

Dear Senators PATRICK, Souza, Ward-Engelking, and
Representatives HOLTZCLAW, Syme, Chew:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of
the Industrial Commission:

IDAPA 17.11.01 - Administrative Rules of Peace Officer and Detention Officer Temporary Disability
Act (ZBR Chapter Rewrite) - Proposed Rule (Docket No. 17-1101-2201).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 11/18/2022. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/16/2022.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondeff
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Commerce & Human Resources Committee

FROM: Senior Legislative Drafting Attorney - Matt Drake

DATE: November 01, 2022

SUBJECT: Industrial Commission

IDAPA 17.11.01 - Administrative Rules of Peace Officer and Detention Officer Temporary Disability Act (ZBR Chapter Rewrite) - Proposed Rule (Docket No. 17-1101-2201)

Summary and Stated Reasons for the Rule

The Industrial Commission submits notice of proposed rulemaking at IDAPA 17.11.01. The proposed rule is a chapter rewrite promulgated in accordance with Executive Order 2020-01: Zero-Based Regulation. The proposed rule is a concise and streamlined version of the previous content.

Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was conducted. The rulemaking is not expected to have a fiscal impact.

Statutory Authority

The proposed rulemaking appears to be authorized pursuant to Section 72-1104, Idaho Code.

cc: Industrial Commission
Kamerron Slay

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

Paul Headlee, Deputy Director Legislative Services Office	Kristin Ford, Manager Research & Legislation	Keith Bybee, Manager Budget & Policy Analysis	April Renfro, Manager Legislative Audits	Glenn Harris, Manager Information Technology
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Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
legislature.idaho.gov

IDAPA 17 – INDUSTRIAL COMMISSION
17.11.01 – ADMINISTRATIVE RULES OF PEACE OFFICER AND
DETENTION OFFICER TEMPORARY DISABILITY ACT
DOCKET NO. 17-1101-2201 (ZBR CHAPTER REWRITE)
NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 72-1104, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be held as follows:

Virtual Public Hearing via WebEx
Tuesday, October 11, 2022 1:00 p.m. to 2:00 p.m. (MT)
Join from the meeting link https://idahogov.webex.com/idahogov/j.php?MTID=m7c98976f7a1802aa314a3e8ba707b9c1 Join by Phone: 1-415-655-0001 Meeting access code: 2454 910 5724 Meeting password: MXjMPXTb872

Virtual Public Hearing via WebEx
Thursday, October 20, 2022 10:30 a.m. to 11:30 a.m. (MT)
Join from the meeting link https://idahogov.webex.com/idahogov/j.php?MTID=m06b78170452649095d8d237214918410 Join by Phone: 1-415-655-0001 Meeting access code: 2459 297 3645 Meeting password: 73ZmzJXw4jW

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

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking: In accordance with [Executive Order 2020-01: Zero-Based Regulation](#), the Industrial Commission is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter by collaborating with the public to streamline or simplify this rule language.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: There is no fee or charge imposed or increased.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: This rulemaking is not anticipated to have any fiscal impact on the state 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 6, 2022 Idaho Administrative Bulletin, [Vol 22-4, pages 35-36](#).

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: There are no incorporations by reference contained in this chapter of administrative rule.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Kamerron Slay at 208-334-6017.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to Kamerron Slay, 208-334-6017 or kamerron.slay@iic.idaho.gov and must be delivered on or before October 31, 2022.

DATED this 31st day of August.

George Gutierrez, Director
Industrial Commission
11321 W. Chinden Blvd.
Boise, Idaho 83714
P.O. Box 83720
Boise, Idaho 83720-0041
Phone: 208-334-6000
Fax: 208-334-2321

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 17-1101-2201
(Zero Based Regulation (ZBR) Chapter Rewrite)

17.11.01 – ADMINISTRATIVE RULES OF PEACE OFFICER AND
DETENTION OFFICER TEMPORARY DISABILITY ACT

000. LEGAL AUTHORITY.

Section 72-1104, Idaho Code. ()

001. SCOPE.

This chapter includes the Industrial Commission's rules regarding the Peace Office Temporary Disability Fund. ()

002. -- 010. (RESERVED)

011. RULE GOVERNING APPLICATIONS FOR REIMBURSEMENT FROM THE PEACE OFFICER AND DETENTION OFFICER TEMPORARY DISABILITY FUND.

01. Application. An employer eligible to seek reimbursement from the Peace Officer and Detention Officer Temporary Disability Fund may do so on the form provided by the Commission, available online. ()

02. Payments. Payments to employers requesting reimbursement from the Peace Officer and Detention Officer Temporary Disability Fund will be made within thirty (30) days of receipt of an approved request for reimbursement, subject to the availability of money in that fund. ()

03. Disputes. To the extent practicable, disputes arising under Chapter 11, Title 72 will be resolved by the Industrial Commission in accordance with the Judicial Rules of Practice and Procedure under the Idaho Workers' Compensation laws (JRP) and statutes governing the resolution of disputes in Workers' Compensation cases. Dispute resolution is initiated by the filing of a complaint. ()

012. -- 999. (RESERVED)