Code. (3-27-13)

01. Renewal. A license must be renewed before it expires by submitting a complete application for renewal on forms approved by the Board together with the renewal fee. As part of a complete renewal application, the licensee will attest to completion of the required continuing education pursuant to Section 500 of these rules. False attestation of satisfaction of the continuing education requirements on a renewal application shall subject the licensee to disciplinary action, including revocation. (3-27-13)

02. Reinstatement. A license that has been cancelled for failure to renew may be reinstated in accordance with Section 67-2614, Idaho Code. (3-27-13)

a. Within five (5) years of cancellation, an applicant seeking reinstatement must submit to the Board evidence that the applicant has completed the required continuing education together with a complete renewal application and appropriate fee(s). (3-27-13)

i. The applicant must submit evidence of completion of continuing education hours totaling the hours required at the time of cancellation and for each year the license was cancelled. (3-27-13)

ii. The applicant must pay a reinstatement fee as set forth in Section 250 of these rules ~~in addition to the renewal fee for each year the license was cancelled.~~ *in addition to (3-27-13) ()*

b. After five (5) years of cancellation, the applicant will be treated as a new applicant, and application shall be made on the same forms and in the same manner as an application for an original license in accordance with Section 200 of these rules. (3-27-13)

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES
24.21.01 - RULES OF THE IDAHO STATE CONTRACTORS BOARD
DOCKET NO. 24-2101-1501
NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2016 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee 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 54-5207, 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 rule with an explanation of the reasons for the change:

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 October 7, 2015 Idaho Administrative Bulletin, [Vol. 15-10, pages 446 - 447](#).

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 54-5207 and 54-5210, Idaho Code.

The Board's expenses have been exceeding its revenues. This change will help balance the Board's annual budget while maintaining the services necessary to protect the public. Rule 175 is being amended to increase the application fee from \$30 to \$35; the reciprocal fee from \$25 to \$35; the renewal fee from \$25 to \$35; and the reinstatement fee from \$25 to \$35.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than \$10,000 during the fiscal year:

The proposed rule will have no impact on general funds. The rule change will result in an annual increase of approximately \$156,020.00 in the Board's dedicated fund, based on the current number of licensees and an estimate of original applications received in a year.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending fee rule, contact Cherie Simpson at (208) 334-3233.

DATED this 3rd Day of November, 2015.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W. State Street
P.O. Box 83720
Boise, ID 83702
(208) 334-3233 Ph. / (208) 334-3945 fax

THE FOLLOWING NOTICE WAS PUBLISHED WITH THE PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-5207, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2015.

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

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

The Board's expenses have been exceeding its revenues. This change will help balance the Board's annual budget while maintaining the services necessary to protect the public.

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

Rule 175 is being amended in accordance with Sections 54-5210 and 54-5211, Idaho Code, to increase the application fee from \$30 to \$35; the reciprocal fee from \$25 to \$35; the renewal fee from \$25 to \$35; and the reinstatement fee from \$25 to \$35.

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

The proposed rule will have no impact on general funds. The rule change will result in an annual increase of approximately \$156,020.00 in the Board's dedicated fund, based on the current number of licensees and an estimate of original applications received in a year.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the Idaho State Contractors Board operates on dedicated funds and negotiating the fees was not feasible. The proposed rule is needed because the Board's expenses have been exceeding its revenues. The change was discussed during noticed, open meetings of the Board.

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 577-2584.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2015.

DATED this 4th Day of September, 2015.

LSO Rules Analysis Memo

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 24-2101-1501

175. FEES (RULE 175).

Fees are not refundable, therefore, applications should not be filed unless the applicant can meet all requirements.

(3-30-06)

01. **Application Fee.** Application fee (includes original registration) – thirty-five dollars (\$305). ~~(3-30-06)~~()
02. **Reciprocal Fee.** Reciprocal fee – ~~twenty~~ thirty-five dollars (\$235). ~~(3-30-06)~~()
03. **Renewal Fee.** Annual registration renewal fee – ~~twenty~~ thirty-five dollars (\$235). ~~(3-30-06)~~()
04. **Reinstatement Fee.** Reinstatement fee – ~~twenty~~ thirty-five dollars (\$235). ~~(3-30-06)~~()
05. **Refund of Fees.** No refund of fees shall be made to any person who has paid such fees for application or reinstatement of a license. (3-30-06)

IDAPA 49 - CERTIFIED SHORTHAND REPORTERS BOARD

49.01.01 - RULES OF PROCEDURE OF THE IDAHO CERTIFIED SHORTHAND REPORTERS BOARD

DOCKET NO. 49-0101-1501

NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2016 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee 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 67-2614 (Bureau of Occupational Licenses), and 54-3107, 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:

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 October 7, 2015 Idaho Administrative Bulletin, [Vol. 15-10, pages 616 - 617](#).

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 67-2614, Idaho Code.

This rule will increase the reinstatement fee from \$25 to \$35. The number of annual renewal fees collected will be capped at just one (1) rather than one (1) for each year that a license is expired. It is expected that the higher reinstatement fee will be offset by the fact that multiple renewal fees will no longer be collected. The statute authorizing the reinstatement fee is Section 67-2614, 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:

There will be no fiscal impact to the state general fund since licensing and registration fees collected are dedicated funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending fee rule, contact Cherie Simpson at 208 334-3233.

DATED this 3rd Day of November, 2015.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W. State Street
P.O. Box 83720
Boise, ID 83702
(208) 334-3233 Ph.
(208) 334-3945 fax

THE FOLLOWING NOTICE WAS PUBLISHED WITH THE PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 67-2614 (Bureau of Occupational Licenses), and 54-3107, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2015.

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

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

During the 2015 regular legislative session the Legislature passed House Bill (HB) 117. The bill amended Section 67-2614, Idaho Code, the Idaho Bureau of Occupational License's (IBOL) section on renewal or reinstatement of licenses or registrations. HB 117 simplified and standardized the license renewal process for licensing boards served by the Bureau. While boards have the option of maintaining their individual licensing requirements, this Board has decided to amend its rules to align them with the Bureau's statute. Other boards are in the process of amending their statutes to allow them to align their rules, and the statutes and rules of other boards are already in synch with the Bureau's statute. The changes contained in this rule were discussed and decided upon by the Board at a properly noticed open Board meeting.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: The Board operates solely on dedicated funds derived primarily from licensing and registration fees.

This rule will increase the reinstatement fee from \$25 to \$35. The number of annual renewal fees collected will be capped at just one (1) rather than one (1) for each year that a license is expired. It is expected that the higher reinstatement fee will be offset by the fact that multiple renewal fees will no longer be collected. The statute authorizing the reinstatement fee is Section 67-2614, 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 resulting from this rulemaking:

There will be no fiscal impact to the state general fund since licensing and registration fees collected are dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the Board discussed and decided to propose this rule at properly noticed open meetings to which interested parties were welcome to attend. Additionally, licensees and registrants who will allow their licenses/registrations to lapse in the future and later seek reinstatement cannot be identified.

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 577-2584.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2015.

DATED this 17th Day of September, 2015.

LSO Rules Analysis Memo

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 49-0101-1501

125. FEES (RULE 125).

Fees are established in accordance with Section 54-3110, Idaho Code as follows: (4-9-09)

- 01. Application Fee.** Application Fee (Certificate/Temporary Permit) -- Fifty dollars (\$50). (4-9-09)
- 02. Examination Fee.** Examination-Reexamination Fee -- Fifty dollars (\$50). (4-9-09)
- 03. Annual Renewal Fee.** Renewal Fee (Certificate/Temporary Permit) -- Seventy-Five dollars (\$75). (4-9-09)
- 04. Reinstatement Fee.** Reinstatement ~~Fee -- Twenty-Five dollars (\$25)~~ is as provided in Section 67-2614, Idaho Code. ~~(4-9-09)~~ ()
- 05. Examination Preparation Materials.** Examination Preparation Materials -- Twenty dollars (\$20) (4-9-09)
- 06. Refund of Fees.** No refund of fees shall be made to any person who has paid such fees for application, examination or reinstatement of a license. (4-9-09)