

# IDAHO ADMINISTRATIVE BULLETIN

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# Preface

*The Idaho Administrative Bulletin is published once each month by the Department of Administration, Office of the Administrative Rules Coordinator, pursuant to Section 67-5203, Idaho Code. The Bulletin is a monthly compilation of all administrative rule-making documents in Idaho. The Bulletin publishes the official rulemaking notices and administrative rule text of state agency rulemakings and other official documents as necessary.*

*State agencies are required to provide public notice of rulemaking activity and invite public input. The public receives notice of rulemaking activity through the Idaho Administrative Bulletin and the Legal Notice published monthly in local newspapers. The Legal Notice provides reasonable opportunity for public input, either oral or written, which may be presented to the agency within the time and manner specified in the Rulemaking Notice published in the Bulletin. After the comment period closes, the agency considers fully all information submitted in regard to the rule. Comment periods are not provided in temporary or final rule-making activities.*

## **CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN**

*The Bulletin is cited by year and issue number. For example, Bulletin 06-1 refers to the first Bulletin issued in calendar year 2006; Bulletin 07-1 refers to the first Bulletin issued in calendar year 2007. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. 07-1 refers to January 2007; Volume No. 07-2 refers to February 2007; and so forth. Example: The Bulletin published in January of 2007 is cited as Volume 07-1. The December 2006 Bulletin is cited as Volume 06-12.*

## **RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE**

*The Idaho Administrative Code is published once a year and is a compilation or supplemental compilation of all final and enforceable administrative rules in effect in Idaho. In an effort to provide the reader with current, enforceable rules, temporary rules are also published in the Administrative Code. Temporary rules and final rules approved by the legislature during the legislative session, and published in the monthly Idaho Administrative Bulletin, supplement the Administrative Code. Negotiated, proposed, and pending rules are only published in the Bulletin and **not** printed in the Administrative Code.*

*To determine if a particular rule remains in effect, or to determine if a change has occurred, the reader should refer to the **Cumulative Rulemaking Index of Idaho Administrative Rules**, printed in each Bulletin.*

## **TYPES OF RULEMAKINGS PUBLISHED IN THE ADMINISTRATIVE BULLETIN**

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

### **NEGOTIATED RULEMAKING**

*Negotiated rulemaking is a process in which all interested parties and the agency seek consensus on the content of a rule. Agencies are encouraged, and in some cases required, to engage in this rulemaking activity whenever it is feasible to do so. Publication of a "Notice of Intent to Promulgate" a rule in the Administrative Bulletin by the agency is optional. This process should result in the formulation of a proposed and/or temporary rule.*

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### **PROPOSED RULEMAKING**

A proposed rulemaking is an action by an agency wherein the agency is proposing to amend or repeal an existing rule or to adopt a new rule. Prior to the adoption, amendment, or repeal of a rule, the agency must publish a "Notice of Proposed Rulemaking" in the Bulletin. This notice must include:

- a) the specific statutory authority (from Idaho Code) for the rulemaking including a citation to a specific federal statute or regulation if that is the basis of authority or requirement for the rulemaking;
- b) a statement in nontechnical language of the substance of the proposed rule, including a specific description of any fee or charge imposed or increased;
- c) the text of the proposed rule prepared in legislative format;
- d) the location, date, and time of any public hearings the agency intends to hold on the proposed rule;
- e) the manner in which persons may make written comments on the proposed rule, including the name and address of a person in the agency to whom comments on the proposal may be sent;
- f) the manner in which persons may request an opportunity for an oral presentation as provided in Section 67-5222, Idaho Code; and
- g) the deadline for public (written) comments on the proposed rule.

As stated, the text of the proposed rule must be published in the Bulletin. After meeting the statutory rulemaking criteria for a proposed rule, the agency may proceed to the pending rule stage. A proposed rule does not have an assigned effective date unless published in conjunction with a temporary rule. An agency may vacate a proposed rulemaking if it decides not to proceed further with the promulgation process.

### **TEMPORARY RULEMAKING**

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

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

If a rulemaking meets any one or all of the above requirements, a rule may become effective before it has been submitted to the legislature for review and the agency may proceed and adopt a temporary rule. However, a temporary rule that imposes a fee or charge may be adopted only if the Governor finds that the fee or charge is necessary to avoid an immediate danger which justifies the imposition of the fee or charge.

A temporary rule expires at the conclusion of the next succeeding regular legislative session unless the rule is approved, amended, or modified by concurrent resolution or when the rule has been replaced by a final rule.

State law requires that the text of both a proposed rule and a temporary rule be published in the Administrative Bulletin. In cases where the text of the temporary rule is the same as the proposed rule, the rulemaking can be done concurrently as a proposed/temporary rule. Combining the rulemaking allows for a single publication of the text.

An agency may, at any time, rescind a temporary rule that has been adopted and is in effect. If the temporary rule is being replaced by a new temporary rule or if it has been published concurrently with a proposed rulemaking that is being vacated, the agency, in most instances, should rescind the temporary rule.

### **PENDING RULEMAKING**

*A pending rule is a rule that has been adopted by an agency under regular rulemaking procedures and remains subject to legislative review before it becomes a final, enforceable rule.*

*When a pending rule is published in the Bulletin, the agency is required to include certain information in the "Notice of Pending Rulemaking". This includes:*

- a) a statement giving the reasons for adopting the rule;*
- b) a statement of any change between the text of the proposed rule and the pending rule with an explanation of the reasons for any changes;*
- c) the date the pending rule will become final and effective;*
- d) an identification of any portion of the rule imposing or increasing a fee or charge.*

*Agencies are required to republish the text of the rule when substantive changes have been made to the proposed rule. An agency may adopt a pending rule that varies in content from that which was originally proposed if the subject matter of the rule remains the same, the pending rule change is a logical outgrowth of the proposed rule, and the original notice was written so as to assure that members of the public were reasonably notified of the subject. It is not always necessary to republish all the text of the pending rule. With the permission of the Rules Coordinator, only the Section(s) that have changed from the proposed text are republished. If no changes have been made to the previously published text, it is not required to republish the text again and only the "Notice of Pending Rulemaking" is published.*

### **FINAL RULEMAKING**

*A final rule is a rule that has been adopted by an agency under the regular rulemaking procedures and is in effect and enforceable.*

*No pending rule adopted by an agency will become final and effective until it has been submitted to the legislature for review. Where the legislature finds that an agency has violated the legislative intent of the statute under which the rule was made, a concurrent resolution may be adopted to reject the rulemaking or any part thereof. A "Notice of Final Rule" must be published in the Bulletin for any rule that is rejected, amended, or modified by the legislature showing the changes made. A rule reviewed by the legislature and not rejected, amended or modified becomes final with no further legislative action. No rule shall become final and effective before the conclusion of the regular or special legislative session at which the rule was submitted for review. However, a rule that is final and effective may be applied retroactively, as provided in the rule.*

### **AVAILABILITY OF THE ADMINISTRATIVE CODE AND BULLETIN**

*The Idaho Administrative Code and all monthly Bulletins are available for viewing and use by the public in all 44 county law libraries, state university and college and community college libraries, the state law library, the state library, the Public Libraries in Boise, Pocatello, Idaho Falls, Twin Falls, Lewiston and East Bonner County Library.*

## **SUBSCRIPTIONS AND DISTRIBUTION**

*For subscription information and costs of publications, please contact the Department of Administration, Office of the Administrative Rules Coordinator, 650 W. State Street, Room 100, Boise, Idaho 83720-0306, telephone (208) 332-1820.*

*The **Idaho Administrative Bulletin** is an official monthly publication of the State of Idaho. Yearly subscriptions or individual copies are available for purchase.*

*The **Idaho Administrative Code**, is an annual compilation or supplemental compilation of all final and enforceable temporary administrative rules and includes a table of contents, reference guides, and a subject index.*

***Individual Rule Chapters** and **Individual RuleMaking Dockets**, are specific portions of the Bulletin and Administrative Code produced on demand.*

***Internet Access** - The Administrative Code and Administrative Bulletin are available on the Internet at the following address: <http://adm.idaho.gov/adminrules/>*

## **HOW TO USE THE IDAHO ADMINISTRATIVE BULLETIN**

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

### **IDAPA 38.05.01.200.02.c.ii.**

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

*"**38.**" refers to the Idaho Department of Administration*

*"**05.**" refers to Title 05, which is the Department of Administrations's Division of Purchasing*

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

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

*"**02.**" refers to Subsection 200.02.*

*"**c.**" refers to Subsection 200.02.c.*

*"**ii.**" refers to Subsection 200.02.c.ii.*

## DOCKET NUMBERING SYSTEM

Internally, the Bulletin is organized sequentially using a rule docketing system. All rulemaking actions (documents) are assigned a "DOCKET NUMBER." The "Docket Number" is a series of numbers separated by a hyphen "-", (38-0501-0701). The docket numbers are published sequentially by IDAPA designation (e.g. the two-digit agency code). The following example is a breakdown of a typical rule docket number:

### "DOCKET NO. 38-0501-0701"

"38-" denotes the agency's IDAPA number; in this case the Department of Administration.

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

"0701" denotes the year and sequential order of the docket being published; in this case the numbers refer to the first rule-making action published in **calendar year 2007**. A subsequent rulemaking on this same rule chapter in calendar year 2007 would be designated as "0702". The docket number in this scenario would be 38-0501-0702.

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

### (BREAK IN CONTINUITY OF SECTIONS)

## INTERNAL AND EXTERNAL CITATIONS TO ADMINISTRATIVE RULES IN THE CODE AND BULLETIN

When making a citation to another Section or Subsection of a rule that is part of the same rule, a typical internal citation may appear as follows:

"...as found in Section 201 of this rule." OR "...in accordance with Subsection 201.06.c. of this rule."

The citation may also include the IDAPA, Title, or Chapter number, as follows"

"...in accordance with IDAPA 38.05.01.201..."

"38" denotes the IDAPA number of the agency.

"05" denotes the TITLE number of the rule.

"01" denotes the Chapter number of the rule.

"201" denotes the main Section number of the rule to which the citation refers.

Citations made within a rule to a different rule chapter (external citation) should also include the name of the Department and the name of the rule chapter being referenced, as well as the IDAPA, Title, and Chapter numbers. The following is a typical example of an external citation to another rule chapter:

"...as outlined in the Rules of the Department of Administration, IDAPA 38.04.04, "Rules Governing Capitol Mall Parking."



**BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2007**

<b>Vol. No.</b>	<b>Monthly Issue of Bulletin</b>	<b>Closing Date for Agency Filing</b>	<b>Publication Date</b>	<b>21-day Comment Period End Date</b>
07-1	January 2007	<b>*November 15, 2006</b>	January 3, 2007	January 24, 2007
07-2	February 2007	January 5, 2007	February 7, 2007	February 28, 2007
07-3	March 2007	February 2, 2007	March 7, 2007	March 28, 2007
07-4	April 2007	March 2, 2007	April 4, 2007	April 26, 2007
07-5	May 2007	April 6, 2007	May 2, 2007	May 24, 2007
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07-9	September 2007	August 3, 2007	September 5, 2007	September 27, 2007
07-10	October 2007	<b>**August 24, 2007</b>	October 3, 2007	October 25, 2007
07-11	November 2007	October 5, 2007	November 7, 2007	November 22, 2007
07-12	December 2007	November 2, 2007	December 5, 2007	December 27, 2006

**BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2008**

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08-1	January 2008	<b>*November 14, 2007</b>	January 2, 2008	January 23, 2008
08-2	February 2008	January 4, 2008	February 6, 2008	February 27, 2008
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08-8	August 2008	July 3, 2008	August 6, 2008	August 27, 2008
08-9	September 2008	August 1, 2008	September 3, 2008	September 24, 2008
08-10	October 2008	<b>**August 20, 2008</b>	October 1, 2008	October 22, 2008
08-11	November 2008	October 3, 2008	November 5, 2008	November 26, 2008
08-12	December 2008	October 31, 2008	December 3, 2008	December 24, 2006

***\*Last day to submit proposed rulemaking before moratorium begins and last day to submit pending rules to be reviewed by the legislature.***

***\*\*Last day to submit proposed rules in order to complete rulemaking for review by legislature.***

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<b>IDAPA 47</b>	<b>Vocational Rehabilitation, Division of</b>	<b>VOLUME 8</b>
<b>IDAPA 37</b>	<b>Water Resources, Department of</b>	<b>VOLUME 8</b>
<b>IDAPA 42</b>	<b>Wheat Commission</b>	<b>VOLUME 8</b>

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR  
IDAHO DEPARTMENT OF ADMINISTRATION**

**ADMINISTRATIVE RULES REVIEWED BY THE FIFTY-NINTH  
LEGISLATURE OF THE STATE OF IDAHO  
FIRST REGULAR SESSION - 2007**

**OMNIBUS RULEMAKING NOTICE OF FINAL LEGISLATIVE ACTION ON  
PENDING RULES AND TEMPORARY RULES**

**AUTHORITY:** In compliance with Sections 67-5224(5), 67-5224(7), 67-5226(3), and 67-5291, Idaho Code, notice is hereby given by the Office of the Administrative Rules Coordinator that the Fifty-ninth Legislature in the First Regular Session - 2007, reviewed all pending rules, has approved them as final or rejected them in whole or in part, and has extended temporary rules or rejected same in whole or in part. The docket numbers of the affected rulemakings and their effective dates are listed below.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance of the notice:

The following lists of final and temporary rules include those rules that were reviewed as pending and temporary rules during the First Regular Session of the Fifty-ninth Legislature of the state of Idaho, 2007. The pending rules reviewed by the legislature that were not rejected in whole or in part have been approved and adopted and are now final rules. Pursuant to Section 67-5226, Idaho Code, all temporary rules were extended or rejected in whole or in part by Senate Concurrent Resolution 120. Pursuant to Section 67-5224, Idaho Code, all pending fee rules were approved or rejected in whole or in part by Senate Concurrent Resolution 117 and are now final rules.

The following tables list the docket number of the rulemaking, the volume number of the Idaho Administrative Bulletin in which the proposed, pending, and temporary rule text was published, the effective date of the rule, and the number of the Concurrent Resolution, if applicable, affecting the rulemaking.

<b>PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2007 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending Rule</b>	<b>Bulletin Vol. No. Proposed Rule</b>	<b>Final Rule Effective Date</b>	<b>Rejected Sections</b>	<b>Action Taken by Concurrent Resolution</b>
01-0101-0601	06-12	06-10	(3-30-07)	---	---
02-0104-0601	07-1	06-10	(3-30-07)	---	---
02-0209-0501	07-1	06-9	(3-30-07)	---	---
02-0214-0601	06-11	06-8	(3-30-07)	---	---
02-0403-0601	06-12	06-8	(3-30-07)	---	---
02-0420-0601	06-12	06-8	(3-30-07)	---	---
02-0421-0601	06-12	06-8	(3-30-07)	---	---
02-0427-0601	06-12	06-9	(3-30-07)	---	---
02-0429-0601	06-12	06-8	(3-30-07)	---	---
02-0602-0601	07-1	06-7	(3-30-07)	---	---
02-0602-0602	07-1	06-10	(3-30-07)	---	---
02-0612-0601	07-1	06-7	(3-30-07)	---	---

<b>PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2007 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending Rule</b>	<b>Bulletin Vol. No. Proposed Rule</b>	<b>Final Rule Effective Date</b>	<b>Rejected Sections</b>	<b>Action Taken by Concurrent Resolution</b>
02-0622-0601	07-1	06-10	(3-30-07)	---	---
02-0631-0601	07-1	06-10	(3-19-07)	---	Fee Approved by SCR 117
02-0633-0601	07-1	06-10	(3-19-07)	---	Fee Approved by SCR 117
02-0641-0601	07-1	06-7	(3-30-07)	---	---
05-0102-0601	06-12	06-8	(3-30-07)	---	---
07-0104-0601	06-12	06-10	(3-30-07)	---	---
07-0206-0502	06-2	05-12	(3-30-07)	---	---
07-0301-0601	6-10	06-8	(3-30-07)	---	---
07-0501-0601	06-7	06-5	(3-30-07)	---	---
07-0501-0602	06-12	06-10	(3-19-07)	---	Fee Approved by SCR 117
07-0501-0603	06-12	06-10	(3-30-07)	---	---
07-0701-0601	06-7	06-5	(3-30-07)	---	---
08-0202-0601	07-1	06-8	(3-30-07)	---	---
08-0202-0602	06-12	06-6	(3-30-07)	---	---
08-0202-0603	06-12	06-6	(3-30-07)	---	---
08-0202-0604	06-12	06-6	(3-30-07)	---	---
08-0203-0601	06-10	06-1	(3-30-07)	---	---
08-0203-0602	07-1	06-6	(3-30-07)	---	---
08-0203-0604	06-12	06-10	(3-30-07)	---	---
08-0203-0605	06-12	06-10	(3-30-07)	---	---
08-0203-0606	06-12	06-10	(3-30-07)	---	---
08-0401-0601	06-12	06-6	(3-30-07)	---	---
09-0130-0601	06-12	06-9	(3-30-07)	---	---
09-0135-0601	06-12	06-9	(3-22-07)	112.03.b, 112.03.c, 112.03.d, 112.03.e	Partially Rejected by SCR 115
09-0201-0601	06-12	06-9	(3-30-07)	---	---
09-0203-0601	06-12	06-9	(3-30-07)	---	---
09-0301-0601	06-12	06-8	(3-30-07)	---	---
09-0304-0601	06-12	06-8	(3-30-07)	---	---
10-0101-0601	06-11	06-9	(3-30-07)	---	---

<b>PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2007 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending Rule</b>	<b>Bulletin Vol. No. Proposed Rule</b>	<b>Final Rule Effective Date</b>	<b>Rejected Sections</b>	<b>Action Taken by Concurrent Resolution</b>
11-0201-0502	06-8	05-12	(3-19-07)	---	Fee Approved by SCR 117
11-0401-0601	06-9	06-7	(3-30-07)	---	---
11-0401-0602	06-9	06-7	(3-30-07)	---	---
11-0401-0603	06-11	06-9	(3-30-07)	---	---
11-0401-0604	06-11	06-9	(3-30-07)	---	---
11-0402-0601	06-9	06-7	(3-30-07)	---	---
11-0402-0602	06-9	06-7	(3-30-07)	---	---
11-0501-0601	06-12	06-10	(3-8-07)	010.03	Partially Rejected by SCR 105
11-1001-0601	06-12	06-10	(3-19-07)	---	Fee Approved by SCR 117
11-1101-0601	06-12	06-10	(3-30-07)	---	---
11-1102-0601	06-12	06-10	(3-30-07)	---	---
11-1103-0601	06-12	06-10	(3-30-07)	---	---
11-1104-0601	06-12	06-10	(3-30-07)	---	---
11-1301-0601	06-7	06-1	(3-30-07)	---	---
11-1301-0602	06-9	06-7	(3-30-07)	---	---
12-0110-0601	07-1	06-10	(3-30-07)	---	---
13-0104-0601	07-1	06-10	(3-9-07)	505.02.e.i.	Partially Rejected by HCR 016
13-0105-0601	07-1	06-10	(3-30-07)	---	---
13-0108-0601	07-1	06-10	(3-30-07)	---	---
13-0109-0601	07-1	06-10	(3-30-07)	---	---
13-0111-0601	07-1	06-10	(3-30-07)	---	---
15-0120-0601	06-10	06-8	(3-30-07)	---	---
16-0208-0601	07-1	06-10	(3-30-07)	---	---
16-0215-0601	07-1	06-9	(3-30-07)	---	---
16-0301-0601	07-1	06-8	(3-30-07)	---	---
16-0301-0602	07-1	06-8	(3-30-07)	---	---
16-0304-0601	07-1	06-10	(3-30-07)	---	---
16-0304-0602	07-1	06-10	(3-30-07)	---	---
16-0305-0601	06-3	06-1	(3-30-07)	---	---



<b>PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2007 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending Rule</b>	<b>Bulletin Vol. No. Proposed Rule</b>	<b>Final Rule Effective Date</b>	<b>Rejected Sections</b>	<b>Action Taken by Concurrent Resolution</b>
16-0305-0602	06-11	06-7	(3-30-07)	---	---
16-0305-0603	07-1	06-10	(3-30-07)	---	---
16-0305-0604	07-1	06-10	(3-30-07)	---	---
16-0305-0605	06-11	06-7	(3-30-07)	---	---
16-0305-0606	07-1	06-10	(3-30-07)	---	---
16-0305-0607	07-1	06-11	(3-30-07)	---	---
16-0308-0601	07-1	06-10	(3-30-07)	---	---
16-0308-0602	07-1	06-10	(3-30-07)	---	---
16-0309-0603	07-1	06-8	(3-30-07)	---	---
16-0309-0604	07-1	06-8	(3-30-07)	---	---
16-0310-0601	07-1	06-8	(3-30-07)	---	---
16-0310-0602	07-1	06-8	(3-19-07)	112.02.d, 112.03.a	Partially Rejected by SCR 112
16-0310-0603	07-1	06-11	(3-30-07)	---	---
16-0313-0601	07-1	06-8	(3-30-07)	---	---
16-0313-0602	07-1	06-8	(3-30-07)	---	---
16-0316-0601	07-1	06-8	(3-30-07)	---	---
16-0317-0601	07-1	06-8	(3-30-07)	---	---
16-0318-0601	07-1	06-8	(3-19-07)	---	Fee Approved by SCR 117
16-0318-0602	07-1	06-10	(3-19-07)	---	Fee Approved by SCR 117
16-0322-0601	07-1	06-8	(3-30-07)	---	---
16-0411-0601	07-1	06-8	(3-30-07)	---	---
16-0414-0601	06-12	06-9	(3-30-07)	---	---
16-0507-0601	07-1	06-8	(3-30-07)	---	---
16-0601-0601	07-1	06-10	(3-30-07)	---	---
16-0602-0601	07-1	06-10	(3-30-07)	---	---
16-0604-0601	07-1	06-9	(3-30-07)	---	---
16-0606-0601	07-1	06-10	(3-30-07)	---	---
16-0612-0601	07-1	06-10	(3-20-07)	Entire Docket	Rejection by HCR 021
16-0612-0602	07-1	06-10	(3-19-07)	Entire Docket	Rejection by SCR 117
17-0206-0601	07-1	06-10	(3-30-07)	---	---

<b>PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2007 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending Rule</b>	<b>Bulletin Vol. No. Proposed Rule</b>	<b>Final Rule Effective Date</b>	<b>Rejected Sections</b>	<b>Action Taken by Concurrent Resolution</b>
17-0208-0602	07-1	06-10	(3-14-07)	031.2.b	Partially Rejected by SCR 114
18-0124-0601	06-11	06-8	(3-30-07)	---	---
18-0127-0601	07-1	06-10	(3-30-07)	---	---
18-0128-0601	07-1	06-10	(3-30-07)	---	---
18-0134-0601	06-11	06-7	(3-30-07)	---	---
18-0144-0601	06-11	06-8	(3-19-07)	---	Fee Approved by SCR 117
18-0156-0601	06-11	06-8	(3-30-07)	---	---
18-0160-0601	07-1	06-11	(3-30-07)	---	---
18-0168-0601	06-11	06-8	(3-30-07)	---	---
18-0174-0601	06-11	06-9	(3-30-07)	---	---
18-0176-0601	06-11	06-8	(3-30-07)	---	---
18-0177-0601	06-11	06-8	(3-30-07)	---	---
19-0101-0601	06-10	06-5	(3-30-07)	---	---
19-0101-0602	06-12	06-10	(3-30-07)	---	---
19-0101-0603	06-12	06-10	(3-30-07)	---	---
19-0101-0604	06-12	06-10	(3-30-07)	---	---
20-0314-0601	06-11	06-8	(3-19-07)	---	Fee Approved by SCR 117
21-0101-0601	06-9	06-7	(3-30-07)	---	---
21-0101-0602	06-9	06-7	(3-30-07)	---	---
21-0103-0601	06-9	06-7	(3-30-07)	---	---
21-0104-0601	06-9	06-7	(3-30-07)	---	---
21-0105-0601	06-11	06-9	(3-30-07)	---	---
21-0106-0601	06-8	06-6	(3-30-07)	---	---
22-0104-0601	07-1	06-10	(3-19-07)	---	Fee Approved by SCR 117
23-0101-0601	06-11	06-9	(3-30-07)	---	---
24-0301-0601	06-12	06-10	(3-30-07)	---	---
24-0401-0601	06-12	06-10	(3-19-07)	---	Fee Approved by SCR 117
24-0501-0601	06-12	06-10	(3-30-07)	---	---
24-0701-0601	06-12	06-10	(3-30-07)	---	---
24-0901-0601	06-12	06-10	(3-30-07)	---	---

<b>PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2007 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending Rule</b>	<b>Bulletin Vol. No. Proposed Rule</b>	<b>Final Rule Effective Date</b>	<b>Rejected Sections</b>	<b>Action Taken by Concurrent Resolution</b>
24-1001-0601	06-12	06-10	(3-30-07)	---	---
24-1201-0601	06-12	06-10	(3-19-07)	---	Fee Approved by SCR 117
24-1301-0601	06-12	06-10	(3-19-07)	---	Fee Approved by SCR 117
24-1401-0601	06-12	06-10	(3-30-07)	---	---
24-1501-0601	06-12	06-10	(3-30-07)	---	---
24-1501-0602	06-12	06-11	(3-19-07)	---	Fee Approved by SCR 117
24-1701-0601	06-12	06-10	(3-30-07)	---	---
24-1801-0601	06-12	06-10	(3-30-07)	---	---
24-1901-0601	06-12	06-10	(3-19-07)	---	Fee Approved by SCR 117
25-0101-0601	07-1	06-8	(3-30-07)	---	---
25-0101-0602	07-1	06-9	(3-30-07)	---	---
27-0101-0602	06-10	06-8	(3-19-07)	Entire Docket	Rejection by SCR 113
27-0101-0603	06-12	06-10	(3-30-07)	---	---
31-1101-0601	07-1	06-10	(3-30-07)	---	---
33-0101-0601	06-12	06-9	(3-19-07)	---	Fee Approved by SCR 117
33-0101-0602	06-12	06-10	(3-30-07)	---	---
33-0101-0603	06-12	06-10	(3-30-07)	---	---
35-0101-0601	06-12	06-10	(3-30-07)	---	---
35-0101-0602	06-12	06-10	(3-30-07)	---	---
35-0102-0601	06-12	06-10	(3-30-07)	---	---
35-0102-0602	06-12	06-10	(3-30-07)	---	---
35-0103-0602	06-11	06-7	(3-30-07)	---	---
35-0103-0603	06-11	06-7	(3-30-07)	---	---
35-0103-0604	06-11	06-7	(3-30-07)	---	---
35-0103-0605	06-11	06-7	(3-30-07)	---	---
35-0103-0606	06-11	06-9	(3-30-07)	---	---
35-0103-0607	06-11	06-9	(3-30-07)	---	---
35-0105-0601	06-11	06-8	(3-30-07)	---	---
35-0106-0601	06-12	06-10	(3-30-07)	---	---
35-0109-0601	06-12	06-10	(3-30-07)	---	---

<b>PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2007 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending Rule</b>	<b>Bulletin Vol. No. Proposed Rule</b>	<b>Final Rule Effective Date</b>	<b>Rejected Sections</b>	<b>Action Taken by Concurrent Resolution</b>
35-0110-0601	06-12	06-10	(3-30-07)	---	---
35-0201-0601	06-12	06-10	(3-30-07)	---	---
38-0406-0601	06-12	06-8	(3-30-07)	---	---
39-0207-0601	07-1	06-9	(3-30-07)	---	---
39-0222-0601	07-1	06-10	(3-19-07)	---	Fee Approved by SCR 117
39-0224-0601	07-1	06-9	(3-30-07)	---	---
39-0273-0601	07-1	06-8	(3-30-07)	---	---
39-0311-0601	07-1	06-8	(3-30-07)	---	---
39-0321-0601	07-1	06-9	(3-19-07)	---	Fee Approved by SCR 117
39-0322-0601	07-1	06-8	(3-30-07)	---	---
39-0343-0601	07-1	06-9	(3-30-07)	---	---
39-0345-0601	07-1	06-10	(3-30-07)	---	---
39-0362-0601	07-1	06-10	(3-19-07)	---	Fee Approved by SCR 117
39-0364-0601	07-1	06-10	(3-19-07)	---	Fee Approved by SCR 117
39-0407-0601	07-1	06-10	(3-30-07)	---	---
41-0101-0601	07-1	06-10	(3-28-07)	100.3.e, 100.3.f	Partially Rejected by SCR 121
46-0101-0601	06-12	06-10	(3-30-07)	---	---
47-0102-0601	06-12	06-10	(3-15-07)	100.02, 100.04.c, 100.04.d	Partially Rejected by HCR 019
48-0101-0601	06-12	06-10	(3-19-07)	---	Fee Approved by SCR 117
58-0101-0303	07-1	06-9	(3-19-07)	---	Fee Approved by SCR 117
58-0101-0502	06-12	06-6	(3-30-07)	---	---
58-0101-0601	06-12	06-8	(3-30-07)	---	---
58-0101-0602	07-1	06-9	(3-30-07)	---	---
58-0101-0603	07-1	06-10	(3-30-07)	---	---
58-0102-0505	06-12	06-6	(3-30-07)	---	---
58-0105-0602	06-12	06-8	(3-30-07)	---	---
58-0108-0601	06-4	06-1	(3-30-07)	---	---
58-0108-0602	07-1	06-8	(3-30-07)	---	---
58-0111-0601	06-12	06-7	(3-30-07)	---	---

<b>PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2007 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending Rule</b>	<b>Bulletin Vol. No. Proposed Rule</b>	<b>Final Rule Effective Date</b>	<b>Rejected Sections</b>	<b>Action Taken by Concurrent Resolution</b>
58-0112-0501	06-4	06-1	(3-19-07)	---	Fee Approved by SCR 117
58-0116-0502	07-1	06-8	(3-30-07)	---	---
58-0117-0601	07-1	06-8	(3-30-07)	---	---

<b>TEMPORARY RULES EXTENDED OR REJECTED BY SENATE CONCURRENT RESOLUTION 120</b>				
<b>Docket Number</b>	<b>Bulletin Vol. Number</b>	<b>Temporary Effective Date</b>	<b>Action Taken By Concurrent Resolution</b>	<b>Rejected Sections</b>
02-0606-0501	05-6	(4-1-05)T	Extended by SCR 120	---
02-0610-0601	06-10	(8-28-06)T	Extended by SCR 120	---
08-0203-0607	07-1	(11-1-06)T	Extended by SCR 120	---
15-0401-0601	06-12	(10-18-06)T	Partially Rejected by SCR 120	071.03, 073.05.b, 077.02.c, 078, 260.03
16-0202-0701	07-1	(2-1-07)T	Extended by SCR 120	---
16-0305-0701	07-1	(11-1-06)T	Extended by SCR 120	---
16-0309-0701	07-1	(2-1-07)T	Extended by SCR 120	---
16-0310-0701	07-2	(1-1-07)T	Extended by SCR 120	---
16-0318-0701	07-1	(2-1-07)T	Extended by SCR 120	---
16-0506-0601	07-1	(1-1-07)T	Extended by SCR 120	---
16-0506-0602	07-1	(1-1-07)T	Extended by SCR 120	---
22-0105-0601	06-12	(10-13-06)T	Extended by SCR 120	---
22-0106-0601	06-12	(10-13-06)T	Extended by SCR 120	---
24-1301-0701	07-1	(11-9-06)T	Extended by SCR 120	---
27-0101-0601	06-10	(6-16-06)T	Extended by SCR 120	---
35-0102-0603	06-12	(10-1-06)T	Extended by SCR 120	---
35-0103-0608	06-12	(9-1-06)T	Extended by SCR 120	---
59-0103-0701	07-1	(2-1-07)T	Extended by SCR 120	---

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this notice contact Dan Graves or Ed Hawley (208) 332-1820.

DATED this 20th day of April, 2007.

Dennis R. Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P.O. Box 83720  
Boise, ID 83720-0306  
Phone: (208) 332-1820  
Fax: (208) 332-1896

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR  
IDAHO DEPARTMENT OF ADMINISTRATION**

**HISTORY NOTES INDEX OF ADMINISTRATIVE RULES REVIEWED AND APPROVED  
FOR FINAL ADOPTION DURING THE 2007 LEGISLATIVE SESSION**

The following table is a Sections-affected, History Notes Index for those chapters of rules that were reviewed by the 2007 First Regular Session of the Fifty-ninth Legislature of the state of Idaho. The table lists those Sections of individual rule chapters that were affected by rulemakings that were submitted for review and acted upon by the legislature. The table includes the docket number of affected chapters, the amended section numbers, the Bulletin publication volumes, and the final effective date of the rule.

Effective dates for the pending rules reviewed and adopted as final by the 2007 Idaho Legislature are as follows:

Pending Fee Rules adopted or rejected by SCR 117; Effective date: March 19, 2007 (3-19-07);

All other Pending Rules - Effective date: March 30, 2007 (3-30-07) - Legislature adjournment date (Sine die).

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
<b>IDAPA 01 - Idaho Board of Accountancy</b>				
<i>01.01.01, Idaho Accountancy Rules</i>				
01-0101-0601	004, 300, 607, 703	06-10	06-12	(3-30-07)
<b>IDAPA 02 - Department of Agriculture</b>				
<i>02.01.04, Rules Governing the Idaho Preferred Promotion Program</i>				
02-0104-0601	001, 010, 111, 200, 300-303, 310-311	06-10	07-1	(3-30-07)
<i>02.02.09, Rules Requiring Inspection of Potatoes Intended for Sale or Offered for Sale in Retail Outlets</i>				
02-0209-0501	000-006, 100-103, 105, 108	06-9	07-1	(3-30-07)
<i>02.02.14, Rules for Weights and Measures</i>				
02-0214-0601	004	06-8	06-11	(3-30-07)
<i>02.04.03, Rules Governing Animal Industry</i>				
02-0403-0601	004, 011, 220-350	06-8	06-12	(3-30-07)
<i>02.04.20, Rules Governing Brucellosis</i>				
02-0420-0601	010, 028, 031, 103, 121, 130	06-8	06-12	(3-30-07)
<i>02.04.21, Rules Governing Importation of Animals</i>				
02-0421-0601	004, 050, 102, 220, 260, 300, 400, 402, 601, 710	06-8	06-12	(3-30-07)
<i>02.04.27, Rules Governing Deleterious Exotic Animals</i>				
02-0427-0601	112-119, 900	06-9	06-12	(3-30-07)
<i>02.04.29, Rules Governing Trichomoniasis</i>				

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
02-0429-0601	New Chapter 000-999	06-8	06-12	(3-30-07)
<b>02.06.02, Rules Pertaining to the Idaho Commercial Feed Law</b>				
02-0602-0601	004	06-7	07-1	(3-30-07)
<b>02.06.02, Rules Pertaining to the Idaho Commercial Feed Law</b>				
02-0602-0602	000-001, 004, 010, 050, 400, 475, 500, 600, 900	06-10	07-1	(3-30-07)
<b>02.06.12, Rules Pertaining to the Idaho Commercial Fertilizer Law</b>				
02-0612-0601	004	06-7	07-1	(3-30-07)
<b>02.06.22, Noxious Weed Rules</b>				
02-0622-0601	010, 100	06-10	07-1	(3-30-07)
<b>02.06.31, Idaho Department of Agriculture Noxious Weed Free Forage and Straw Certification Rules</b>				
02-0631-0601	001, 004-005, 010-999	06-10	07-1	(3-19-07)
<b>02.06.33, Organic Food Products Rules</b>				
02-0633-0601	004, 010, 100, 300-302	06-10	07-1	(3-19-07)
<b>02.06.41, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001</b>				
02-0641-0601	004	06-7	07-1	(3-30-07)
<b>IDAPA 05 - Department of Juvenile Corrections</b>				
<b>05.01.02, Rules of the Department of Juvenile Corrections, Secure Juvenile Detention Facilities</b>				
05-0102-0601	000-999	06-8	06-12	(3-30-07)
<b>IDAPA 07 - Division of Building Safety</b>				
<b>07.01.04, Rules Governing Electrical Specialty Licensing</b>				
07-0104-0601	014	06-10	06-12	(3-30-07)
<b>07.02.06, Rules Concerning Uniform Plumbing Code</b>				
07-0206-0502	011	05-12	06-2	(3-30-07)
<b>07.03.01, Rules of Building Safety</b>				
07-0301-0601	004	06-8	6-10	(3-30-07)
<b>07.05.01, Rules of the Public Works Contractors License Board</b>				
07-0501-0601	200	06-5	06-7	(3-30-07)
07-0501-0602	201	06-10	06-12	(3-19-07)
<b>07.05.01, Rules of the Public Works Contractors Licensing Board</b>				
07-0501-0603	110	06-10	06-12	(3-30-07)



<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
<b>07.07.01, Rules Governing Installation of Heating, Ventillation, and Air Conditioning Systems</b>				
07-0701-0601	070	06-5	06-7	(3-30-07)
<b>IDAPA 08 - State Board of Education</b>				
<b>08.02.02, Rules Governing Uniformity</b>				
08-0202-0601	004, 150-170, 190	06-8	07-1	(3-30-07)
08-0202-0602	018, 019, 020, 028	06-6	06-12	(3-30-07)
08-0202-0603	004	06-6	06-12	(3-30-07)
08-0202-0604	022, 023, 024, 026	06-6	06-12	(3-30-07)
<b>08.02.03, Rules Governing Thoroughness</b>				
08-0203-0601	113	06-1	06-10	(3-30-07)
08-0203-0602	004, 217-999	06-6	07-1	(3-30-07)
08-0203-0604	110	06-10	06-12	(3-30-07)
08-0203-0605	105-107	06-10	06-12	(3-30-07)
08-0203-0606	004	06-10	06-12	(3-30-07)
<b>08.04.01, Rules Governing the Idaho Digital Learning Academy</b>				
08-0401-0601	000-999, New Chapter	06-6	06-12	(3-30-07)
<b>IDAPA 09 - Department of Commerce and Labor</b>				
<b>09.01.30, Unemployment Insurance Benefits Administration Rules</b>				
09-0130-0601	100, 425, 451-474	06-9	06-12	(3-30-07)
<b>09.01.35, Unemployment Insurance Tax Administration Rules</b>				
09-0135-0601	011, 061, 112, 134, 263-274	06-9	06-12	(3-22-07)
<b>09.02.01, Idaho Community Development Block Grant Program (ICDBG)</b>				
09-0201-0601	040-045, 066, 072-074, 090, 096, 101, 107, 152, 212-217	06-9	06-12	(3-30-07)
<b>09.02.03, Rules of the Idaho Regional Travel and Convention Grant Program</b>				
09-0203-0601	000, 010, 204, 209, 221	06-9	06-12	(3-30-07)
<b>09.03.01, Rules of the Broadband Development Matching Fund</b>				
09-0301-0601	000-999 New Chapter	06-8	06-12	(3-30-07)
<b>09.03.04, Rules of the Business and Jobs Development Grant Fund</b>				
09-0304-0601	000-999 New Chapter	06-8	06-12	(3-30-07)
<b>IDAPA 10 - Board of Professional Engineers and Land Surveyors</b>				

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<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
<b>10.01.01, Rules of Procedure</b>				
10-0101-0601	017, 019	06-9	06-11	(3-30-07)
<b>IDAPA 11 - Idaho State Police</b>				
<b>11.02.01, Rules of the Idaho State Brand Board</b>				
11-0201-0502	034	05-12	06-8	(3-19-07)
<b>11.04.01, Rules Governing Horse Racing</b>				
11-0401-0601	005, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054	06-7	06-9	(3-30-07)
11-0401-0602	005	06-7	06-9	(3-30-07)
11-0401-0603	071-079	06-9	06-11	(3-30-07)
11-0401-0604	160	06-9	06-11	(3-30-07)
<b>11.04.02, Rules Governing Simulcasting</b>				
11-0402-0601	031	06-7	06-9	(3-30-07)
11-0402-0602	060	06-7	06-9	(3-30-07)
<b>11.05.01, Rules Governing Alcohol Beverage Control</b>				
11-0501-0601	000, 004-005, 010-021	06-10	06-12	(3-8-07)
<b>11.10.01, Rules Governing the ILETS System</b>				
11-1001-0601	000-001, 004, 010-011, 017-018, 028	06-10	06-12	(3-30-07)
<b>11.11.01, Rules of the Idaho Peace Officer Standards and Training Council</b>				
11-1101-0601	010, 031-039, 053, 057, 081, 091, 095, 117, 174, 327	06-10	06-12	(3-30-07)
<b>11.11.02, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers</b>				
11-1102-0601	010	06-10	06-12	(3-30-07)
<b>11.11.03, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Probation Officers</b>				
11-1103-0601	010	06-10	06-12	(3-30-07)
<b>11.11.04, Rules of the Idaho Peace Officer Standards and Training Council for Correction Officers and Adult Probation and Parole Officers</b>				
11-1104-0601	052, 063	06-10	06-12	(3-30-07)
<b>11.13.01, The Motor Carrier Rules</b>				
11-1301-0601	019	06-1	06-7	(3-30-07)
11-1301-0602	019	06-7	06-9	(3-30-07)

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
<b>IDAPA 12 - Department of Finance</b>				
<b>12.01.10, Rules Pursuant to the Idaho Residential Mortgage Practices Act</b>				
12-0110-0601	002, 005-006	06-10	07-1	(3-30-07)
<b>IDAPA 13 - Department of Fish and Game</b>				
<b>13.01.04, Rules Governing Licensing</b>				
13-0104-0601	010-099, 302, 304, 505, 600, 900-999	06-10	07-1	(3-9-07)
<b>13.01.05, Fishing Contests</b>				
13-0105-0601	000-100	06-10	07-1	(3-30-07)
<b>13.01.08, Rules Governing the Taking of Big Game</b>				
13-0108-0601	260, 410, 412, 600, 700-701, 703	06-10	07-1	(3-30-07)
<b>13.01.09, Rules Governing the Taking of Game Birds</b>				
13-0109-0601	300	06-10	07-1	(3-30-07)
<b>13.01.11, Rules Governing Fish</b>				
13-0111-0601	004, 201-202, 403	06-10	07-1	(3-30-07)
<b>IDAPA 15 - Idaho Commission on Aging</b>				
<b>15.01.20, Rules Governing Area Agency On Aging (AAA) Operations</b>				
15-0120-0601	055	06-8	06-10	(3-30-07)
<b>IDAPA 16 - Department of Health and Welfare</b>				
<b>16.02.08, Vital Statistics Rules</b>				
16-0208-0601	000-049, 200-201, 851, 901-999	06-10	07-1	(3-30-07)
<b>16.02.15, Immunization Requirements for Idaho School Children</b>				
16-0215-0601	001, 010, 100, 150	06-9	07-1	(3-30-07)
<b>16.03.01, Eligibility for Health Care Assistance for Families and Children</b>				
16-0301-0601	000-999 Chapter Repeal	06-8	07-1	(3-30-07)
16-0301-0602	000-999 Chapter Rewrite	06-8	07-1	(3-30-07)
<b>16.03.04, Rules Governing the Food Stamp Program</b>				
16-0304-0601	334-337, 339	06-10	07-1	(3-30-07)
16-0304-0602	007-008, 012, 217, 237, 242, 251, 271, 275, 323, 402, 406, 426-431, 501, 509,	06-10	07-1	(3-30-07)
<b>16.03.05, Rules Governing Eligibility for Aid to the Aged, Blind and Disabled (AABD)</b>				
16-0305-0601	501, 512-513	06-1	06-3	(3-30-07)

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
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16-0305-0602	102-106, 238, 247-254, 273-277, 285, 286, 288, 737, 744, 745, 831, 833-838,	06-7	06-11	(3-30-07)
16-0305-0603	792-799	06-10	07-1	(3-30-07)
16-0305-0604	500-501, 512-513	06-10	07-1	(3-30-07)
16-0305-0605	005, 280, 871	06-7	06-11	(3-30-07)
16-0305-0606	707	06-10	07-1	(3-30-07)
16-0305-0607	A & D Eligibility Section	06-11	07-1	(3-30-07)
<b>16.03.08, Rules Governing Temporary Assistance for Families in Idaho</b>				
16-0308-0601	207	06-10	07-1	(3-30-07)
16-0308-0602	000-009, 251, 302, 354-374	06-10	07-1	(3-30-07)
<b>16.03.09, Rules Governing the Medical Assistance Program</b>				
16-0309-0603	000-999 Chapter Repeal	06-8	07-1	(3-30-07)
<b>16.03.09, Medicaid Basic Plan Benefits</b>				
16-0309-0604	000-999 Chapter Rewrite	06-8	07-1	(3-30-07)
<b>16.03.10, Rules Governing Medicaid Provider Reimbursement in Idaho</b>				
16-0310-0601	000-999 Chapter Repeal	06-8	07-1	(3-30-07)
16-0310-0602	000-999 Chapter Rewrite	06-8	07-1	(3-19-07)
16-0310-0603	075, 326, 328-329, 335-345	06-11	07-1	(3-30-07)
<b>16.03.13, Prior Authorization for Behavioral Health Services</b>				
16-0313-0601	000-999, Chapter Repeal	06-8	07-1	(3-30-07)
<b>16.03.13, Consumer-Directed Services</b>				
16-0313-0602	000-999, Chapter Rewrite	06-8	07-1	(3-30-07)
<b>16.03.16, Access to Health Insurance Program</b>				
16-0316-0601	000-002, 005, 007-100, 241-320, 355, 410-411	06-8	07-1	(3-30-07)
<b>16.03.17, Service Coordination</b>				
16-0317-0601	000-999, Chapter Repeal	06-8	07-1	(3-30-07)
<b>16.03.18, CHIP B and Children's Access Card Rules</b>				
16-0318-0601	000-001, 010-999 (Name Change)	06-8	07-1	(3-19-07)
<b>16.03.18, Medicaid Cost-Sharing</b>				
16-0318-0602	201-215	06-10	07-1	(3-19-07)
<b>16.03.22, Residential Care or Assisted Living Facilities</b>				

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
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16-0322-0601	002, 012, 152, 221, 940	06-8	07-1	(3-30-07)
<b>16.04.11, Developmental Disabilities Agencies</b>				
16-0411-0601	011, 601, 720, 726,	06-8	07-1	(3-30-07)
<b>16.04.14, Rules Governing Low Income Home Energy Assistance Program</b>				
16-0414-0601	000-099, 105-149, 152, 204	06-9	06-12	(3-30-07)
<b>16.05.07, Investigation and Enforcement of Fraud, Abuse, and Misconduct</b>				
16-0507-0601	000-999, New Chapter	06-8	07-1	(3-30-07)
<b>16.06.01, Rules Governing Family and Children's Services</b>				
16-0601-0601	000, 005, 008-020, 030, 050, 240, 400, 405-421, 428, 445, 451, 480, 485, 554,	06-10	07-1	(3-30-07)
<b>16.06.02, Child Care Licensing</b>				
16-0602-0601	000, 004, 009, 404, 430, 665, 671, 673, 749, 784	06-10	07-1	(3-30-07)
<b>16.06.04, Rules for Statewide and Regional Interdepartmental Substance Abuse Coordinating Committees</b>				
16-0604-0601	000-999, Chapter Repealed	06-9	07-1	(3-30-07)
<b>16.06.06, Family Support and In-Home Assistance (New Chapter)</b>				
16-0606-0601	000-999	06-10	07-1	(3-30-07)
<b>IDAPA 17 - Industrial Commission</b>				
<b>17.02.06, Employers' Reports</b>				
17-0206-0601	021	06-10	07-1	(3-30-07)
<b>17.02.08, Miscellaneous Provisions</b>				
17-0208-0602	031, 032	06-10	07-1	(3-15-07)
<b>IDAPA 18 - Department Of Insurance</b>				
<b>18.01.24, Advertisement of Disability (Accident and Sickness) Insurance</b>				
18-0124-0601	000-010, 013, 024	06-8	06-11	(3-30-07)
<b>18.01.27, Self-Funded Employee Health Care Plans Rule</b>				
18-0127-0601	002-999	06-10	07-1	(3-30-07)
<b>18.01.28, Governmental Self-Funded Employee Health Care Plans Rule</b>				
18-0128-0601	000-999	06-10	07-1	(3-30-07)
<b>18.01.34, Certificate of Liability Insurance for Motor Vehicles</b>				
18-0134-0601	000-014, Exhibit B, and Exhibit C	06-7	06-11	(3-30-07)

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
<b>18.01.44, Schedule Of Fees, Licenses And Miscellaneous Charges</b>				
18-0144-0601	002-010, 030,	06-8	06-11	(3-19-07)
<b>18.01.56, Rebates and Illegal Inducements to Obtaining Title Insurance Business</b>				
18-0156-0601	001-011, 013-015, 018, Exhibit 1	06-8	06-11	(3-30-07)
<b>18.01.60, Long-Term Care Insurance Minimum Standards</b>				
18-0160-0601	002 - 999	06-11	07-1	(3-30-07)
<b>18.01.68, Minimum Reserve Standards for Individual and Group Health Insurance</b>				
18-0168-0601	000-999, Appendix A, and B	06-8	06-11	(3-30-07)
<b>18.01.74, Coordination of Benefits</b>				
18-0174-0601	001, 003-999	06-9	06-11	(3-30-07)
<b>18.01.76, Property Casualty Actuarial Opinion Rule</b>				
18-0176-0601	000-999 New Chapter	06-8	06-11	(3-30-07)
<b>18.01.77, Actuarial Opinion and Memorandum Rule</b>				
18-0177-0601	001-999	06-8	06-11	(3-30-07)
<b>IDAPA 19 - Board of Dentistry</b>				
<b>19.01.01, Rules of the Idaho State Board of Dentistry</b>				
19-0101-0601	012, 013, 029, 050, 051	06-5	06-10	(3-30-07)
19-0101-0602	005	06-10	06-12	(3-30-07)
19-0101-0603	026-029	06-10	06-12	(3-30-07)
19-0101-0604	040	06-10	06-12	(3-30-07)
<b>IDAPA 20 - Department of Lands</b>				
<b>20.03.14, Rules Governing Grazing Leases and Cropland Leases</b>				
20-0314-0601	102	06-8	06-11	(3-19-07)
<b>IDAPA 21 - Division of Veterans Services</b>				
<b>21.01.01, Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans</b>				
21-0101-0601	010, 100-150	06-7	06-9	(3-30-07)
21-0101-0602	002, 915	06-7	06-9	(3-30-07)
<b>21.01.03, Rules Governing Medicaid Qualified Units in Idaho State Veterans Homes</b>				
21-0103-0601	000-999, Chapter Repeal	06-7	06-9	(3-30-07)
<b>21.01.04, Rules Governing The Idaho State Veterans Cemetery</b>				

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21-0104-0601	002, 010, 050	06-7	06-9	(3-30-07)
<b>21.01.05, Rules Governing Medical Transportation Payment for Wheelchair Confined Veterans</b>				
21-0105-0601	010, 014	06-9	06-11	(3-30-07)
<b>21.01.06, Rules for the Enforcement of the Veteran's Preference in Public Employment</b>				
21-0106-0601	000-999 New Chapter	06-6	06-8	(3-30-07)
<b>22.01.04, Rules of the Board of Medicine for Registration of Supervising and Directing Physicians</b>				
22-0104-0601	000-001, 010, 023-030	06-10	07-1	(3-19-07)
<b>IDAPA 23 - Board of Nursing</b>				
<b>23.01.01, Rules of the Idaho Board of Nursing</b>				
23-0101-0601	000, 003-004, 010-040, 061-090, 100-101, 132, 135-165, 222-260, 262-271,	06-9	06-11	(3-30-07)
<b>IDAPA 24 - Bureau of Occupational Licenses</b>				
<b>24.03.01, Rules of the State Board of Chiropractic Physicians</b>				
24-0301-0601	600	06-10	06-12	(3-30-07)
<b>24.04.01, Rules of the Idaho Board of Cosmetology</b>				
24-0401-0601	005, 010, 100, 125, 401, 420-425, 450, 500, 571-599	06-10	06-12	(3-19-07)
<b>24.05.01, Rules of the Board of Drinking Water and Wastewater Professionals</b>				
24-0501-0601	300	06-10	06-12	(3-30-07)
<b>24.07.01, Rules of the Idaho State Board of Landscape Architects</b>				
24-0701-0601	400	06-10	06-12	(3-30-07)
<b>24.09.01, Rules of the Board of Examiners of Nursing Home Administrators</b>				
24-0901-0601	300	06-10	06-12	(3-30-07)
<b>24.10.01, Rules of the State Board of Optometry</b>				
24-1001-0601	275, 300, 325, 450	06-10	06-12	(3-30-07)
<b>24.12.01, Rules of the Idaho State Board of Psychologists Examiners</b>				
24-1201-0601	005, 150, 450, 600	06-10	06-12	(3-19-07)
<b>24.13.01, Rules of the Physical Therapy Licensure Board</b>				
24-1301-0601	000-999	06-10	06-12	(3-19-07)
<b>24.14.01, Rules of the State Board of Social Work Examiners</b>				
24-1401-0601	075, 201	06-10	06-12	(3-30-07)

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
<b>24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists</b>				
24-1501-0601	004, 200, 225, 238, 300	06-10	06-12	(3-30-07)
24-1501-0602	250	06-11	06-12	(3-19-07)
<b>24.17.01, Rules of the State Board of Acupuncture</b>				
24-1701-0601	005, 300	06-10	06-12	(3-30-07)
<b>24.18.01, Rules of the Real Estate Appraiser Board</b>				
24-1801-0601	005, 299, 300,350, 400-401	06-10	06-12	(3-30-07)
<b>24.19.01, Rules of the Board of Examiners of Residential Care Facility Administrators</b>				
24-1901-0601	402-499	06-10	06-12	(3-19-07)
<b>IDAPA 25 - Outfitters and Guides Licensing Board</b>				
<b>25.01.01, Rules of the Outfitters and Guides Licensing Board</b>				
25-0101-0601	059	06-8	07-1	(3-30-07)
25-0101-0602	071	06-9	07-1	(3-30-07)
<b>IDAPA 27 - Board of Pharmacy</b>				
<b>27.01.01, Rules of the Idaho State Board of Pharmacy</b>				
27-0101-0602	464	06-8	06-10	(3-19-07)
27-0101-0603	142, 471-472	06-10	06-12	(3-30-07)
<b>IDAPA 31 - Public Utilities Commission</b>				
<b>31.11.01, Safety and Accident Reporting Rules for Utilities Regulated by the Idaho PUC</b>				
31-1101-0601	101	06-10	07-1	(3-30-07)
<b>IDAPA 33 - Real Estate Commission</b>				
<b>33.01.01, Rules of the Idaho Real Estate Commission</b>				
33-0101-0601	100	06-9	06-12	(3-19-07)
33-0101-0602	305-399	06-10	06-12	(3-30-07)
33-0101-0603	402	06-10	06-12	(3-30-07)
<b>IDAPA 35 - State Tax Commission</b>				
<b>35.01.01, Idaho Income Tax Administrative Rules</b>				
35-0101-0601	031, 075, 121, 171, 173, 255, 280, 290-300, 700-704, 745, 747, 771-784, 799,	06-10	06-12	(3-30-07)
35-0101-0602	600	06-10	06-12	(3-30-07)



<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
<b>35.01.02, Sales and Use Tax Administrative Rules</b>				
35-0102-0601	001, 004-009, 011, 019, 037, 051, 101, 107, 119,	06-10	06-12	(3-30-07)
35-0102-0602	027	06-10	06-12	(3-30-07)
<b>35.01.03, Property Tax Administrative Rules</b>				
35-0103-0602	317	06-7	06-11	(3-30-07)
35-0103-0603	700	06-7	06-11	(3-30-07)
35-0103-0604	802	06-7	06-11	(3-30-07)
35-0103-0605	989	06-7	06-11	(3-30-07)
35-0103-0606	609	06-9	06-11	(3-30-07)
35-0103-0607	006,114-115, 130-131, 217, 225, 315, 317, 509-512, 613-615, 635, 645, 717,	06-9	06-11	(3-30-07)
<b>35.01.05, Idaho Motor Fuels Tax Administrative Rules</b>				
35-0105-0601	105, 270, 290, 292, 400	06-8	06-11	(3-30-07)
<b>35.01.06, Hotel/Motel Room Tax Administrative Rules</b>				
35-0106-0601	012, 015	06-10	06-12	(3-30-07)
<b>35.01.09, Idaho Kitchen and Table Wine Tax Administrative Rules</b>				
35-0109-0601	010, 014-016	06-10	06-12	(3-30-07)
<b>35.01.10, Cigarette and Tobacco Products Tax Administration Rules</b>				
35-0110-0601	019, 021-022	06-10	06-12	(3-30-07)
<b>35.02.01, Idaho Tax Commission Administration and Enforcement Rules</b>				
35-0201-0601	300, 310, 430, 500, 704	06-10	06-12	(3-30-07)
<b>IDAPA 38 - Department of Administration</b>				
<b>38.04.06, Rules Governing Prequalification of Contractors on Capitol Building Projects</b>				
38-0406-0601	000-999, New Chapter	06-8	06-12	(3-30-07)
<b>IDAPA 39 - Idaho Transportation Department</b>				
<b>39.02.07, Rules Governing Titling of Salvage, Specially Constructed, and Reconstructed Motor Vehicles</b>				
39-0207-0601	001-099, 200, 300-999	06-9	07-1	(3-30-07)
<b>39.02.22, Rules Governing Mileage Use Fee Administration</b>				
39-0222-0601	000-999	06-10	07-1	(3-19-07)
<b>39.02.24, Rules Governing Gray Market Vehicle Registration and Titling</b>				

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
39-0224-0601	001-100	06-9	07-1	(3-30-07)
<b>39.02.73, Rules Governing Accident Prevention Course</b>				
39-0273-0601	001, 010	06-8	07-1	(3-30-07)
<b>39.03.11, Rules Governing Overlegal Permittee Responsibility and Travel Restrictions</b>				
39-0311-0601	100-200	06-8	07-1	(3-30-07)
<b>39.03.21, Rules Governing Special Permit fees</b>				
39-0321-0601	000-009, 100-300	06-9	07-1	(3-19-07)
<b>39.03.22, Rules Governing Overlegal Permits for Extra-Length Vehicle Combinations</b>				
39-0322-0601	100-200	06-8	07-1	(3-30-07)
<b>39.03.43, Rules Governing Utilities on State Highway Right-of-Way</b>				
39-0343-0601	004, 005	06-9	07-1	(3-30-07)
<b>39.03.45, Rules Governing Sale of No Longer Useful or Usable Real Property</b>				
39-0345-0601	000-010, 200, 301-399	06-10	07-1	(3-30-07)
<b>39.03.62, Rules Governing Logo Signs</b>				
39-0362-0601	000-100	06-10	07-1	(3-19-07)
<b>39.03.64, Rules Governing Tourist Oriented Directional Signs (TODS)</b>				
39-0364-0601	000-100	06-10	07-1	(3-19-07)
<b>39.04.07, Rules Governing Aerial Search and Rescue of Lost Aircraft and Airmen</b>				
39-0407-0601	000-099, 101, 200	06-10	07-1	(3-30-07)
<b>IDAPA 41 - Public Health District #1</b>				
<b>41.01.01, Rules of Panhandle Health District 1</b>				
41-0101-0601	000-009, 100-400, 511-520, 522-542, 544-999	06-10	07-1	(3-28-07)
<b>IDAPA 46 - Board of Veterinary Medical Examiners</b>				
<b>46.01.01, Rules of the State of Idaho Board of Veterinary Medicine</b>				
46-0101-0601	005-010, 012, 015-100, 102, 106-154, 200, 205	06-10	06-12	(3-30-07)
<b>IDAPA 47 - Division of Vocational and Technical Education</b>				
<b>47.01.02, Rules and Minimum Standards Governing Extended Employment Services</b>				
47-0102-0601	001-999	06-10	06-12	(3-15-07)
<b>IDAPA 48 - Grape Growers and Wine Producers Commission</b>				

<b>HISTORY NOTES - LEGISLATIVE SESSION 2007</b>				
<b>Chapter &amp; Docket Number</b>	<b>Amended Sections</b>	<b>Bulletin Vol. Proposed Rule</b>	<b>Bulletin Vol. Pending Rule</b>	<b>Final Effective Date</b>
<b>48.01.01, Rules of the Idaho Grape Growers and Wine Producers Commission (New Chapter)</b>				
48-0101-0601	000-999	06-10	06-12	(3-19-07)
<b>IDAPA 58 - Department of Environmental Quality</b>				
<b>58.01.01, Rules for the Control of Air Pollution in Idaho</b>				
58-0101-0303	389-397	06-9	07-1	(3-19-07)
58-0101-0502	760, 761, 762, 763, 764	06-6	06-12	(3-30-07)
58-0101-0601	006, 007, 107, 204, 205, 600, 651-669	06-8	06-12	(3-30-07)
58-0101-0602	008, 107, 200, 204	06-9	07-1	(3-30-07)
58-0101-0603	782-199	06-10	07-1	(3-30-07)
<b>58.01.02, Water Quality Standards and Wastewater Treatment Requirements</b>				
58-0102-0505	010, 053, 100, 250	06-6	06-12	(3-30-07)
<b>58.01.05, Rules and Standards for Hazardous Waste</b>				
58-0105-0602	002, 004-013, 015-016, 018	06-8	06-12	(3-30-07)
<b>58.01.08, Idaho Rules for Public Drinking Water Systems</b>				
58-0108-0601	003, 450	06-1	06-4	(3-30-07)
58-0108-0602	002, 003, 013, 451-552, 900	06-8	07-1	(3-30-07)
<b>58.01.11, Ground Water Quality Rule</b>				
58-0111-0601	200, 400	06-7	06-12	(3-30-07)
<b>58.01.12, Rules for Administration of Water Pollution Control Loans</b>				
58-0112-0501	005, 032, 050	06-1	06-4	(3-19-07)
<b>58.01.16, Wastewater Rules</b>				
58-0116-0502	004, 007, 203, 400, 411-412, 424-650	06-8	07-1	(3-30-07)
<b>58.01.17, Rules for the Reclamation and Reuse of Municipal and Industrial Wastewater</b>				
58-0117-0601	003, 008, 200-300, 600, 601	06-8	07-1	(3-30-07)

## HOUSE CONCURRENT RESOLUTION NO. 16

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE HOUSE OF REPRESENTATIVES  
HOUSE CONCURRENT RESOLUTION NO. 16  
BY REVENUE AND TAXATION COMMITTEE

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE  
OF THE IDAHO FISH AND GAME COMMISSION GOVERNING LICENSING.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Idaho Fish and Game Commission Rules Governing Licensing is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 13.01.04, Rules Governing Licensing, Section 505, relating to Deer and Elk Tag Allocation, Subsection 02.e.i, only, Rules of the Idaho Fish and Game Commission, as adopted as a pending rule under Docket Number 13-0104-0601, be, and the same is hereby rejected and declared null, void and of no force and effect.

### Statement of Purpose / Fiscal Impact

#### STATEMENT OF PURPOSE RS 17027

This concurrent resolution would reject a subsection of a pending rule of the Idaho Fish and Game Commission pertaining to Rules Governing Licensing. The effect of this resolution, if adopted by both houses, would be to prevent subsection of the agency rule from going into effect.

#### FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 8, 2007.

Contact:

Name: Representative Wood  
Phone: 332-1212

## HOUSE CONCURRENT RESOLUTION NO. 19

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE HOUSE OF REPRESENTATIVES  
HOUSE CONCURRENT RESOLUTION NO. 19  
BY EDUCATION COMMITTEE

### A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DIVISION OF VOCATIONAL REHABILITATION PERTAINING TO STANDARDS GOVERNING EXTENDED EMPLOYMENT SERVICES

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Division of Vocational Rehabilitation pertaining to Standards Governing Extended Employment Services are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 47.01.02, Standards Governing Extended Employment Services, Section 100, relating to Certification of Providers, Subsections 02, 04.c and 04.d, only, Rules of the Division of Vocational Rehabilitation, as adopted as pending rules under Docket Number 47-0102-0601, be, and the same are hereby rejected and declared null, void and of no force and effect.

#### Statement of Purpose / Fiscal Impact

##### STATEMENT OF PURPOSE RS 17032

This concurrent resolution would reject certain subsections of a pending rule of the Division of Vocational Rehabilitation pertaining to Standards Governing Extended Employment Services. The effect of this resolution, if adopted by both houses, would be to prevent the subsections of the agency rule from going into effect.

##### FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 14, 2007.

##### Contact:

Name: Representative Bob Nonini  
Phone: (208) 332 1000  
Senator John Goedde

## HOUSE CONCURRENT RESOLUTION NO. 21

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE HOUSE OF REPRESENTATIVES  
HOUSE CONCURRENT RESOLUTION NO. 21  
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE  
AND REJECTING PENDING RULES OF THE DEPARTMENT OF HEALTH  
AND WELFARE GOVERNING THE IDAHO CHILD CARE PROGRAM (ICCP).

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Health and Welfare Governing the Idaho Child Care Program (ICCP) are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.06.12, Rules of the Department of Health and Welfare, Rules Governing the Idaho Child Care Program (ICCP), adopted as pending rules under Docket Number 16-0612-0601 (Chapter Repeal), the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

### Statement of Purpose / Fiscal Impact

#### STATEMENT OF PURPOSE RS 17029

This concurrent resolution would reject a pending rule of the Department of Health and Welfare pertaining to Rules Governing the Idaho Child Care Program (ICCP). The effect of this resolution, if adopted by both houses, would be to prevent the agency rule from going into effect.

#### FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 19, 2007.

#### Contact:

Name: Rep. Block  
Phone: 208 332-1000  
Rep. Rusche

## **SENATE CONCURRENT RESOLUTION NO. 105**

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 105  
BY JUDICIARY and RULES COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE  
AND REJECTING A CERTAIN RULE OF THE IDAHO STATE POLICE  
RULES GOVERNING ALCOHOL BEVERAGE CONTROL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Idaho State Police rules governing Alcohol Beverage Control is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 11.05.01, Rules Governing Alcohol Beverage Control, Section 010, relating to Definitions, Subsection 03, Multipurpose Arena only, Rules of the Idaho State Police as adopted as a pending rule under Docket Number 11-0501-0601, be, and the same is hereby rejected and declared null, void and of no force and effect.

Adopted: March 6, 2007.

## SENATE CONCURRENT RESOLUTION NO. 112

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 112  
BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE  
AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF HEALTH AND WELFARE  
RELATING TO MEDICAID ENHANCED PLAN BENEFITS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Health and Welfare regarding Medicaid Enhanced Plan Benefits is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 16.03.10, Medicaid Enhanced Plan Benefits, Section 112, relating to Enhanced Outpatient Mental Health Services - Participant Eligibility, Subsections 02.d and 03.a, only, Rules of the Department of Health and Welfare, as adopted as pending rules under Docket Number 16-0310-0602, be, and the same are hereby rejected and declared null, void and of no force and effect.

### Statement of Purpose / Fiscal Impact

#### STATEMENT OF PURPOSE RS 17013

This concurrent resolution would reject two subsections of a pending rule of the Department of Health and Welfare Pertaining to Medicaid Enhanced Plan Benefits. The effect of this resolution, if adopted by both houses, would be to prevent the subsections of the agency rule from going into effect.

#### FISCAL IMPACT

This concurrent resolution has no fiscal impact.

Adopted: March 19, 2007.

Contact:

Name: Senator Patti Anne Lodge  
Phone: 332-1319



## SENATE CONCURRENT RESOLUTION NO. 113

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 113  
BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE  
AND REJECTING PENDING RULES OF THE IDAHO BOARD OF PHARMACY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho State Board of Pharmacy are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 27.01.01, Rules of the Idaho State Board of Pharmacy, adopted as pending rules under Docket Number 27-0101-0602, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

### Statement of Purpose / Fiscal Impact

#### STATEMENT OF PURPOSE RS 17016

This concurrent resolution would reject a pending rule of the Idaho Board of Pharmacy pertaining to Rules of the Idaho Board of Pharmacy. The effect of this resolution, if adopted by both houses, would be to prevent the agency rule from going into effect.

#### FISCAL IMPACT

This concurrent resolution has no fiscal impact.

Adopted: March 19, 2007.

#### Contact

Name: Senator Patti Anne Lodge  
Phone: 332-1319

## SENATE CONCURRENT RESOLUTION NO. 114

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 114  
BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE  
AND REJECTING A CERTAIN RULE OF THE INDUSTRIAL COMMISSION  
PERTAINING TO MISCELLANEOUS PROVISIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Industrial Commission Rule pertaining to Miscellaneous Provisions is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and House of Representatives concurring therein, that, effective March 15, 2007, IDAPA 17.02.08, Miscellaneous Provisions, Section 031, relating to Acceptable Charges for Medical Services Under the Idaho Workers' Compensation Law, Subsection 02.b, only, Rules of the Industrial Commission, as adopted as a pending rule under Docket Number 17-0208-0602, be, and the same is hereby rejected and declared null, void and of no force and effect.

### Statement of Purpose / Fiscal Impact

#### STATEMENT OF PURPOSE RS 17050C1

This concurrent resolution would reject a subsection of a pending rule of the Industrial Commission pertaining to Miscellaneous Provisions. The effect of this resolution, if adopted by both houses, would be to prevent the agency rule from going into effect.

#### FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 12, 2007.

Contact:  
Sen. Charles Coiner  
332 1368

## SENATE CONCURRENT RESOLUTION NO. 115

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 115  
BY JUDICIARY AND RULES COMMITTEE

### A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF COMMERCE AND LABOR RELATING TO UNEMPLOYMENT INSURANCE TAX ADMINISTRATION RULES

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Commerce and Labor pertaining to Unemployment Insurance Tax Administration Rules are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 09.01.35, Unemployment Insurance Tax Administration Rules, Section 112, relating to Determining Status of Worker, Subsections 03.b, 03.c, 03.d and 03.e, only, Rules of the Department of Commerce and Labor, as adopted as pending rules under Docket Number 09-0135-0601, be, and the same are hereby rejected and declared null, void and of no force and effect.

#### Statement of Purpose / Fiscal Impact

##### STATEMENT OF PURPOSE RS 17052

This concurrent resolution would reject four subsections of a pending rule of the Department of Commerce and Labor pertaining to Unemployment Insurance Tax Administration Rules. The effect of this resolution, if adopted by both houses, would be to prevent these subsections of the agency rule from going into effect.

##### FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 20, 2007.

Contact:  
Sen. Dean Cameron  
334 4735

## SENATE CONCURRENT RESOLUTION NO. 117

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 117  
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH AN EXCEPTION, AND REJECTING A CERTAIN AGENCY RULE DOCKET THAT IS NOT APPROVED

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Department of Health and Welfare governing the Idaho Child Care Program (ICCP) are not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of Rules Coordinator to the Legislature for review during the 2007 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules: IDAPA 16.06.12, Rules of the Department of Health and Welfare, Rules Governing the Idaho Child Care Program (ICCP), adopted as pending fee rules under Docket Number 16-0612-0602 (Chapter Rewrite), the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 16.06.12, Rules of the Department of Health and Welfare, Rules Governing the Idaho Child Care Program (ICCP), adopted as pending fee rules under Docket Number 16-0612-0602 (Chapter Rewrite), the entire rulemaking docket is hereby rejected and not approved, and thereby pursuant to Section 67-5291 and Section 67-5224, Idaho Code, is declared null, void and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

### Statement of Purpose / Fiscal Impact

#### STATEMENT OF PURPOSE RS 17057

By statute, agency rules adopted under the Administrative Procedure Act that impose a fee or charge do not go into effect unless approved by concurrent resolution of both houses of the Legislature. This concurrent resolution would approve agency fee or charge rules that have been adopted during the last calendar year, and which were submitted through the Office of the Rules Coordinator to the Legislature or review during the current legislative session, with exception of one fee rule docket that was not approved by the House Health and Welfare Committee that reviewed it.

FISCAL NOTE

Adoption of this concurrent resolution, in and of itself, could have no fiscal impact upon any state or local government funds or accounts, beyond the scope or impact of the individual rules themselves.

Adopted: March 19, 2007.

Contact:

Name: Paige Alan Parker  
Senior Legal Analyst  
Legislative Services Office  
Phone:334-4857

## SENATE CONCURRENT RESOLUTION NO. 120

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 120  
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE, WITH EXCEPTIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of Rules Coordinator for review during the 2007 legislative session, and all temporary rules previously approved and extended by concurrent resolution adopted in a prior regular session of the Idaho Legislature, be, and the same are approved, with the exception of the following enumerated temporary rules:

IDAPA 15.04.01, Rules of the Division of Human Resources and Personnel Commission, Section 071 concerning Merit Increase Matrix, Subsection 03 only, Section 073 concerning Calculation of Pay, Subsection 05.b only, Section 077 concerning Bonuses, Subsection 02.c only, Section 078 concerning Retention Awards only, and Section 260 concerning Overtime, Subsection 03 only, adopted as temporary rules under Docket Number 15-0401-0601.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Fifty-ninth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2007 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Fifty-ninth Idaho Legislature, unless approved by adoption of a separate con- current resolution by both houses of the Legislature.

### Statement of Purpose / Fiscal Impact

#### STATEMENT OF PURPOSE RS 17139

Temporary rules adopted by state agencies under the Administrative Procedure Act, by statute expire at the end of the current legislative session. This concurrent resolution would approve and extend agency temporary rules beyond the current session, with exceptions.

#### FISCAL NOTE

Adoption of this concurrent resolution, in and of itself, could have no fiscal impact upon any state or local government funds or accounts, beyond the scope or impact of the individual rules themselves. By adopting this concurrent resolution, the legislature avoids having necessary agency rules expire, which would occasion additional expense to state agencies for readopting and republishing temporary rules needed to conduct state business.

Adopted: March 22, 2007.

Contact:

Name: Paige Alan Parker  
Senior Legal Analyst  
Legislative Services Office  
Phone:334-4857

## SENATE CONCURRENT RESOLUTION NO. 120

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 121  
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE  
AND REJECTING CERTAIN RULES OF THE PUBLIC HEALTH DISTRICTS  
RELATING TO RULES OF PANHANDLE HEALTH DISTRICT 1.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Public Health Districts relating to Rules of Panhandle Health District 1 are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 41.01.01, Panhandle Health District 1, Section 100, relating to Water Quality Control, Subsections 03.e and 03.f, only, Rules of the Public Health Districts, as adopted as pending rules under Docket Number 41-0101-0601, be, and the same are hereby rejected and declared null, void and of no force and effect.

### Statement of Purpose / Fiscal Impact

#### STATEMENT OF PURPOSE RS 17181C2

This concurrent resolution would reject two (2) subsections of a pending rule of the Public Health Districts pertaining to Rules of the Panhandle Health District 1. The effect of this resolution, if adopted by both houses, would be to prevent these subsections of the agency rule from going into effect.

#### FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 27, 2007.

#### Contact

Name: Senator John Goedde  
Phone: 208-334-1321



**THE OFFICE OF THE GOVERNOR**

**EXECUTIVE DEPARTMENT  
STATE OF IDAHO  
BOISE**

**EXECUTIVE ORDER NO. 2007-03**

**CONTINUATION OF THE IDAHO RURAL PARTNERSHIP**

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*WHEREAS, Idaho is among the most rural states in the nation; and*

*WHEREAS, Idaho's tremendous geography and sparse population create problems of distance and isolation; and*

*WHEREAS, the most rural counties in Idaho consistently have lower per capita incomes, higher unemployment rates, lower rates of population growth, higher poverty levels, less new construction, and job growth; and*

*WHEREAS, the most rural residents of Idaho have less access to health care services, employment training, business assistance, library service, and diverse educational and cultural opportunities; and*

*WHEREAS, the most rural communities have disproportionately large infrastructure needs for transportation, utility services, and education; and*

*WHEREAS, the multitude of public and private organizations with an interest in helping rural Idaho need a mechanism for coordination and collaboration; and*

*WHEREAS, there are critical areas of need in rural Idaho including increased leadership and governance, connectivity to telecommunication and broad bandwidth, excellent and relevant education and workforce development at all levels, funding for the creation, maintenance, and improvement of infrastructure, and the development of active local economic development teams;*

*NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me by the Constitution and laws of this State, do hereby order:*

- 1. The Idaho Rural Partnership (IRP) shall be authorized as an organization with an open membership for institutions, including all local, tribal, State, and federal governments, as well as for-profit and not-for-profit private organizations, that have an interest in or some responsibility for Idaho's rural development.*
- 2. The IRPs responsibilities will be to:*
  - a) Assess conditions of rural Idaho;*
  - b) Advise the Governor and the Legislature on public policy and strategies to improve the quality of life in rural Idaho;*
  - c) Act as a clearinghouse of information and as a referral center on rural programs and policies;*
  - d) Conduct outreach to rural communities and facilitate communication between rural residents and public and private organizations that provide services to rural communities;*
  - e) Identify organizations, authorities, and resources to address various aspects of rural development;*
  - f) Serve as a nonpartisan forum for identifying and understanding rural issues from all perspectives;*
  - g) Develop better intergovernmental and private/public coordination and to seek out opportunities for new partnerships to achieve rural development goals within the existing structure;*
  - h) Foster coordinated approaches to rural development that support local initiatives, not to usurp the individual missions of any of its member organizations or duplicate effort;*
  - i) Seek solutions to unnecessary impediments to rural development, first within Idaho and then through the National Rural Development Partnership; and*
  - j) Work cooperatively with the National Rural Development Partnership and other state rural*

*development councils.*

3. *The partnership shall be managed by a board of directors that shall include the following members:*
  - (a) A representative from the Office of the Governor;*
  - (b) The directors from not more than five (5) agencies with rural responsibilities, these being, unless otherwise seated by the balance of the board of directors, the Idaho departments of Agriculture, Commerce, Environmental Quality, Labor and Transportation;*
  - (c) The director of the cooperative extension service in the State of Idaho;*
  - (d) Representatives from the following federal agencies: the United States Department of Agriculture's Rural Development, Farm Service Agency and Forest Service, the United States Department of the Interior's Bureau of Land Management, the United States Department of Commerce's Economic Development Administration, the United States Environmental Protection Agency, and the United States Department of Housing and Urban Development;*
  - (e) Four (4) state legislators consisting of two (2) senators and two (2) representatives selected by their respective legislative leaders;*
  - (f) A representative chosen by each of the federally recognized Indian tribes in the State of Idaho;*
  - (g) Four (4) representatives from organizations of local government in the State of Idaho, one (1) each representing cities, counties, economic development agencies, and resource conservation and development organizations;*
  - (h) Two (2) representatives from for-profit business organizations, to include agribusiness and other businesses operating with special emphasis on rural areas of the State of Idaho;*
  - (i) A representative of the principal contractor for the United States*
  - (j) Department of Energy's Idaho National Laboratory; and*
  - (k) Five (5) rural leaders chosen by the Governor representing private*
  - (l) entrepreneurs, chambers of commerce, nonprofit and community-based organizations, living in rural Idaho and representing a geographic balance across the State.*
4. *Nonvoting, ad hoc members may be included on the board at the discretion of the chair to assist with specific issues and projects as necessary.*
5. *Members of the board of directors shall serve at the pleasure of the organization or entity the member represents. Board members appointed under subsection (1)(h) of this section shall serve four (4) year terms concurrent with the Governor's term.*
6. *IRP Board members appointed by the Governor shall serve four-year terms concurrent with the Governor's term. All Board members appointed by the Governor or representing state agencies serve at the pleasure of the Governor.*
7. *The IRP shall be led by two Co-Chairs, both of whom shall be elected by the IRP Board of Directors from among their membership, with one elected from the State Agency Directors serving on the Board and the other from all other categories of board membership. The Co-Chairs shall serve for a two year term, with the possibility of one additional term if re-elected, the term(s) to be synonymous with the Governor's term. The responsibilities of the Co-Chairs shall be to:*
  - a) Set operating policies with approval from the full Board;*
  - b) Review and respond to issues in the interim between Board meetings; and*
  - c) Manage the IRP budget and staff, including the hiring and dismissal of the IRP Executive Director.*
8. *The IRP Executive Director shall be:*
  - a) Responsible for managing the day-to-day operations of the IRP as directed by the IRP Co-Chairs;*
  - b) An exempt, full-time position of the Idaho Department of Commerce and Labor as set forth in Idaho Code 67-4702;*
  - c) A person with the skills necessary to manage a diverse public organization effectively and with broad experience in building and sustaining networks and partnerships; and*
  - d) Hired through an open and competitive process when a vacancy occurs, after a broad, statewide advertising campaign without any pre-selection.*

9. *The IRP Board of Directors shall meet no less than once a quarter.*
10. *This Executive Order shall cease to be effective four years after its entry into force.*



*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 7th day of March in the year of our Lord two thousand and seven, and of the Independence of the United States of America the two hundred thirty-first and of the Statehood of Idaho the one hundred seventeenth.*

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*C.L. "BUTCH" OTTER*  
*GOVERNOR*

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*BEN YSURSA*  
*SECRETARY OF STATE*

# IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

DOCKET NO. 16-0000-0701

## NOTICE OF RULEMAKING - UPDATE TO FINAL RULES

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, and in conjunction with the Office of the Administrative Rules Coordinator, notice is hereby given that certain final rules of the Department of Health and Welfare are being updated as described below. The updates being made are a result of rulemakings that were approved and finalized by 2007 legislative action that have caused these citations to become incorrect or outdated. Because the changes are non-substantive in nature, this rulemaking is being done outside the normal rulemaking procedures with the permission of the Administrative Rules Coordinator. This agency action is authorized pursuant to Sections 56-203(b) and 56-203(g), Idaho Code. These changes are immediately effective.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance of the notice and the action being taken:

The Department did an extensive number of rule changes to put in place the “Medicaid Modernization Act” that was adopted during the 2006 legislative session. The rules governing criminal histories and background checks were also rewritten. This rulemaking consists of updates that correct the chapter names and citations made to other Department administrative rules. In Section 1 and Section 2 of this notice, the specific chapters that reference old chapters and section numbers that have been repealed, renamed, or renumbered are identified and listed here. The changes are non-substantive in nature and the final rule text showing the correct references to the new chapters and section numbers is republished following each table.

### *Section 1*

IDAPA 16.03.09, “Rules Governing the Medical Assistance Program,” was rewritten and renamed “Medicaid Basic Plan Benefits.” IDAPA 16.03.13, “Prior Authorization for Behavioral Health Services,” and IDAPA 16.03.17, “Service Coordination,” were repealed and the regulatory requirements from these chapters were incorporated into the rewritten chapter IDAPA 16.03.10, “Medicaid Enhanced Plan Benefits.”

The affected chapters and sections are listed in Tables 1 through 3 (Section 1). Each table is followed by the rule text showing the corrections as they appear in the codified final rules.

**TABLE 1**

IDAPA	AFFECTED RULE CHAPTER	AMENDED SECTIONS OR SUBSECTIONS
16.03.22	<i>Residential Care or Assisted Living Facilities in Idaho</i>	004.08; 310.02; 735.02

#### **16.03.22.004.08**

**08. Idaho Medical Assistance Program Rules.** IDAPA 16.03.09, “~~Rules Governing the Medicaid Assistance Program~~ Medicaid Basic Plan Benefits,” Section ~~817~~ 665. These rules may be found online at <http://adm.idaho.gov/adminrules/rules/idapa16/0309.pdf>. (3-30-06)

#### **16.03.22.310.02**

**02. Unused Medication.** Unused, discontinued, or outdated medications cannot accumulate at the facility for longer than thirty (30) days. The unused medication must be disposed of in a manner that assures it cannot

be retrieved. The facility may enter into agreement with a pharmacy to return unused, unopened medications to the pharmacy for proper disposition and credit. See IDAPA 16.03.09, "~~Rules Governing the Medicaid Assistance Program~~ Medicaid Basic Plan Benefits," Sections ~~817~~ 664 and 665, and IDAPA 27.01.01, "Rules of the Idaho Board of Pharmacy." A written record of all drug disposals must be maintained in the facility and include: (3-30-06)

16.03.22.735.02

**02. Return Medication Agreement.** If appropriate, the written agreement between the facility and the pharmacy to return unused, unopened medications to the pharmacy for proper disposition and credit. See IDAPA 16.03.09, "~~Rules Governing the Medicaid Assistance Program~~ Medicaid Basic Plan Benefits," Sections ~~817~~ 664 and 665, and IDAPA 27.01.01, "Rules of the Idaho Board of Pharmacy." (3-30-06)

(BREAK IN CONTINUITY OF CHAPTERS)

TABLE 2

IDAPA	AFFECTED RULE CHAPTER	AMENDED SECTIONS OR SUBSECTIONS
16.04.11	<i>Developmental Disabilities Agencies (DDA)</i>	001.02.c.; 010.18; 011.09, 20 & 21; 600.04.b.; 603; 700, 700.02.a.ii; 704.02; 723

16.04.11.001.02.c.

**c.** All agencies that meet the definition of a Developmental Disabilities Agency (DDA) in Section 010 of these rules must be certified by the Department in accordance with the requirements in this chapter of rules. Rules regarding Medicaid reimbursement for DDA services are found in IDAPA 16.03.0910, "~~Rules Governing the Medical Assistance Program~~ Medicaid Enhanced Plan Benefits," Sections ~~120~~ 650 through 656. (7-1-06)

16.04.11.010.18

**18. Individual Service Plan (ISP).** An initial or annual plan of service, for persons eighteen (18) years of age or older or ISSH waiver participants, that identifies all services and supports developed under a person-centered planning process. The Department authorizes each ISP at least once every three hundred sixty-five (365) days. This type of plan is referred to as the "plan of service" in IDAPA 16.03.130, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits," Sections 507 through 515. (7-1-06)

16.04.11.011.09

**09. Prior Authorization (PA).** A process for determining a participant's eligibility for services and medical necessity prior to the delivery or payment of services in accordance with IDAPA 16.03.130, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits," Sections 507 through 515. (7-1-06)

16.04.11.011.20

**20. Service Coordination.** Service coordination is an activity that assists individuals eligible for

Medicaid in gaining and coordinating access to necessary care and services appropriate to the needs of an individual. The delivery of service coordination is governed by IDAPA 16.03.170, "~~Service Coordination~~ Medicaid Enhanced Plan Benefits." Sections 720 through 779. (7-1-06)

**16.04.11.011.21**

**21. Service Coordinator.** An individual who provides service coordination to a Medicaid-eligible participant, is employed by a service coordination agency, and meets the training, experience, and other requirements under IDAPA 16.03.170, "~~Service Coordination~~ Medicaid Enhanced Plan Benefits." Sections 720 through 779. (7-1-06)

**16.04.11.600.04.b.**

**b.** This forty-five (45) day requirement does not apply to participant plans of service authorized under IDAPA 16.03.130, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits." Sections 507 through 515. (7-1-06)

**16.04.11.603**

**603. ASSESSMENTS FOR ADULTS.**

DDAs must obtain assessments required under IDAPA 16.03.130, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits." Sections 507 through 515. All specific skill assessments must be conducted in accordance with Section 605 of these rules. (7-1-06)

**16.04.11.700**

**700. REQUIREMENTS FOR A DDA PROVIDING SERVICES TO PERSONS EIGHTEEN YEARS OF AGE OR OLDER AND ISSH WAIVER PARTICIPANTS.**

Section 700 of these rules does not apply to adults who receive IBI or additional DDA services prior authorized under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program as described in IDAPA 16.03.09, "~~Rules Governing the Medical Assistance Program~~ Medicaid Basic Plan Benefits." DDAs must comply with the requirements under Section 701 of these rules for those adults. (7-1-06)

**16.04.11.700.02.a.ii.**

**ii.** The participant must have an ISP that is authorized in accordance with IDAPA 16.03.130, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits." Sections 507 through 515. (7-1-06)

**16.04.11.704.02**

**02. Additional Requirements for Participants Eighteen Years or Older and for ISSH Waiver Participants.** For participant's eighteen (18) years of age or older and ISSH Waiver Participants, DDAs must also submit provider status reviews to the plan monitor in accordance with IDAPA 16.03.130, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits." Sections 507 through 515. (7-1-06)

**16.04.11.723**

**723. COMMUNITY CRISIS SUPPORTS.**

Community crisis supports are interventions for participants who are adults or who are on the ISSH Waiver, who have been determined eligible for developmental disability services and who are at risk of losing housing, employment or

income, or are at risk of incarceration, physical harm, family altercation, or other emergencies. DDAs that choose to provide these services must do so in accordance with IDAPA 16.03.130, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits," Sections ~~400~~ 507 through 515. (7-1-06)

**(BREAK IN CONTINUITY OF CHAPTERS)**

**TABLE 3**

<b>IDAPA</b>	<b>AFFECTED RULE CHAPTER</b>	<b>AMENDED SECTIONS OR SUBSECTIONS</b>
<b>16.04.17</b>	<b>Residential Habilitation Agencies</b>	<b>001.02; 011.25 &amp; 26; 203, 302.01.b.; 405.08.b.ii., c.ii., &amp; d.</b>

**16.04.17.001.02**

**02. Scope.** These rules contain and establish standards and minimum requirements for residential habilitation agencies which provide services to persons with developmental disabilities under agreement and in connection with programs funded in any part by the Department of Health and Welfare. The provisions are intended to regulate agencies so that services to participants will optimize participant opportunities for independence and self-determination while assuring adequate supports, services, participant satisfaction and health and safety. As a component of the service delivery system in Idaho for persons with developmental disabilities, residential habilitation agencies will provide individualized services and supports encouraging participant choice, providing the greatest degree of independence possible, enhancing the quality of life, and maintaining community integration and participation. Services provided by such agencies are intended to be person-centered and participant-driven, and based on a person-centered plan to meet each participant's needs for self-sufficiency, medical care and personal development with goals that safely encourage each participant to become a productive member of the community in which he lives. Access to these services must be prior authorized in accordance with IDAPA 16.03.130, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits," Sections 507 through 515. (3-20-04)

**16.04.17.011.25**

**25. Service Coordination.** Service coordination is an activity which assists individuals eligible for Medicaid in gaining and coordinating access to necessary care and services appropriate to the needs of an individual. See IDAPA 16.03.170, "~~Service Coordination~~ Medicaid Enhanced Plan Benefits," Sections ~~010~~ 720 through 779. (4-6-05)

**16.04.17.011.26**

**26. Service Coordinator.** An individual who provides service coordination to a Medicaid-eligible participant, is employed by a service coordination agency, and meets the training, experience, and other requirements under IDAPA 16.03.170, "~~Service Coordination~~ Medicaid Enhanced Plan Benefits," Sections ~~700~~ 720 through 779. (4-6-05)

**16.04.17.203**

**203. Staff And Affiliated Residential Habilitation Provider Training.**

Training must include orientation and ongoing training at a minimum as required under IDAPA 16.03.~~09~~10, "~~Rules Governing the Medical Assistance Program~~ Medicaid Enhanced Plan Benefits," Sections ~~143~~ 700 through 706. Training is to be a part of the orientation training and is required initially prior to accepting participants. All required training must be completed within six (6) months of employment or affiliation with a residential habilitation agency and documented in the employee or affiliated residential habilitation provider record. The agency must ensure that all employees, affiliated residential habilitation providers, and contractors receive orientation training in the following areas: (3-20-04)

**16.04.17.302.01.b.**

**b.** The agency must obtain authorization from the Department for reimbursement for each Medicaid-covered eligible waiver service prior to providing residential habilitation services in accordance with IDAPA 16.03.~~130~~, "~~Prior Authorization for Behavioral Health Services~~ Medicaid Enhanced Plan Benefits," Sections 507 through 515. (3-20-04)

**16.04.17.405.08.b.ii.**

**ii.** Mechanical restraint for non-medical purposes may be used only when a written behavior change plan is developed by the participant, his service coordinator, his team, and a QMRP or a behavior consultant/crisis management provider as qualified in IDAPA 16.03.~~09.143~~10, "~~Rules Governing the Medical Assistance Program~~ Medicaid Enhanced Plan Benefits," Sections 700 through 706. Informed participant consent is required. (3-20-04)

**16.04.17.405.08.c.ii.**

**ii.** Physical restraint may be used in a non-emergency setting when a written behavior change plan is developed by the participant, his service coordinator, his team, and a QMRP or a behavior consultant/crisis management provider as qualified in IDAPA 16.03.~~09.143~~10, "~~Rules Governing the Medical Assistance Program~~ Medicaid Enhanced Plan Benefits," Sections 700 through 706. Informed participant consent is required. (3-20-04)

**16.04.17.405.08.d.**

**d.** Seclusionary Time Out. Seclusionary time out may be used only when a written behavior change plan is developed by the participant, his service coordinator his team, and a QMRP or a behavior consultant/crisis management consultant as qualified in IDAPA 16.03.~~09.143~~10, "~~Rules Governing the Medical Assistance Program~~ Medicaid Enhanced Plan Benefits," Sections 700 through 706. Informed participant consent is required. (3-20-04)



**Section 2**

IDAPA 16.05.06, “Rules Governing Mandatory Criminal History Rules,” was rewritten and renamed “Criminal History and Background Checks.”

TABLE 1 (Section 2) below lists the chapters and sections affected by the name change to IDAPA 16.05.06. The individual sections of the chapters listed in Table 1 below, that reference the old rule (“Rules Governing Mandatory Criminal History Rules”), have been corrected in the codified final rules and now reference the new name (“Criminal History and Background Checks”). All citations to specific section numbers of the old rule have been deleted from the final rules.

**TABLE 1**

<b>IDAPA</b>	<b>AFFECTED RULE CHAPTER</b>	<b>AMENDED SECTIONS OR SUBSECTIONS</b>
<b>16.02.03</b>	<b>Rules Governing Emergency Medical Services</b>	<b>501.03; 515.05</b>
<b>16.03.09</b>	<b>Medicaid Basic Plan Benefits</b>	<b>009.01; 714.05.a.; 874.01.e.</b>
<b>16.03.10</b>	<b>Medicaid Enhanced Plan Benefits</b>	<b>009.01; 130.02.a.; 305.06; 329.03.c., 06.d., 12.c., 15, 16, 18.a.vi., 19, 20, &amp; 21.f.; 705.01.a.vi., 02.c., 03.g., 04, 11.f., &amp; 12.d.; 729.04</b>
<b>16.03.13</b>	<b>Consumer-Directed Services</b>	<b>009.01 &amp; 02; 136.01.b.; 150.01.a.</b>
<b>16.03.19</b>	<b>Rules Governing Certified Family Homes</b>	<b>009.01, 02, 03, 04, &amp; 05</b>
<b>16.04.11</b>	<b>Developmental Disabilities Agencies</b>	<b>009.01</b>
<b>16.04.17</b>	<b>Residential Habilitation Agencies</b>	<b>202.01.b.; 301.03.j.</b>
<b>16.05.05</b>	<b>Criminal History and Background Checks in Long Term Care Settings</b>	<b>004.01; 010.01 &amp; 05.e.; 101; 102</b>
<b>16.06.01</b>	<b>Rules Governing Family and Children’s Services</b>	<b>009.01, 02, &amp; 03</b>
<b>16.06.02</b>	<b>Rules Governing Standards for Child Care Licensing</b>	<b>009.01 &amp; 02; 109.01; 300.09; 404; 810</b>

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this final rule contact Bev Barr at (208) 334-5736.

DATED this 26th day of March, 2007.

Sherri Kovach, Program Supervisor  
 DHW – Administrative Procedures Section  
 450 West State Street - 10th Floor  
 P.O. Box 83720, Boise, Idaho 83720-0036  
 (208) 334-5564 phone / (208) 334-6558 fax  
 kovachs@dhw.idaho.gov e-mail

## **IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE**

### **16.03.05 - RULES GOVERNING ELIGIBILITY FOR AID TO THE AGED, BLIND AND DISABLED (AABD)**

**DOCKET NO. 16-0305-0702**

#### **NOTICE OF RULEMAKING - NEGOTIATED RULE**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 56-202, Idaho Code, and SB1170, 2007 Legislature.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held as follows:

**Wednesday, May 30, 2007  
9:00 a.m. - 12:00 p.m.  
Health & Welfare Central Office  
Pete T. Cenarrusa Bldg.  
450 W State, 10th Floor Conference Rm.  
Boise, ID**

**METHOD OF PARTICIPATION:** Persons wishing to participate in the informal negotiated rulemaking must do the following:

1. Attend the negotiated rulemaking and participate in the negotiation process;
2. Provide oral or written recommendations, or both at the negotiated rulemaking;
3. Submit written recommendations and comments to the address below.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

During the 2007 Legislative Session, Senate Bill 1170 was passed. Because of the passage of this bill, Medicaid eligibility criteria have been updated in Sections 56-1302 and 56-1303, Idaho Code. This new language in Idaho statute reflects the intent of Long Term Care Partnership policies as described in the Federal Deficit Reduction Act (DRA) of 2005. The Department is initiating negotiated rulemaking in order to discuss with interested parties the alignment of the Medicaid eligibility rules with these new changes found in the Idaho statutes.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Susie Cummins at (208) 732-1419.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 6, 2007.

DATED this 6th day of April, 2007.

Sherri Kovach  
Program Supervisor  
DHW – Administrative Procedures Section  
450 West State Street - 10th Floor  
P.O. Box 83720  
Boise, Idaho 83720-0036  
(208) 334-5564 phone; (208) 334-6558 fax  
kovachs@dhw.idaho.gov e-mail

**IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE**  
**16.06.12 - RULES GOVERNING THE IDAHO CHILD CARE PROGRAM (ICCP)**  
**DOCKET NO. 16-0612-0601 (CHAPTER REPEAL)**  
**NOTICE OF RULEMAKING - FINAL RULE**

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking under Docket No. 16-0612-0601. This agency action for this final rulemaking is authorized pursuant to Section 56-202, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for adopting the final rule. Docket No. 16-0612-0601 was rejected by the 2007 Legislature.

This past year, the Department proposed Docket No. 16-0612-0601. This docket repealed the current chapter of rules for the Idaho Child Care Program (ICCP). The 2007 Legislature did not approve a second, pending docket which re-wrote this chapter. Therefore, House Concurrent Resolution 021 was passed which rejected Docket No. 16-0612-0601 making it null and void and of no force and effect. This action by the 2007 Legislature ensures that the current rule for the ICCP program will continue to be in effect.

The original text of the proposed rule was published in the October 4, 2006, Idaho Administrative Bulletin, Vol. 06-10, page 306. The pending rule was published in the January 3, 2007, Idaho Administrative Bulletin, Vol. 07-1, page 257.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year. N/A

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this final rule, contact Genie Sue Weppner or Cheryl Bowers at (208) 334-5815.

DATED this 6th day of April, 2007.

Sherri Kovach  
Program Supervisor  
DHW – Administrative Procedures Section  
450 West State Street - 10th Floor  
P.O. Box 83720  
Boise, Idaho 83720-0036  
(208) 334-5564 phone; (208) 334-6558 fax  
kovachs@dhw.idaho.gov e-mail

**IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE**  
**16.06.12 - RULES GOVERNING THE IDAHO CHILD CARE PROGRAM (ICCP)**  
**DOCKET NO. 16-0612-0602 (CHAPTER REWRITE)**  
**NOTICE OF RULEMAKING - FINAL RULE**

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking under Docket No. 16-0612-0602. This agency action for this final rulemaking is authorized pursuant to Section 56-202, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for adopting the final rule. Docket No. 16-0612-0602 was rejected by the 2007 Legislature.

This past year, the Department proposed Docket No. 16-0612-0602. This docket re-wrote the current chapter of rules for the Idaho Child Care Program (ICCP). Senate Concurrent Resolution 117 was passed which rejected Docket No. 16-0612-0602 making it null and void and of no force and effect. The current rule for the ICCP program continues to be in effect.

The original text of the proposed rule was published in the October 4, 2006, Idaho Administrative Bulletin, Vol. 06-10, pages 307 through 323. The pending rule was published in the January 3, 2007, Idaho Administrative Bulletin, Vol. 07-1, page 258.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year. N/A

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this final rule, contact Genie Sue Weppner or Cheryl Bowers at (208) 334-5815.

DATED this 5th day of April, 2007.

Sherri Kovach  
Program Supervisor  
DHW – Administrative Procedures Section  
450 West State Street - 10th Floor  
P.O. Box 83720  
Boise, Idaho 83720-0036  
(208) 334-5564 phone; (208) 334-6558 fax  
kovachs@dhw.idaho.gov e-mail

## **IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **58.01.04 - RULES FOR ADMINISTRATION OF WASTEWATER TREATMENT FACILITY GRANTS**

#### **DOCKET NO. 58-0104-0701**

#### **NOTICE OF RULEMAKING - NEGOTIATED RULE**

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Chapters 1 and 36, Title 39, Idaho Code.

**MEETING SCHEDULE:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the following meeting. Additional meetings may be scheduled if necessary. For information regarding participation by telephone or scheduling of additional meetings, contact the undersigned.

**May 17, 2007, 9 a.m. to 3 p.m.**  
**Department of Environmental Quality, Conference Room C**  
**1410 N. Hilton, Boise, Idaho**

**PRELIMINARY DRAFT:** A preliminary draft of the rule can be obtained at [http://www.deq.idaho.gov/rules/wastewater\\_grants/58\\_0104\\_0701\\_negotiated.cfm](http://www.deq.idaho.gov/rules/wastewater_grants/58_0104_0701_negotiated.cfm) or by contacting Paula Wilson at [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov), (208)373-0418.

**DESCRIPTIVE SUMMARY:** The purpose of this rulemaking is to revise IDAPA 58.01.04, Rules for Administration of Wastewater Treatment Facility Grants (Grant Rules), for consistency with the environmental review Section (042) of IDAPA 58.01.12, "Rules for Administration of Water Pollution Control Loans" (Loan Rules). The two sets of rules have different requirements for environmental information document preparation and there is no need for the difference. This rulemaking will also include any necessary corrections that are typographical and nonsubstantive in nature.

The current structure of the Grant Rules requires that the grant applicant prepare an environmental information document of a uniform scope, regardless of the need for mitigation. Compliance with the Grant Rules adds a burden to both the applicant and DEQ when a project qualifies for a categorical exclusion. An efficiency would be achieved by adopting the process used for wastewater facility loans, in which categorical exclusions are specifically allowed with a lower level of effort. Section 042 of the Loan Rules will be used as a model for the environmental review process for grants. Cities, counties, districts and associations that own and operate wastewater treatment facilities may be interested in participating in this rulemaking.

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the summer of 2007 and then present the final proposal to the Board of Environmental Quality for adoption of a pending rule in the fall of 2007. If adopted, the pending rule will be reviewed by the 2008 Idaho Legislature.

**ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on questions concerning the negotiated rulemaking, contact Tim Wendland at [tim.wendland@deq.idaho.gov](mailto:tim.wendland@deq.idaho.gov), (208)373-0439.

Anyone may submit written comments during this negotiated rulemaking by mail, fax or e-mail at the address below. Written comments on the preliminary draft must be received by May 25, 2007. For information regarding submission of written comments on subsequent drafts of the negotiated rule, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 12th day of April, 2007.

Paula J. Wilson  
Environmental Quality Section  
Attorney General's Office  
Boise, Idaho 83706-1255  
[paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov)

1410 N. Hilton  
(208)373-0418/  
Fax No. (208)373-0481

## **IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **58.01.05 - RULES AND STANDARDS FOR HAZARDOUS WASTE**

**DOCKET NO. 58-0105-0601**

#### **NOTICE OF RULEMAKING - EXPIRATION OF TEMPORARY RULE**

**AUTHORITY:** In compliance with Section 67-5226(3), Idaho Code, notice is hereby given that the temporary rule adopted under this docket expired upon conclusion of the 2007 legislative session.

**DESCRIPTIVE SUMMARY:** Idaho's Rules and Standards for Hazardous Waste are updated annually to maintain consistency with EPA's federal regulations implementing RCRA as directed by the Idaho Hazardous Waste Management Act. On August 5, 2005, EPA promulgated a final rule which adds mercury containing equipment (MCE) to the federal list of universal wastes regulated under the RCRA hazardous waste regulations. Adding MCE to the universal waste rule simplifies handling and disposal of the equipment for generators, while ensuring that spent MCE is sent to the appropriate destination facilities. In order to make this rule immediately available to Idaho facilities, the Board adopted a temporary rule in February 2006 incorporating by reference the MCE rule into Idaho's Rules and Standards for Hazardous Waste.

In October 2006, the Board adopted Docket No. 58-0105-0602, the annual adoption by reference of federal regulations into state rules, which also includes the MCE rule. Pending Rule Docket No. 58-0105-0602 was submitted to the 2007 Idaho State Legislature for review and was approved as a final rule with an effective date of March 30, 2007. The temporary rule, which is no longer necessary due to the promulgation of the final rule, did not remain in effect beyond the conclusion of the 2007 session of the Idaho Legislature.

**GENERAL INFORMATION:** For more information about DEQ's programs and activities, visit DEQ's web site at [www.deq.idaho.gov](http://www.deq.idaho.gov).

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this rulemaking, contact the undersigned.

DATED this 6th day of April, 2007.

Paula J. Wilson  
Hearing Coordinator  
Department of Environmental Quality  
1410 N. Hilton/Boise, Idaho 83706-1255  
(208)373-0418/Fax No. (208)373-0481  
[paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov)

## **IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **58.01.10 - RULES REGULATING THE DISPOSAL OF RADIOACTIVE MATERIALS NOT REGULATED UNDER THE ATOMIC ENERGY ACT OF 1954, AS AMENDED**

**DOCKET NO. 58-0110-0701**

#### **NOTICE OF RULEMAKING - NEGOTIATED RULE**

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Section 39-4405, Idaho Code.

**MEETING SCHEDULE:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the following meeting. Additional meetings may be scheduled if necessary. For information regarding participation by telephone or scheduling of additional meetings, contact the undersigned.

**May 22, 2007, 9 a.m. to 12 noon**  
**Department of Environmental Quality, Conference Room D**  
**1410 N. Hilton, Boise, Idaho**

**PRELIMINARY DRAFT:** A preliminary draft of the rule can be obtained at [http://www.deq.idaho.gov/rules/radioactive\\_materials/58\\_0110\\_0701\\_negotiated.cfm](http://www.deq.idaho.gov/rules/radioactive_materials/58_0110_0701_negotiated.cfm) or by contacting Paula Wilson at [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov), (208)373-0418.

**DESCRIPTIVE SUMMARY:** DEQ has initiated this rulemaking in response to a Petition for Rulemaking filed by US Ecology Idaho, Inc. In its petition, US Ecology Idaho requested that the Board of Environmental Quality direct DEQ to initiate rulemaking to further limit the types of radioactive materials that are eligible for unrestricted disposal in Idaho by adding a new category of radioactive materials that must be disposed of at a permitted hazardous waste disposal facility.

This rulemaking will include the addition of a new category to the definition of Radioactive Material, Subsection 010.10, and any necessary corrections that are typographical and nonsubstantive in nature. The text of the rule will be developed by DEQ in conjunction with a negotiating committee made up of persons having an interest in the promulgation of these rules. The following groups may be interested in participating in this rulemaking: Private industry; environmental groups; hazardous and nonhazardous waste disposal facilities; members of the public; and generators of radioactive materials specifically exempted, on a case-by-case basis, from U.S. Nuclear Regulatory Commission regulations contained in 10 CFR 30.11, 10 CFR 40.14, and 10 CFR 70.17 or by U.S. Department of Energy Order 5400.5.

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in August 2007 and then present the final proposal to the Board of Environmental Quality for adoption of a pending rule in the fall of 2007. If adopted, the pending rule will be reviewed by the 2008 Idaho Legislature.

**ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on questions concerning the negotiated rulemaking, contact John Brueck at [john.brueck@deq.idaho.gov](mailto:john.brueck@deq.idaho.gov), (208)373-0458.

Anyone may submit written comments during this negotiated rulemaking by mail, fax or e-mail at the address below. Written comments on the preliminary draft must be received by May 31, 2007. For information regarding submission of written comments on subsequent drafts of the negotiated rule, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 20th day of April, 2007.

Paula J. Wilson, Environmental Quality Section, Attorney General's Office  
1410 N. Hilton  
Boise, Idaho 83706-1255 (208)373-0418/  
[paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov) Fax No. (208)373-0481

**IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**58.01.17 - RULES FOR THE RECLAMATION AND REUSE OF MUNICIPAL**  
**AND INDUSTRIAL WASTEWATER**

**DOCKET NO. 58-0117-0701**

**NOTICE OF RULEMAKING - EXPIRATION OF TEMPORARY RULE**

**AUTHORITY:** In compliance with Section 67-5226(3), Idaho Code, notice is hereby given that the temporary rule adopted under this docket expired upon conclusion of the 2007 legislative session.

**DESCRIPTIVE SUMMARY:** In November 2006, the Board of Environmental Quality (Board) adopted a temporary rule (Docket No. 58-0117-0701) and a pending rule (Docket No. 58-0117-0601) to address issues such as permit issuance flexibility, disinfection requirements, Class A uses and mixing, and turbidity limit for membrane filters. The temporary rule is the same as the pending rule with the exception of references to IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems," found in Section 003, Incorporation by Reference, and Subsection 601.02.b., Distribution Lines. Pending Rule Docket No. 58-0117-0601 was submitted to the 2007 Idaho State Legislature for review and was approved as a final rule with an effective date of March 30, 2007. The temporary rule, which is no longer necessary due to the promulgation of the final rule, did not remain in effect beyond the conclusion of the 2007 session of the Idaho Legislature.

**GENERAL INFORMATION:** For more information about DEQ's programs and activities, visit DEQ's web site at [www.deq.idaho.gov](http://www.deq.idaho.gov).

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this rulemaking, contact the undersigned.

DATED this 6th day of April 2007.

Paula J. Wilson  
Hearing Coordinator  
Department of Environmental Quality  
1410 N. Hilton/Boise, Idaho 83706-1255  
(208)373-0418/Fax No. (208)373-0481  
[paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov)



# IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

## 58.01.20 - RULES FOR ADMINISTRATION OF DRINKING WATER LOAN PROGRAM

DOCKET NO. 58-0120-0701

### NOTICE OF RULEMAKING - NEGOTIATED RULE

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Chapters 1 and 76, Title 39, Idaho Code.

**MEETING SCHEDULE:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the following meeting. Additional meetings may be scheduled if necessary. For information regarding participation by telephone or scheduling of additional meetings, contact the undersigned.

**May 17, 2007, 9 a.m. to 3 p.m.**  
**Department of Environmental Quality, Conference Room C**  
**1410 N. Hilton, Boise, Idaho**

**PRELIMINARY DRAFT:** A preliminary draft of the rule can be obtained at [http://www.deq.idaho.gov/rules/drinking\\_water\\_loans/58\\_0120\\_0701\\_negotiated.cfm](http://www.deq.idaho.gov/rules/drinking_water_loans/58_0120_0701_negotiated.cfm) or by contacting Paula Wilson at [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov), (208)373-0418.

**DESCRIPTIVE SUMMARY:** The purpose of this rulemaking is to revise the conditions and qualifications for disadvantaged loans set out in IDAPA 58.01.20, Rules for Administration of Drinking Water Loan Program. This rulemaking will also include any necessary corrections that are typographical and nonsubstantive in nature. An analysis of the drinking water loans made to date illustrates that the qualification for a disadvantaged loan may be too restrictive (the program has been in place for 9 years and only 2 disadvantaged loans have been entered into: Salmon and Castleford). The combination of how communities prove their median household income and the disadvantaged loan qualifications combine to provide difficult challenges for some communities. Citizens in economically disadvantaged communities, and cities, counties, districts and associations that own and operate public drinking water systems may be interested in participating in this rulemaking.

This rulemaking will include the following proposed revisions:

- 1) Remove one of the conditions for a disadvantaged loan (*median household income does not exceed 80% of the statewide nonmetropolitan median household income*) and change the second condition (*reducing the percentage required for user fees from 2% to 1½%*). The remaining disadvantaged loan qualification condition would then be that user fees would exceed 1½% of median household income.
- 2) Allow drinking water systems to make use of approved third party income surveys to verify the community's median household income. Currently communities must use census data, but most communities are not reported at the census level (out of 756 community water systems only 143 are cities).

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the summer of 2007 and then present the final proposal to the Board of Environmental Quality for adoption of a pending rule in the fall of 2007. If adopted, the pending rule will be reviewed by the 2008 Idaho Legislature.

**ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on questions concerning the negotiated rulemaking, contact Tim Wendland at [tim.wendland@deq.idaho.gov](mailto:tim.wendland@deq.idaho.gov), (208)373-0439.

Anyone may submit written comments during this negotiated rulemaking by mail, fax or e-mail at the address below. Written comments on the preliminary draft must be received by May 25, 2007. For information regarding submission of written comments on subsequent drafts of the negotiated rule, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 12th day of April, 2007.

Paula J. Wilson, Environmental Quality Section, Attorney General's Office  
1410 N. Hilton  
Boise, Idaho 83706-1255 (208)373-0418/  
[paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov) Fax No. (208)373-0481

## **IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **58.01.22 - RULES FOR ADMINISTRATION OF PLANNING GRANTS FOR PUBLIC DRINKING WATER FACILITIES**

**DOCKET NO. 58-0122-0701**

#### **NOTICE OF RULEMAKING - NEGOTIATED RULE**

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Chapters 1 and 36, Title 39, Idaho Code.

**MEETING SCHEDULE:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the following meeting. Additional meetings may be scheduled if necessary. For information regarding participation by telephone or scheduling of additional meetings, contact the undersigned.

**May 17, 2007, 9 a.m. to 3 p.m.  
Department of Environmental Quality, Conference Room C  
1410 N. Hilton, Boise, Idaho**

**PRELIMINARY DRAFT:** A preliminary draft of the rule can be obtained at [http://www.deq.idaho.gov/rules/drinking\\_water\\_grants/58\\_0122\\_0701\\_negotiated.cfm](http://www.deq.idaho.gov/rules/drinking_water_grants/58_0122_0701_negotiated.cfm) or by contacting Paula Wilson at [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov), (208)373-0418.

**DESCRIPTIVE SUMMARY:** The purpose of this rulemaking is to revise IDAPA 58.01.22, Rules for Administration of Planning Grants for Public Drinking Water Facilities (Grant Rules), for consistency with the environmental review section (042) of IDAPA 58.01.20, Rules for Administration of Drinking Water Loan Program (Loan Rules). The two sets of rules have different requirements for environmental information document preparation and there is no need for the difference. This rulemaking will also include any necessary corrections that are typographical and nonsubstantive in nature.

The current structure of the Grant Rules requires that the grant applicant prepare an environmental information document of a uniform scope, regardless of the need for mitigation. Compliance with the Grant Rules adds a burden to both the applicant and DEQ when a project qualifies for a categorical exclusion. An efficiency would be achieved by adopting the process used for drinking water loans, in which categorical exclusions are specifically allowed with a lower level of effort. Section 042 of the Loan Rules will be used as a model for the environmental review process for grants. Cities, counties, districts and associations that own and operate public drinking water systems may be interested in participating in this rulemaking.

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the summer of 2007 and then present the final proposal to the Board of Environmental Quality for adoption of a pending rule in the fall of 2007. If adopted, the pending rule will be reviewed by the 2008 Idaho Legislature.

**ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on questions concerning the negotiated rulemaking, contact Tim Wendland at [tim.wendland@deq.idaho.gov](mailto:tim.wendland@deq.idaho.gov), (208)373-0439.

Anyone may submit written comments during this negotiated rulemaking by mail, fax or e-mail at the address below. Written comments on the preliminary draft must be received by May 25, 2007. For information regarding submission of written comments on subsequent drafts of the negotiated rule, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 12th day of April, 2007.

Paula J. Wilson  
Environmental Quality Section  
Attorney General's Office  
Boise, Idaho 83706-1255  
[paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov)

1410 N. Hilton  
(208)373-0418/  
Fax No. (208)373-0481

# **IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO**

## **59.01.06 - RETIREMENT RULES FOR THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)**

**DOCKET NO. 59-0106-0701**

### **NOTICE OF RULEMAKING - TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is April 1, 2007.

**AUTHORITY:** In compliance with Section 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules. The action is authorized pursuant to Sections 59-1314(1) and 72-1405, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of the supporting reasons for temporary rulemaking:

Under a final rule that became effective April 11, 2006, contribution rates for the public schools unused sick leave fund were to increase incrementally over a three (3) year period beginning July 1, 2006. The first increase took effect, but subsequent valuation by PERSI actuaries indicates that the additional increases scheduled to take effect on July 1, 2007, and July 1, 2008, are currently unnecessary to adequately fund the benefits provided by that fund. This rule will delay the remaining two contribution rate increases for the public schools unused sick leave fund until July 1, 2009, and July 1, 2010, respectively. The rule amends Retirement Rule 552.02 and temporarily keeps contribution rates at current levels.

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

This rule change will confer a benefit on PERSI employees and employers.

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

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rules, contact Alan H. Winkle, Executive Director of PERSI, 334-3365.

DATED this 28th day of March, 2007.

Alan H. Winkle  
Executive Director  
Public Employee Retirement System of Idaho  
607 N. 8<sup>th</sup>, Boise, ID 83702  
P.O. Box 83720, Boise, ID 83720-0078  
Phone: 208-334-3365  
FAX: 208-334-3804

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### **THE FOLLOWING IS THE TEXT OF DOCKET NO. 59-0106-0701**

#### **552. SICK LEAVE FUNDING RATES (RULE 552).**

The sick leave pools shall be funded by employer contributions as follows: (3-30-01)

**01. State Agencies and Junior College Districts.** All employer groups participating in the pools established by Sections 33-2109A and 67-5339, Idaho Code, shall contribute point sixty-five percent (.65%) of employee covered payroll. (3-30-01)

**02. Schools.** All employer groups participating in the pool established by Section 33-1228, Idaho Code, shall contribute the percentage of employee covered payroll based on the number of days of paid sick leave permitted during the contract year for certified teachers as set forth in the following table:

Beginning:	July 1, 2006	July 1, 200 <del>7</del> <u>9</u>	July 1, 200 <del>8</del> <u>10</u>
9-10 days	1.16%	1.18%	1.21%
11-14 days	1.26%	1.35%	1.44%
More than 14 days	Individual rate to be set by the Retirement Board based on current cost and actuarial data and reviewed annually		

Where a four (4) day work week or similar policies have been adopted adjustments shall be made to convert the number of days of paid sick leave to the contribution level necessary to maintain equity within the pool. (Amended 3-30-01) (~~Amended 4-11-06~~)(4-1-07)T

**03. Subdivisions.** All employer groups participating in the pool established by Section 59-1365, Idaho Code, shall make contributions as provided in Rule 578. (3-30-01)

# Sections Affected Index

## **IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE**

Docket No. **16-0000-0701**

This Omnibus Rulemaking Notice identifies the various rule chapters and sections within those chapters that have been affected by the Department's implementation of the "Medicaid Modernization Act." The identified sections show non-substantive changes to references and citations to chapters that have been amended, rewritten, or repealed and approved during the 2007 legislative session. This notice is designed to simply update the final rules by correcting the outdated references.

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**CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES**

**FOR THE ABOVE LINK TO WORK YOU HAVE  
TO BE CONNECTED TO THE INTERNET**

**This index tracks the history of all agency rulemakings from 1993 to the present.  
It includes all rulemaking activities on each chapter of rules  
and includes negotiated, temporary, proposed, pending  
and final rules, public hearing notices  
and vacated rulemaking notices.**

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# LEGAL NOTICE

## Summary of Proposed Rulemakings

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

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

**Because of the moratorium on proposed rulemaking during the legislative session,  
there are no proposed rules being promulgated or published in this month's Bulletin.**

Please refer to the Idaho Administrative Bulletin, **May 2, 2007, Volume 07-5** for notices and text of all rulemakings, public hearing schedules, Governor's executives orders, and agency contact names.

**Citizens of your county can view all issues of the Idaho Administrative Bulletin at the county law libraries.**

Copies of the Administrative Bulletin and other rules publications are available for purchase. For subscription information and ordering call (208) 332-1820 or write the Office of the Administrative Rules Coordinator, Department of Administration, 650 W. State St., Room 100, Boise, Idaho 83720. Visa and Mastercard accepted on purchases over \$50.

The Idaho Administrative Bulletin and Administrative Code are available on the Internet at the following address:  
**<http://adm.idaho.gov/adminrules/>**

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