

IDAHO ADMINISTRATIVE BULLETIN

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May 6, 1998

Volume 98-5

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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 compilation of all administrative rule-making documents in Idaho. The Bulletin publishes the official text notice and full text of such actions.

The state of Idaho administrative rule-making process comprises five distinct activities; Proposed, Negotiated, Temporary, Pending, and Final rule-making. In the majority of cases, the process begins with proposed rule-making and ends with final rule-making.

State agencies are required to provide public notice of rule-making activity and invite public input. The public receives notice of a rule-making 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 Legal Notice. 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 97-1 refers to the first Bulletin issued in calendar year 1997, Bulletin 96-1 refers to the first Bulletin issued in calendar year 1996, etc. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. 1 refers to January; Volume No. 2 refers to February; and so forth. Example: The Bulletin published in January of 1998 is cited as Volume 98-1. The December 1997 Bulletin is cited as Volume 97-12.

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 that have been 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 **not** printed in the Administrative Code and are published only in the Bulletin.*

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

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 and Twin Falls, the Lewiston City Library, East Bonner County Library, Eastern Idaho Technical College Library, Ricks College Library, and Northwest Nazarene College 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 83720-0004, telephone (208) 334-3577.

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

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

Individual Rule Chapters and Individual Rule-Making 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://www.state.id.us> - from Idaho Home Page select State Agencies, then the Department of Administration link, then Administrative Rules.

EDITOR'S NOTE: All rules are subject to frequent change. Users should reference all current issues of the Administrative Bulletin for negotiated, temporary, proposed, pending, and final changes to all rules, or call the Office of the Administrative Rules at (208) 334-3577.

HOW TO USE THE IDAHO ADMINISTRATIVE BULLETIN

Rule-making 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 16.07.01.010.01.a.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.

"**IDAPA 16**" refers to the Idaho Department of Health and Welfare.

"**07.**" refers to Title 07, Division of Veterans Services within the Department.

"**01.**" refers to Chapter 01 of Title 07, "Rules Governing Eligibility For Admission into the Veterans Home for Domiciliary Care."

"**010.**" refers to Major Section 010, "Definitions."

"**01.**" refers to Subsection 010.01.

"**a.**" refers to Subsection 010.01.a.

"**ii.**" refers to Subsection 010.01.a.ii.

DOCKET NUMBERING SYSTEM

Internally, the Bulletin is organized sequentially using a rule docketing system. All rule-making actions (documents) are assigned a "DOCKET NUMBER." The "Docket Number" is a series of numbers separated by a hyphen "-", (16-0701-9601). 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:

"DOCKET NO. 16-0701-9601"

"16-" denotes the agency's IDAPA number; in this case the Department of Health and Welfare.

"0701-" refers to the TITLE AND CHAPTER numbers of the agency rule being changed; in this case the Division of Veteran's Services (TITLE 07), Rules Governing Eligibility For Admission into the Veterans Home for Domiciliary Care (Chapter 01).

"9601" denotes the year and sequential order of the docket received during the year; in this case the first rule-making action in calendar year 1996.

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)"

A typical citation to a rule or a Section or Subsection of a rule that are found with the text of a rule appear as follows:

"IDAPA 16.07.01.200"

"16." denotes the IDAPA number of the agency.

"07.01." denotes the TITLE and Chapter number of the agency rule.

"200" reference the main section number of the rule that is being amended or added.

Citations made within a rule to another rule should also include the name of the Department and the Title of the rule being referenced, as well as the IDAPA number.

BULLETIN PUBLICATION SCHEDULE FOR 1998

Volume No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date
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98-2	February, 1998	December 24, 1997	February 4, 1998
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98-11	November, 1998	September 23, 1998	November 4, 1998
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99-3	March, 1999	January 20, 1999	March 3, 1999
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99-5	May, 1999	March 24, 1999	May 5, 1999
99-6	June, 1999	April 21, 1999	June 2, 1999
99-7	July, 1999	May 26, 1999	July 7, 1999
99-8	August, 1999	June 23, 1999	August 4, 1999
99-9	September, 1999	July 21, 1999	September 1, 1999
99-10	October, 1999	August 25, 1999	October 6, 1999
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**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR
IDAHO DEPARTMENT OF ADMINISTRATION**

**RULES ADOPTED AND EXTENDED BY THE FIFTY-FOURTH LEGISLATURE
SECOND REGULAR SESSION - 1998**

**NOTICE OF LEGISLATIVE ADOPTION OF FINAL RULES
AND EXTENSION OF TEMPORARY RULES
OMNIBUS RULE-MAKING NOTICE**

AUTHORITY: In compliance with Sections 67-5224(7) and 67-5226(3), Idaho Code, notice is hereby given by the Office of the Administrative Rules Coordinator that the Fifty-fourth Legislature in the Second Regular Session - 1998, has adopted final rules and extended temporary rules. The Docket numbers of the effected rule-makings 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 list of final and temporary rules includes those rules which were reviewed during the 1998 second regular session of the fifty-fourth legislature of the state of Idaho. The final rules were adopted by the legislature and the temporary rules were extended by Senate Concurrent Resolution 133. All fee rules were adopted by Senate Concurrent Resolution 132. The lists include the docket number of the rule-making, the volume of the Idaho Administrative Bulletin in which the text was published, and the effective date of the rule.

FINAL RULES				
DOCKET NUMBER	PENDING RULE BULLETIN PUBLICATION	PROPOSED RULE BULLETIN PUBLICATION	EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
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02-0104-9701	97-7	97-1	3-23-98	
02-0303-9701	98-1	97-10	3-23-98	
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09-0106-9701	97-10	97-8	7-1-98	
09-0130-9701	97-10	97-8	7-1-98	

FINAL RULES				
DOCKET NUMBER	PENDING RULE BULLETIN PUBLICATION	PROPOSED RULE BULLETIN PUBLICATION	EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
09-0140-9701	97-10	97-8	7-1-98	
10-0102-9701	97-12	97-7	7-1-98	
11-0402-9701	97-12	97-8	7-1-98	fee rule approved by SCR No. 132
11-0403-9701	97-12	97-7	7-1-98	
13-0104-9604	98-1	96-10	7-1-98	
13-0104-9701	98-1	97-6	7-1-98	
13-0106-9601	98-1	96-10	7-1-98	
13-0108-9701	98-1	97-6	7-1-98	
13-0109-9602	98-1	96-10	7-1-98	
13-0109-9603	98-1	96-10	7-1-98	
13-0109-9604	98-1	96-10	7-1-98	
13-0109-9701	98-1	97-6	7-1-98	
13-0109-9702	98-1	97-6	7-1-98	
13-0109-9703	98-1	97-9	7-1-98	
13-0110-9701	98-1	97-6	7-1-98	
13-0111-9601	98-1	96-2	7-1-98	
13-0111-9603	98-1	96-2	7-1-98	
13-0111-9604	98-1	96-2	7-1-98	
13-0111-9606	98-1	96-10	7-1-98	
13-0113-9601	98-1	96-10	7-1-98	
13-0114-9601	98-1	96-10	7-1-98	
13-0114-9602	98-1	96-10	7-1-98	
13-0114-9701	98-1	97-9	7-1-98	
13-0116-9601	98-1	96-10	7-1-98	
13-0119-9701	98-1	97-6	7-1-98	
15-0101-9701	97-12	97-9	7-1-98	
15-0101-9702	97-12	97-9	7-1-98	
15-0102-9701	97-12	97-9	7-1-98	
15-0102-9702	97-12	97-9	7-1-98	
15-0103-9701	97-12	97-9	7-1-98	

FINAL RULES				
DOCKET NUMBER	PENDING RULE BULLETIN PUBLICATION	PROPOSED RULE BULLETIN PUBLICATION	EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
15-0103-9702	97-12	97-9	7-1-98	
15-0120-9701	97-12	97-9	7-1-98	
15-0121-9701	97-12	97-9	7-1-98	
15-0130-9701	97-12	97-9	7-1-98	
15-0131-9701	97-12	97-9	7-1-98	
15-0301-9701	97-9	97-7	7-1-98	
15-1514-9701	98-1	97-7	7-1-98	
16-0101-9602	98-1	97-7	3-23-98	
16-0101-9603	97-4	96-11	3-23-98	
16-0101-9701	98-1	97-8	3-23-98	
16-0102-9701	98-1	97-8	3-23-98	
16-0102-9702	98-1	97-5	3-23-98	
16-0102-9703	97-11	97-5	3-23-98	
16-0105-9702	98-1	97-9	3-23-98	
16-0109-9701	98-1	97-7	7-1-98	
16-0111-9701	98-1	97-8	7-1-98	
16-0119-9601	97-11	97-5	3-23-98	
16-0120-9701	98-1	97-8	3-23-98	
16-0208-9702	98-1	97-9	7-1-98	
16-0219-9701	98-1	97-8	7-1-98	
16-0227-9701	98-1	97-7	7-1-98	
16-0301-9702	97-9	97-5	7-1-98	
16-0301-9703	97-9	97-5	7-1-98	
16-0303-9702	98-1	97-8	7-1-98	
16-0303-9703	98-1	97-8	7-1-98	
16-0304-9701	97-4	97-1	7-1-98	
16-0304-9702	97-9	97-5	7-1-98	
16-0304-9703	97-10	97-7	7-1-98	
16-0304-9704	97-12	97-9	7-1-98	
16-0305-9701	97-4	97-1	7-1-98	
16-0305-9702	97-10	97-7	7-1-98	
16-0305-9703	97-12	97-9	7-1-98	

FINAL RULES				
DOCKET NUMBER	PENDING RULE BULLETIN PUBLICATION	PROPOSED RULE BULLETIN PUBLICATION	EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
16-0306-9701	97-12	97-9	7-1-98	
16-0308-9701	97-9	97-5	7-1-98	
16-0309-9701	97-4	97-1	7-1-98	
16-0309-9702	97-4	97-1	7-1-98	
16-0309-9703	97-4	97-1	7-1-98	
16-0309-9704	97-4	97-1	7-1-98	
16-0309-9705	97-4	97-1	7-1-98	
16-0309-9706	97-9	97-5	7-1-98	
16-0309-9707	97-10	97-7	7-1-98	
16-0309-9710	97-12	97-9	7-1-98	
16-0309-9711	98-1	97-10	7-1-98	
16-0310-9701	97-9	97-5	7-1-98	
16-0320-9701	97-12	97-9	7-1-98	
16-0403-9701	98-1	97-10	7-1-98	
16-0406-9701	98-1	97-10	7-1-98	
16-0415-9701	98-1	97-10	7-1-98	
16-0607-9701	97-12	97-10	7-1-98	
16-0609-9703	97-11	97-6	7-1-98	
17-0202-9701	97-10	97-6	3-23-98	
17-0203-9701	97-10	97-7	3-23-98	
17-0203-9702	97-12	97-7	3-23-98	
17-1001-9701	97-10	97-7	3-23-98	
18-0126-9701	98-1	97-10	7-1-98	
18-0126-9702	98-1	97-10	7-1-98	
18-0152-9701	98-1	97-9	7-1-98	
18-0153-9701	98-1	97-10	7-1-98	
18-0154-9701	98-1	97-9	7-1-98	
18-0155-9701	98-1	97-9	7-1-98	
18-0162-9701	98-1	97-10	7-1-98	
18-0163-9701	98-1	97-9	7-1-98	
18-0165-9701	98-1	97-9	7-1-98	
18-0169-9701	98-1	97-10	7-1-98	

FINAL RULES				
DOCKET NUMBER	PENDING RULE BULLETIN PUBLICATION	PROPOSED RULE BULLETIN PUBLICATION	EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
18-0170-9701	98-1	97-10	7-1-98	
18-0172-9401	97-10	94-12	7-1-98	
18-0173-9701	98-1	97-10	7-1-98	
18-0174-9701	98-1	97-10	7-1-98	
20-0201-9701	97-12	97-9	7-1-98	
20-0302-9701	97-12	97-9	7-1-98	
20-0304-9701	97-12	97-9	7-1-98	Pursuant to HCR No. 037, Subsections 010.10, 11, 14, and 20 are rejected
20-0602-9701	97-12	97-10	4-15-98	
20-0602-9702	97-12	97-10	4-15-98	
20-0603-9701	97-12	97-10	4-15-98	
20-0603-9702	97-12	97-10	4-15-98	
20-0604-9701	97-12	97-10	4-15-98	
24-0101-9701	97-10	97-7	7-1-98	
24-0201-9701	97-12	97-10	7-1-98	
24-0301-9701	97-12	97-10	7-1-98	fee rule approved by SCR No. 132
24-0401-9701	97-12	97-10	7-1-98	
24-0601-9701	97-12	97-10	7-1-98	
24-0802-9701	97-12	97-10	7-1-98	
24-0901-9701	97-12	97-10	7-1-98	
24-1101-9701	97-12	97-10	7-1-98	
24-1101-9702	97-12	97-10	7-1-98	fee rule approved by SCR No. 132
24-1201-9701	97-12	97-10	7-1-98	fee rule approved by SCR No. 132
24-1401-9701	97-12	97-10	7-1-98	fee rule approved by SCR No. 132

FINAL RULES				
DOCKET NUMBER	PENDING RULE BULLETIN PUBLICATION	PROPOSED RULE BULLETIN PUBLICATION	EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
24-1501-9701	97-12	97-10	7-1-98	fee rule approved by SCR No. 132
24-1901-9701	97-12	97-10	7-1-98	
25-0101-9701	98-1	97-10	3-23-98	Pursuant to HCR No. 038, Subsection 002.19 is rejected and Pursuant to SCR No. 139, Subsections 059 - BO2 and PA2 are rejected
26-0130-9701	98-1	97-10	3-23-98	
26-0138-9601	97-4	97-1	3-23-98	
27-0101-9701	98-1	97-10	7-1-98	Pursuant to HCR No. 35, Sections 162, 165, and 251 are rejected
28-0101-9701	97-10	97-6	7-1-98	
31-1101-9701	97-11	97-8	4-1-98	
31-1201-9701	97-11	97-8	7-1-98	
31-6101-9701	97-11	97-8	4-1-98	
33-0101-9701	97-10	97-6	7-1-98	fee rule approved by SCR No. 132
35-0101-9701	97-12	97-9	7-1-98	
35-0101-9702	97-12	97-10	7-1-98	
35-0101-9703	97-12	97-10	7-1-98	
35-0101-9704	97-12	97-10	7-1-98	
35-0101-9705	97-12	97-10	7-1-98	
35-0101-9706	98-1	97-10	7-1-98	
35-0102-9701	97-12	97-10	7-1-98	
35-0103-9701	97-9	97-6	3-23-98	
35-0103-9702	97-9	97-6	3-23-98	
35-0103-9703	97-9	97-6	7-1-98	
35-0103-9704	97-12	97-8	7-1-98	
35-0103-9705	97-12	97-9	7-1-98	

FINAL RULES				
DOCKET NUMBER	PENDING RULE BULLETIN PUBLICATION	PROPOSED RULE BULLETIN PUBLICATION	EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
35-0103-9706	97-12	97-10	7-1-98	
35-0103-9707	97-12	97-10	7-1-98	
35-0103-9708	97-12	97-10	7-1-98	
35-0103-9709	97-12	97-10	7-1-98	
35-0103-9710	97-12	97-10	7-1-98	
35-0103-9711	97-12	97-10	7-1-98	
35-0103-9712	98-1	97-10	7-1-98	
35-0103-9713	97-12	97-10	7-1-98	
35-0104-9701	97-12	97-10	7-1-98	
35-0105-9701	97-12	97-10	7-1-98	
35-0105-9702	97-12	97-10	7-1-98	
35-0106-9701	97-12	97-10	7-1-98	
35-0107-9701	97-12	97-10	7-1-98	
35-0109-9701	97-12	97-10	7-1-98	
35-0110-9701	97-12	97-10	7-1-98	
35-0111-9701	97-12	97-10	7-1-98	
35-0111-9702	97-12	97-10	7-1-98	
35-0111-9703	97-12	97-10	7-1-98	
35-0112-9701	97-12	97-10	7-1-98	
35-0201-9701	97-12	97-10	7-1-98	
38-0404-9701	98-1	97-10	7-1-98	fee rule approved by SCR No. 132
38-0404-9702	98-1	97-10	7-1-98	fee rule approved by SCR No. 132
38-0405-9701	98-1	97-9	7-1-98	
39-0271-9701	97-10	97-5	3-23-98	
39-0317-9701	97-10	97-2	3-23-98	
39-0360-9701	97-5	97-1	7-1-98	
39-0408-9701	97-10	97-5	3-23-98	
41-0801-9701	97-10	97-5	7-1-98	
43-0101-9701	97-9	97-7	7-1-98	

FINAL RULES				
DOCKET NUMBER	PENDING RULE BULLETIN PUBLICATION	PROPOSED RULE BULLETIN PUBLICATION	EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
45-0101-9701	97-8	97-6	7-1-98	
47-0102-9701	97-11	97-9	7-1-98	
47-0103-9701	97-11	97-9	7-1-98	
48-0101-9701	97-12	97-10	7-1-98	
48-0103-9701	97-8	97-5	7-1-98	
50-0101-9601	97-10	96-11	3-23-98	
50-0101-9602	97-10	96-11	3-23-98	
53-0101-9701	97-12	97-8	7-1-98	fee rule approved by SCR No. 132

TEMPORARY RULES THAT WERE EXTENDED BY SENATE CONCURRENT RESOLUTION 133			
DOCKET NUMBER	TEMPORARY RULE BULLETIN PUBLICATION	TEMPORARY EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
02-0104-9701	97-1	11-20-96	
02-0212-9601	96-12	10-1-96	
02-0213-9601	96-12	10-1-96	
02-0303-9701	97-10 & 98-1	9-1-97	
02-0414-9701	97-10	9-1-97	
02-0616-9701	97-1	11-20-96	
02-0618-9701	97-1	11-20-96	
02-0629-9701	97-9	7-18-97	
02-0637-9701	97-8	6-6-97	
02-0638-9701	97-4 & 97-7	1-28-97	
02-0639-9701	97-5	2-28-97	
02-0801-9801	98-1	1-1-98	
02-0801-9802	98-1	1-1-98	
05-0101-9701	97-5	3-1-97	Pursuant to SCR No. 133 Sections 412 and 455 are rejected
07-0101-9701	97-9	8-1-97	

TEMPORARY RULES THAT WERE EXTENDED BY SENATE CONCURRENT RESOLUTION 133			
DOCKET NUMBER	TEMPORARY RULE BULLETIN PUBLICATION	TEMPORARY EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
07-0104-9701	97-9	7-1-97	
07-0108-9701	97-9	7-1-97	
08-0202-9701	97-6 & 97-9	4-1-97	
08-0203-9701	97-6 & 97-12	4-1-97	
11-0401-9801	98-1	1-1-98	
11-0401-9802	98-1	1-1-98	
11-0401-9803	98-1	1-1-98	
11-0402-9701	97-8	1-1-97 & 7-1-97	
11-0403-9701	97-7	5-19-97	
11-1101-9701	97-12	10-21-97	
11-1101-9702	97-12	10-21-97	Pursuant to SCR No. 133 Section 091 is rejected
11-1101-9703	97-12	10-21-97	
13-0104-9604	96-10	8-19-96	
13-0104-9701	97-6	3-31-97	
13-0104-9801	98-1	10-20-97	
13-0106-9601	96-10	7-31-96	
13-0108-9701	97-6	3-21-97	
13-0108-9801	98-1	8-30-97	
13-0109-9602	96-10	7-31-96	
13-0109-9603	96-10	8-19-96	
13-0109-9604	96-10	8-19-96	
13-0109-9701	97-6	5-1-97	
13-0109-9702	97-6	12-16-96	
13-0109-9703	97-9	8-1-97	
13-0109-9801	98-1	8-30-97	
13-0110-9701	97-6	3-31-97	
13-0111-9606	96-10	8-19-96	
13-0111-9801	98-1	10-20-97	
13-0113-9601	96-10	7-31-96	

TEMPORARY RULES THAT WERE EXTENDED BY SENATE CONCURRENT RESOLUTION 133			
DOCKET NUMBER	TEMPORARY RULE BULLETIN PUBLICATION	TEMPORARY EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
13-0114-9601	96-10	7-31-96	
13-0114-9602	96-10	8-19-96	
13-0114-9701	97-9	8-1-97	
13-0114-9801	98-1	8-30-97	
13-0116-9601	96-10	7-31-96	
13-0119-9701	97-6	3-31-97	
15-0301-9701	97-7	7-1-97	
15-1514-9701	97-7	7-1-97	
16-0101-9603	96-11 & 97-4	3-1-97	
16-0101-9703	98-1	12-1-97	
16-0102-9701	97-8 & 98-1	6-20-97 & 12-1-97	
16-0102-9702	97-4 & 98-1	3-1-97 & 12-1-97	
16-0102-9703	97-11	10-1-97	
16-0102-9801	98-1	12-1-97	
16-0119-9601	97-11	10-1-97	
16-0120-9701	97-8	7-3-97	
16-0219-9701	97-8 & 98-1	7-1-97	
16-0301-9702	97-5	6-30-97	
16-0301-9703	97-5 & 97-9	7-1-97	
16-0301-9704	97-11	10-1-97	
16-0303-9702	97-8	7-1-97	
16-0303-9703	97-8	7-1-97	
16-0304-9603	96-11	10-1-96	
16-0304-9701	97-1	9-22-96, 12-1-96, & 1-1-97	
16-0304-9702	97-5 & 97-9	2-22-96, 4-1-97, 5-1-97, & 7-1-97	
16-0304-9703	97-7 & 97-10	5-1-97 & 7-1-97	
16-0304-9704	97-9	9-1-97	
16-0304-9705	97-11	9-22-96, 7-1-97, & 10-1-97	
16-0304-9706	97-12	1-1-98	

TEMPORARY RULES THAT WERE EXTENDED BY SENATE CONCURRENT RESOLUTION 133			
DOCKET NUMBER	TEMPORARY RULE BULLETIN PUBLICATION	TEMPORARY EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
16-0305-9701	97-1	8-22-96 & 1-1-97	
16-0305-9702	97-7 & 97-10	8-22-96 & 7-1-97	
16-0305-9703	97-9	9-1-97	
16-0305-9704	97-11	8-22-96	
16-0305-9705	97-12	1-1-98	
16-0306-9701	97-9	7-1-97	
16-0308-9701	97-5 & 97-9	7-1-97	
16-0308-9702	7-1-97 & 10-1-97	1-1-98	
16-0309-9701	97-1	7-1-96	
16-0309-9702	97-1	1-1-97	
16-0309-9703	97-1	7-1-96	
16-0309-9704	97-1	2-12-96 & 2-1-97	
16-0309-9705	97-1	1-1-97	
16-0309-9706	97-5	10-20-96	
16-0309-9709	97-12	10-1-96, 7-1-97, & 1-1-98	
16-0309-9710	97-9 & 97-12	10-20-96 & 7-1-97	
16-0309-9711	97-10	7-1-97	
16-0309-9712	97-11	1-1-98	
16-0309-9713	97-11	1-1-97	
16-0309-9714	97-11	5-1-97	
16-0309-9715	97-11	7-1-97	
16-0309-9716	97-11	1-1-98	
16-0310-9701	97-5 & 97-9	7-1-97	
16-0319-9601	96-8	7-1-96	
16-0320-9701	97-9 & 97-12	7-1-97 & 9-1-97	
16-0321-9601	96-8	7-1-96	
16-0322-9602	96-8	7-1-96	
16-0322-9603	96-8	7-1-96	
16-0412-9701	97-12	1-1-98	
16-0412-9702	97-12	1-1-98	

TEMPORARY RULES THAT WERE EXTENDED BY SENATE CONCURRENT RESOLUTION 133			
DOCKET NUMBER	TEMPORARY RULE BULLETIN PUBLICATION	TEMPORARY EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
16-0414-9702	97-11	11-1-97	
16-0414-9703	97-11	11-1-97	
16-0601-9701	97-11	7-1-97	
16-0601-9801	98-1	7-1-98	
16-0609-9703	97-6	7-1-97	
16-0612-9701	97-9 & 97-11	7-1-97 & 9-1-97	
17-0202-9701	97-6 & 97-10	7-1-97	
17-0203-9701	97-7	7-1-97	
17-0203-9702	97-7 & 97-12	7-1-97	
17-1001-9701	97-7	7-1-97	
18-0126-9701	97-10	1-1-98	
18-0126-9702	97-10	1-1-98	
24-0101-9701	97-7	2-21-97	
24-0301-9701	97-10	7-1-97	
24-0401-9701	97-10	7-10-97	
24-0802-9701	97-10	7-14-97	
24-1101-9701	97-10	8-1-97	
25-0101-9701	97-10 & 98-1	8-15-97	Pursuant to SCR No. 133 Subsection 002.19 is rejected and Pursuant to HCR 139 Subsections 059 - BO2 and PA2 are rejected
28-0101-9701	97-6 & 97-10	7-1-97	
35-0103-9701	97-6	1-1-98	
35-0103-9702	97-6	4-23-97	
35-0201-9702	97-12	1-1-98	
39-0270-9701	97-11	1-1-98	
39-0271-9701	97-5	3-19-97	
39-0272-9701	97-11	1-1-98	
39-0308-9701	97-11	10-1-97	
39-0317-9701	97-1	1-1-97	

TEMPORARY RULES THAT WERE EXTENDED BY SENATE CONCURRENT RESOLUTION 133			
DOCKET NUMBER	TEMPORARY RULE BULLETIN PUBLICATION	TEMPORARY EFFECTIVE DATE	ACTION TAKEN BY CONCURRENT RESOLUTION
39-0360-9701	97-1 & 97-5	12-1-96	
39-0408-9701	97-5	3-14-97	
43-0101-9701	97-7	7-1-97	
45-0101-9701	97-6	4-22-97	
48-0103-9701	97-5	7-1-97	
50-0101-9601	96-11	8-1-96	
50-0101-9602	96-11	8-1-96	
53-0101-9701	97-8	7-1-97	
59-0103-9701	97-12	10-1-97	

ASSISTANCE ON QUESTIONS: For assistance on questions concerning this notice, contact Karen L. Gustafson at (208) 334-3579 or Dennis R. Stevenson at (208) 334-3558.

DATED this 1st day of April, 1998.

Rick Thompson
Administrative Rules Coordinator
P.O. Box 83720
Boise, ID 83720-0004
PHONE: (208) 334-3577 FAX: (208) 334-2395

THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 98-01

CONTINUING A SYSTEM FOR ALLOCATING VOLUME CAP IN THE STATE CONSISTENT WITH THE PROVISIONS OF TITLE 50, CHAPTER 28, IDAHO CODE, AND THE U.S. INTERNAL REVENUE CODE OF 1986, REPEALING AND REPLACING EXECUTIVE ORDER NO. 94-08

WHEREAS, Section 146 of the U.S. Internal Revenue Code of 1986 (the "Code") subjects certain private activity and non-private activity bonds to volume limitations or "volume cap" (the "Volume Cap"); and

WHEREAS, as required by Section 146(e) of the Code, the Idaho Legislature did adopt the provisions of Title 50, Chapter 28, Idaho Code, (the "State Law") to provide a permanent allocation formula for Volume Cap in the state; and

WHEREAS, Section 50-2804 Idaho Code, authorizes and directs the Governor of the State of Idaho to provide for the implementation and administration of the allocation formula established under Section 50-2803, Idaho Code, by executive order and the Governor did issue his Executive Order No. 94-08 providing therefor; and

WHEREAS, in order to renew the provisions contained in said Executive Order No. 94-08 and to continue to provide for the implementation and administration of the formula for allocation of the Volume Cap among the state and its issuing authorities under the State Law, it is necessary and desirable to issue this Executive Order;

NOW, THEREFORE, I, PHILIP E. BATT, Governor of the State of Idaho, by the power vested in me by the Constitution and laws of the State of Idaho, do hereby order and proclaim:

Section 1: As used in this Executive Order:

- (1) "Allocation Dollars" means the dollar amount of the Volume Cap expressed in terms of dollars. Each allotment dollar equals one dollar of Volume Cap that may be allocated under this Executive Order and the State law.*
- (2) "Bonds" means any obligations for which an allocation of the Volume Cap is required by the Code and the State Law.*
- (3) "Certificates" means mortgage credit certificates described in Section 25 of the Code. With respect to any allocation of Allotment Dollars for the purpose of issuing certificates, certificates will be deemed "issued" when the mortgage credit certificate program for which the allocation is made is implemented.*
- (4) "Code" means the Internal Revenue Code of 1954, as amended by the Reform Act of 1986 and renamed the Internal Code of 1986, and any related regulations.*
- (5) "Department" means the Department of Commerce of the State.*
- (6) "Director" means the director of the Department or such other official or officials of the Department as the director shall designate to carry out the duties of the director set forth in this Executive Order.*
- (7) "Form 8038" means Department of the Treasury tax form 8038 (OMB NO. 1545-0720) or any other federal tax form or other method of reporting required by the Department of the Treasury under Section 149(e) of the Code.*
- (8) "Issuing Authority" means*

- (a) any county, city or port district;
 - (b) any public corporation created pursuant to Section 50-2703 of the Idaho Code, or other entity acting on behalf of one or more counties, cities, or both;
 - (c) the State; or
 - (d) any other entity authorized to issue Bonds or Certificates in the State.
- (9) "Program" means the program to be financed in whole or in part with the proceeds of the sale of Bonds or to be implemented through the issuance of Certificates.
- (10) "Project" means the facility to be financed in whole or in part with the proceeds of sale of Bonds.
- (11) "Qualifying Carryforward Project or Program" means a Project or Program qualifying for carryforward under Section 146(f) of the Code.
- (12) "State" means the state of Idaho, any of its agencies, instrumentalities, institutions and divisions 98authorized to issue Bonds or Certificates under State law.
- (13) "State Law" means Title 50, Chapter 28, Idaho Code, as amended.
- (14) "Volume Cap" means the volume cap for the State as computed under Section 146 of the Code.
- (15) "Year" means each calendar year beginning January 1, 1998.

Section 2.

The Volume Cap for each Year is allocated to Issuing Authorities in accordance with the procedures set forth in this Executive Order. An allocation of the Volume Cap may be obtained by submitting an application to the Director in accordance with Section 3 or Section 5, as appropriate. The Director shall evidence a grant of an allocation of the Volume Cap by issuing a certificate of allocation in accordance with Section 4 or Section 5, as appropriate.

Section 3.

- (1) Any Issuing Authority proposing to issue Bonds or Certificates shall, prior to the issuance of such Bonds or Certificates, submit an application to the Director which contains the following information and attachments:
- (a) the name of the Issuing Authority;
 - (b) the mailing address of the Issuing Authority;
 - (c) the tax identification number of the Issuing Authority;
 - (d) the name, title and office telephone number of the official of the Issuing Authority to whom notices should be sent and from whom information can be obtained;
 - (e) the principal amount of Bonds or Certificate proposed to be issued for which an application for an allocation of the Volume Cap is requested;
 - (f) the nature, the purpose and the specific location of the Project or the type of Program;
 - (g) the initial owner or user of the Project or Program, if other than the Issuing Authority;
 - (h) a copy of a valid and fully executed resolution or similar official action of the Issuing

Authority evidencing its intention to issue Bonds or Certificates for the Project or Program;

- (i) with respect to Bonds, the anticipated date on which the Bonds are expected to be sold and the anticipated date on which the closing or final transaction with respect to the issuance and sale of the Bonds is expected to occur and, with respect to Certificates, the anticipated date on which the Certificates are expected to be issued;*
- (j) the name, address, and telephone number of all parties to the transaction;*
- (k) the applicable provisions of the Code under which the Bonds or Certificates are expected to be issued; and*
- (l) if the purpose of the Project or the Program includes the provision of housing, then the Issuing Authority shall furnish a letter from the Executive Director of the Idaho Housing and Finance Association confirming that there appears to be a need which would be served by such housing in the area where the Project is to be located;*
- (m) any other information or attachments reasonably required by the Director.*
- (2) The Director shall*
 - (a) establish the form of application for requests for allocations of the Volume Cap, which form shall contain the information required by Section 3(1), and*
 - (b) make such forms available to the public upon request.*
- (3) The Director shall be under no obligation to process any application that is incomplete. Any application submitted by an Issuing Authority that the Director does not process shall be returned by the Director on or before the fifteenth day after receipt thereof with a brief explanation as to why the application was not processed.*

Section 4.

- (1) Except as otherwise provided in this Executive Order, on or before the fifteenth day after receipt by the Director of an application for an allocation of the Volume Cap, the Director shall, if the application is in satisfactory order, make the requested allocation in the amount so requested, if available, and certify to the Issuing Authority applying for the allocation that an allocation has been made, the amount of such allocation. Certificates of allocation evidencing the granting of an allocation by the Director shall be issued by the Director in the chronological order in which completed applications are received. No Issuing Authority issuing Bonds or Certificates is entitled to any allocation of the Volume Cap with respect to such Bonds or Certificates unless it has first received the aforementioned certificate of allocation from the Director evidencing the granting of an allocation for such Bonds or Certificates.*
- (2) Every allocation of the Volume Cap granted under this Executive Order by the Director for which Bonds or Certificates have not been issued with respect to such allocation, except those grants made pursuant to Section 5, shall remain effective until, and including, the earlier of*
 - (1) the ninetieth day after the date on which such allocation was made,*
 - (2) 12:00 o'clock midnight on December 30 of the Year in which such allocation was made, or*
 - (3) the date upon which the Director receives a written notification from any such Issuing Authority pursuant to Section 7(2). Any allocation for which Bonds or Certificates are issued on or prior to the applicable date specified in this subsection shall be irrevocably allocated to such Bonds or Certificates.*

- (3) *Until and including December 30 of each Year, any allocation of Allotment Dollars made in such Year, except allocations made pursuant to Section 5, for which Bonds or Certificates are not issued on or prior to the applicable date specified in Section 4(2) shall be available for reallocation to applying Issuing Authorities. On December 31 of each Year, any allocation of Allotment Dollars made in such Year for which Bonds or Certificates are not issued on or prior to the applicable date specified in Section 4(2) shall become available for reallocation only for Qualifying Carryforward Projects or Programs. In either case, such reallocations shall be made in the same manner as for original allocations of Allotment Dollars.*
- (4) *No application submitted by an Issuing Authority to the Director pursuant to this section shall be processed if the amount of allocation of the Volume Cap requested in such application is in excess of the amount of Volume Cap remaining available for allocation. Any application not processed for the reason stated in this subsection may be resubmitted to the Director, with or without a change in the amount of allocation requested. Any application resubmitted to the Director pursuant to this subsection shall be treated as a new application. Should an allocation not be granted for the reasons stated in this subsection, the Director shall continue to process other applications in the chronological order in which received, granting allocations pursuant to the provisions of this Executive Order.*

Section 5.

- (1) *Issuing Authorities with Qualifying Carryforward Projects or Programs may apply for an allocation of Allotment Dollars for such Qualifying Carryforward Projects or Programs by submitting an application to the Director which shall contain:*
 - (a) *the carryforward purpose for the bonds or Certificates under Section 146(f) of the Code;*
 - (b) *any other information required by Section 146(f) of the Code;*
 - (c) *a certification signed by both an official of the Issuing Authority responsible for the supervision of the issuance of the Bonds or Certificates and, if applicable, a representative of the person or entity constructing, acquiring, or rehabilitating the Project or administering the Program, stating that the Issuing Authority and, if applicable, such person or entity, will proceed with diligence to ensure the issuance of the Bonds or Certificates within the carryforward period provided by Section 146(f) of the Code;*
 - (d) *a preliminary opinion from bond counsel that the Project or Program qualifies for carryforward under Section 146(f) of the Code, if applicable;*
 - (e) *if applying for an allocation of Allotment Dollars for the purpose of issuing Certificates, the amount of qualified mortgage bonds defined in Section 143 of the Code which the Issuing Authority elects not to issue under the Code; and*
 - (f) *such other information and attachments as are set forth in Section 3(1).*
- (2) *No application submitted by an Issuing Authority to the Director pursuant to this section shall be processed if at the time such application is considered the amount of allocation of the Volume Cap requested in such application is in excess of the amount of the Volume Cap remaining available for allocation. Any application not processed for the reason stated in this subsection may be resubmitted to the Director, with or without a change in the amount of allocation requested. Any application resubmitted to the Director pursuant to this subsection shall be treated as a new application. Should an allocation not be granted for the reasons stated in this subsection, the Director shall continue to process other applications in the chronological order in which received, granting allocations pursuant to the provisions of this Executive Order.*
- (3) *Allocations of the Volume Cap for Qualifying Carryforward Projects or Programs shall be granted*

by the Director in the amount requested by the applying Issuing Authority, if available, on or after December 1, but no later than December 31, of the Year in which an application in satisfactory order is submitted to the Director for an allocation of the Volume Cap for a Qualifying Carryforward Project or Program in chronological order in which applications for such allocations are received. The Director shall issue certificates of allocation evidencing the granting of an allocation within the time period specified in the preceding sentence to each Issuing Authority which applied to the Director and which received an allocation of the Volume Cap for a Qualifying Carryforward Project or Program of such Issuing Authority, such certificates of allocation to be similar to the certificates of allocation described in Section 4, stating the amount of Allotment Dollars which have been allocated to such Issuing Authority, specifying the Qualifying Carryforward Project or Program for which the allocation has been made and specifying the expiration date of the allocation, as provided by Section 145(f) of the Code.

Section 6.

No application submitted to the Director may be amended without the consent of the Director; provided, however, that no such consent shall be required for an Issuing Authority to submit a new application in order to replace a previously submitted application if such new application is submitted before an allocation is made on the basis of the original application; provided further, that the consent of the Director shall not be required for an Issuing Authority to withdraw a previously submitted application. For purposes of receiving an allocation of the Volume Cap, any application that has been amended shall be treated as though such application was submitted on the date that the amendment was made, rather than on the date of the original submission of such application.

Section 7.

- (1) After the effective date of this Executive Order, any Issuing Authority issuing Bonds or Certificates without a certificate or allocation of the Director issued pursuant to Section 4 or Section 5, as appropriate, evidencing the granting of an allocation for such Bonds or Certificates, or any Issuing Authority issuing Bonds or Certificates after the expiration of an allocation under Section 4 or Section 5, as appropriate, is not entitled to any allocation of the Volume Cap for such Bonds or Certificates, and any Issuing Authority issuing Bonds or Certificates in excess of the allocation set forth in the certificate of allocation is not entitled to any allocation of the Volume Cap for such excess.
- (2) Each Issuing Authority shall
 - (a) advise the Director on or before the earlier of the sixtieth day after the issuance of any Bonds or Certificates or December 30 of each Year, of the principal amount of Bonds or Certificates issued under the allocation set forth in each certificate of allocation issued by the Director evidencing the granting of an allocation for such Bonds or Certificates by delivering to the Director a copy of the Form 8038 which was delivered to the Internal Revenue Service in connection with such Bonds or Certificates, or, if no such form was required to be delivered to the Internal Revenue Service, a completed copy of a Form 8038 prepared for the Director with respect to such Bonds or Certificates, or
 - (b) if all or a stated portion of such Bonds or Certificates will not be issued, shall advise the Director in writing, on or before the earlier of
 - (i) the fifteenth day after the earlier of
 - (A) the final decision not to issue all or a stated portion of such Bonds or Certificates or
 - (B) the expiration of the allocation, or
 - (ii) December 30 of the Year in which the allocation for such Bonds or Certificates

was made.

- (3) *Each Issuing Authority shall cooperate with the Director in furnishing any information the Director reasonably requires. If an Issuing Authority obtains an allocation of a portion of the Volume Cap for a particular Project or Program from the Director as provided in Section 4 or Section 5, as appropriate, but does not issue its Bonds or Certificates within the prescribed time limit, or issues a lesser amount of Bonds or Certificates within the prescribed time limit, such Issuing Authority may again submit an application with respect to the proposed Bonds or Certificates or portion of such Bonds or Certificates not issued for such Project or Program as provided in Section 4 or Section 5, as appropriate. Such application shall be treated as a new application.*

Section 8.

- (1) *In addition to the duties otherwise specifically set forth in this Executive Order, the Director shall:*
- (2) *determine the amount of Allotment Dollars available on December 31 of each Year for allocation for Qualifying Carryforward Projects or Programs and allocate the Allotment Dollars available for Qualifying Carryforward Projects or Programs as provided in this Executive Order;*
- (3) *maintain a record of all applications filed by Issuing Authorities under Section 3 and Section 5 and all certificates of allocation issued under Section 4 and Section 5;*
- (4) *maintain a record of all Bonds or Certificates issued by Issuing Authorities during each Year;*
- (5) *maintain a record of all information filed by Issuing Authorities under this Executive Order;*
- (6) *make available upon reasonable request a certified copy of all or any part of the records maintained by the Department under this Executive Order or a summary thereof including information regarding the Volume Cap for each Year and any amounts available or at any time remaining available, for allocation under this Executive Order;*
- (7) *the Director shall serve as the State official designated under State law to make any certifications required to be made under the Code including, without limitation, the certification required by Section 149(e)(2)(F) of the Code; and*
- (8) *promulgate reasonable rules not inconsistent with this Executive Order deemed necessary or expedient to allocate the Volume Cap hereunder.*

Section 9.

If any provision of this Executive Order shall be held to be, or shall, in fact, be invalid, inoperative or unconstitutional, the defect of the provision shall not affect any other provision of this Executive Order or render it invalid, inoperative, or unenforceable. To the extent this Executive Order shall be held or shall, in fact, be invalid inoperative, or unconstitutional, all allocations of the Volume Cap previously made under this Executive Order shall be treated as allocations made by the Governor of the State in accordance with provisions of the State Law.

Section 10.

This Executive Order replaces Executive Order No 94-08, provided that such replacement shall not affect any allocations in the State made prior to the effective date hereof pursuant to any other Executive Orders or laws of the State.

Section 11.

The State pledges and agrees with the owners of any Bonds or Certificates to which an allocation of the Volume Cap has been granted under this Executive Order that the State will not retroactively alter the

allocation of the Volume Cap to such Bonds or Certificates.

Section 12.

No action taken pursuant to this Executive Order shall be deemed to create an obligation, debt or liability of the State or be deemed to constitute an approval of any obligation issued or to be issued hereunder.

Section 13.

The purpose of this Executive Order is to maximize the benefits of financing and development through the use of Bonds and Certificates providing a system for the implementation and administration of the formula specified in the State Law for allocating the Volume Cap within the meaning of Section 146 of the Code.

Section 14.

This Executive Order shall be effective immediately and shall continue in effect until such time as it may be repealed or superseded by operation of State or Federal law. Notwithstanding the foregoing, allocations for Qualifying Carryforward Projects or Programs pursuant to Section 5 hereof shall remain effective for the term of such allocation provided for in Section 146(f) of the Code.

NOW, THEREFORE, I, PHILIP E. BATT, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of this state do hereby order as follows:



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 20th day of January in the year of our Lord nineteen hundred ninety-eight and of the Independence of the United States of America the two hundred twenty-second and of the Statehood of Idaho the one hundred eighth.

PHILIP E. BATT
GOVERNOR

PETE T. CENARRUSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 98-02

**CONTINUING STATE OF IDAHO COMPREHENSIVE SAFETY AND LOSS CONTROL POLICY
REPEALING AND REPLACING EXECUTIVE ORDER NO. 95-13**

WHEREAS, it is in the best interest of state employees, the general public and efficient operation of state government to have a commitment to safety and loss control; and

WHEREAS, the State of Idaho endeavors to provide a safe and healthy working environment for state employees and to protect the public and public property from injury or damage; and

WHEREAS, an effective Safety and Loss Control Policy provides additional benefits of improved productivity, employee confidence, lower insurance costs and improved worker morale; and

WHEREAS, an effective Safety and Loss Control Policy requires full management commitment, cooperation and leadership at all levels of state government;

NOW, THEREFORE, I, PHILIP E. BATT, Governor of the State of Idaho, by the authority vested in me under the Constitution and Laws of this state, do hereby order as follows:

- 1. Each Department Director or other appointing authority will continue to develop, maintain, and monitor a systematic program of safety and loss control for each agency that will minimize the risk of injury or damage to: (a) the public employee, (b) the general public, (c) state property, (d) the ability of the agency to fulfill its mission and (e) the environment. The continued development, maintenance, and monitoring of a systematic program of safety and loss control should be a priority objective for each agency.*
- 2. Each Department Director or other appointing authority will continue to ensure that potential new state employees are appropriately screened, that new employees are systematically and fully trained in safe work practices and the use of all equipment that they are expected to operate, that safe work practices are followed by all employees on the job, that all equipment used is properly maintained and used for its intended purpose, that proper personal protective equipment is worn when needed and that adherence to safety practices is a criterion in employee and supervisor performance evaluations.*
- 3. Each Department Director or other appointing authority will continue to assume responsibility for reviewing loss reports and accidents involving bodily injury, or property or environmental damage, and to take corrective action to avoid future loss. Where appropriate, assistance from the agencies listed below should be requested to develop and implement appropriate corrective or preventive measures. Each Department Director or other appointing authority may delegate the authority to perform these duties to a safety officer or committee but shall remain responsible for the performance of the agency's safety and loss control program.*
- 4. All buildings owned or maintained by any state government agency or entity, or which are constructed or renovated specifically for use or occupancy by any such agency or entity shall conform to all existing state codes, including but not restricted to, the Idaho General Safety and Health Standards, the Uniform Building Code, the Uniform Mechanical Code and the Uniform Fire Code. If any conflict arises between applicable codes, the more stringent code shall take precedence. Prior to construction, or remodeling of buildings owned or maintained by the State of Idaho where appropriate, construction plans shall be reviewed and approved by the Division of Building Safety, the State Fire Marshal's Office, and the Permanent Building Fund Advisory Council.*

5. *The following agencies shall continue to assist state agencies by offering the following services:*
- a. *The Division of Building Safety shall inspect public buildings and places of employment, and enforce safety and sanitary conditions and practices.*
 - b. *The Office of the State Fire Marshal shall, through the local fire authorities, inspect public buildings and enforce fire and life safety provisions as contained within the Uniform Fire Code.*
 - c. *The State Insurance Fund shall assist in developing employee safety programs, through consultation with staff agency personnel, and provide detailed reports to agencies on their losses insured through the State Insurance Fund.*
 - d. *The Department of Administration, Bureau of Risk Management, shall, whenever needed or requested, assist agencies in developing their safety and loss control programs. The Department of Administration, Bureau of Risk Management, shall also assist agencies in obtaining other requested services in safety and/or loss control not mentioned above, including, but not limited to, general property and casualty loss control, and shall provide detailed reports to agencies on their losses insured through the Bureau of Risk Management.*
6. *A Statewide Safety and Loss Control Committee shall be comprised of the Administrator of the Division of Building Safety, the Manager of the State Insurance Fund, the State Fire Marshal, the Director of the Department of Administration (who shall serve as Chairman of the Committee), or their designees, and other state agencies as deemed necessary. The purpose of the Committee shall be to:*
- a. *Monitor and maintain a Statewide Safety and Loss Control Program model of a proactive nature supported by a system to track the progress of the program;*
 - b. *Develop strategies and standards to assist agencies with their safety programs;*
 - c. *Review statewide trends in losses and exposures and make cost-effective recommendations;*
 - d. *Aid in the coordination of the services available to maximize efficiency and reduce unnecessary duplication of inspections;*
 - e. *On behalf of the Governor, periodically review the safety and loss control programs of selected agencies and recommend changes to improve the effectiveness of the programs;*
 - f. *Make recommendations to the Governor and Legislature on improving safety and loss control for state government;*
 - g. *Convene and meet on a quarterly basis, or more frequently if necessary, to plan, implement and review the Statewide Safety and Loss Control Program; and*
 - h. *Perform other related duties as may be requested by the Governor.*

This Order repeals and replaces Executive Order No. 95-13.



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 the thirtieth day of January in the year of our Lord nineteen hundred ninety-eight and of the Independence of the United States of America the two hundred twenty-second and of the Statehood of Idaho the one hundred eighth.

PHILIP E. BATT
GOVERNOR

PETE T. CENARRUSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 98-03

**AUTHORIZING THE ESTABLISHMENT OF A 2002 WINTER GAMES
EXECUTIVE COMMITTEE**

WHEREAS, the Winter Olympic Games to be held in Salt Lake City, Utah in the year 2002 presents an opportunity to be a good neighbor to the host state, while strengthening the economic vitality of Idaho through increased development activity and visitations to the state; and

WHEREAS, it is important to enhance the quality of life of all Idahoans by promoting increased economic opportunity consistent with Idaho's heritage and values; and

WHEREAS, Idaho could gain world recognition and prestige by attracting favorable attention, leading to increased interest in and visitations to the state; and

WHEREAS, it is important for the citizens of Idaho to continue to develop social and cultural values with others; and

WHEREAS, the 2002 Winter Games Strategy, a plan to accomplish the foregoing has been developed; and

WHEREAS, it is important that Idaho have an official committee to coordinate activities relating to the 2002 Winter Olympic Games in Salt Lake City with entities and individuals both inside and outside Idaho;

NOW THEREFORE, I, PHILIP E. BATT, Governor of the State of Idaho, by virtue of the authority vested in me by law, do hereby establish the 2002 Winter Games Executive Committee. The Committee shall:

- 1. Oversee Idaho's implementation of the 2002 Winter Games Strategy.*
- 2. Serve as the official liaison for the State of Idaho with the International Olympic Committee, the Salt Lake City Olympic Organizing Committee, United States Olympic Committee, and other national Olympic committees, and sport federations.*
- 3. Interact with federal agencies according to the implementation of the Idaho 2002 Winter Games Strategy.*
- 4. Determine and develop economic, social, and cultural positive consequences.*
- 5. Serve as the official liaison for the State of Idaho for the encouragement of private businesses, state agencies, tribes, and committees that wish to be involved with Idaho's strategy for the 2002 Winter Games.*
- 6. Provide a work plan and budget to include possible revenue sources for implementation of the 2002 Winter Games Strategy.*
- 7. Amend, modify or alter Idaho's 2002 Winter Games Strategy, as necessary to meet changing circumstances, challenges and opportunities.*

The Committee shall have regular meetings as determined by the majority of the Committee and shall meet on special occasions upon the call of the chairpersons. Members of the Committee shall serve without compensation, but may be reimbursed for actual travel expenses not to exceed state guidelines.

The Committee shall consist of no more than 15 persons who are appointed by the Governor and serve at his pleasure. The membership of the Committee shall include the Lieutenant Governor of the State of Idaho who shall

serve as a co-chairman of the Committee, one member of the House of Representatives, one member of the Senate, the director of the Department of Commerce, and no more than 11 Idaho citizens who are knowledgeable and/or interested in the prosperity of Idaho. One of the 11 citizens shall also serve as co-chair with the Lieutenant Governor.



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 Twelfth day of February in the year of our Lord nineteen hundred ninety-eight and of the Independence of the United States of America the two hundred twenty-second and of the Statehood of Idaho the one hundred eighth.

PHILIP E. BATT
GOVERNOR

PETE T. CENARRUSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 98-04

MEMORIALIZING THE SERVICE OF SECRETARY OF STATE PETE T. CENARRUSA AND DEDICATING THE STATE BUILDING LOCATED AT BLOCK 102 BOISE CITY ORIGINAL TOWNSITE, ACCORDING TO THE PLAT THEREOF FILED IN BOOK 1 OF PLATS AT PAGE 1 RECORDS OF ADA COUNTY, IDAHO, IN HIS HONOR

WHEREAS, Pete T. Cenarrusa's career of public service as a teacher, marine naval aviator, legislator, Speaker of the Idaho House of Representatives, and Secretary of State has spanned more than sixty years; and

WHEREAS, he has been a constant innovator and leader in the Idaho sheep and agricultural industries; and

WHEREAS, he has been inducted into the Agriculture, Athletic, Republican, and Basque Halls of Fame; and

WHEREAS, his dedication to our state and our people are worthy of lasting recognition and to preserve his place in Idaho's distinguished history;

NOW, THEREFORE, I, PHILIP E. BATT, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of this state do hereby order that the State of Idaho Department of Health and Welfare building in the Capitol Mall area of the City of Boise be named in honor of Pete T. Cenarrusa and that a plaque commemorating his service to our state be placed therein.



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 first day of March in the year of our Lord nineteen hundred ninety-eight and of the Independence of the United States of America the two hundred twenty-second and of the Statehood of Idaho the one hundred eighth.

PHILIP E. BATT
GOVERNOR

PETE T. CENARRUSA
SECRETARY OF STATE

IDAPA 08 - IDAHO STATE BOARD OF EDUCATION

08.02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-9801

NOTICE OF PROPOSED RULE

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code notice is hereby given that this agency has proposed rule making. The action is authorized pursuant to Sections 33-107 and 33-1204, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rule making will be scheduled for:

**8:30 am on the 24th day of September, 1998
Student Union Building, Idaho State University
1065 S. 8th St., Pocatello, Idaho 83209**

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

DESCRIPTIVE SUMMARY: The following is a concise nontechnical statement of the substance and purpose of the proposed rule making:

The proposed rule would require that all new applicants for teacher certification must demonstrate a sufficient level of skill and knowledge in technology prior to certification. The proposed rule enumerates the tests and standards for assessment of the knowledge and skills and provides for review by the State Board of Education.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this proposed rule, contact Dr. Darrell Loosle at (208) 332-6810.

Anyone may submit written comments regarding this proposed rule. All written comments must be directed to Dr. Darrell Loosle and must be delivered on or before May 27, 1998.

DATED this 25th day of March, 1998.

Kevin D. Satterlee, Deputy Attorney General
Chief Legal Officer
Idaho State Board of Education
650 West State St.
P.O. Box 83720
Boise, Idaho 83720-0036
Phone: (208)334-2270
Fax: (208)334-2632

TEXT OF DOCKET NO. 08-0202-9801

002. -- 0094. (RESERVED).

005. PRESERVICE TECHNOLOGY STANDARDS.

The proliferation of technology in our daily lives makes it essential that all students are provided an opportunity to become technologically literate. The State Board of Education has established a statewide goal that teachers and administrators be trained in the use of technology for education. ()

01. Preservice Competency. Effective September 1999, all applicants for initial Idaho certification

(Kindergarten through grade 12) from an Idaho approved teacher education program must demonstrate beginning technology skills by passing a basic educational technology competency assessment. ()

02. Assessment Methods. Preservice educators will be able to use the Idaho Technology Competency Exam, the Idaho Technology Portfolio Assessment, or another process which meets the express approval of the State Board of Education to demonstrate the required basic technology standards. ()

03. Standards. The technology standards shall be based on the International Society for Technology in Education (ISTE) foundational standards. The assessments shall include the Idaho Technology Competency Exam, the Idaho Technology Portfolio Assessment or another process which meets the express approval of the State Board of Education. ()

006. -- 009. (RESERVED).

IDAPA 11 - DEPARTMENT OF LAW ENFORCEMENT
11.04.01 - RULES GOVERNING HORSE RACING
DOCKET NO. 11-0401-9804
NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective January 27, 1998.

AUTHORITY: In compliance with Section 67-5221(1), and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules, and proposed regular rule-making procedures have been initiated. The action is authorized pursuant to Section 54-2506, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than June 20, 1998.

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

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

The proposed rule change will give occupational license applicants the option to purchase a three (3) year license.

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

Protection of the public health safety, or welfare and compliance with deadlines in amendments to governing law or federal programs.

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rule-making was not conducted because an open Commission Meeting was held on January 27, 1998 for discussion and voted on by the Commission.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the pending rule, contact Eugene O. "Jack" Baker, telephone (208) 884-7080.

Anyone may submit written comments regarding this temporary and proposed rule-making. All written comments must be directed to the undersigned and must be delivered on or before June 27, 1998.

DATED this 30th day of March, 1998.

Eugene O. "Jack" Baker
Executive Director
Idaho State Racing Commission
P.O. Box 700
Meridian, ID 83680-0700
(208) 884-7050
(208) 884-7090 (FAX)

TEXT OF DOCKET NO. 11-0401-9804

~~001.---003.~~ **(RESERVED).**

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 11.04.01, Rules Governing Horse Racing, IDAPA 11, Title 04, Chapter 01. (1-27-98)T

02. Scope. All aspects of occupational licensing are addressed in these rules. This includes licensing for any person who takes part in or officiates in any way or serves in any capacity at any licensed race meet. (1-27-98)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(16)(b)(iv), Idaho Code, this agency has written statements which pertain to the interpretation of the rules of this chapter, or to the documentation of compliance with the rules of this chapter. the document is available for public inspection and copying at cost at the Idaho State Racing Commission, 700 South Stratford Drive, P.O. Box 700, Meridian, Idaho, 83642. (1-27-98)T

003. ADMINISTRATIVE APPEALS.

This chapter does not provide for appeal of the administrative appeals. (1-27-98)T

(BREAK IN CONTINUITY OF SECTIONS)

040. **LICENSES.**

01. Names of Proposed Officials. Thirty (30) days prior to the first day of a race meeting the licensee shall submit in writing to the Commission all names and personal data of proposed officials for processing for licensing. No official shall act until approved by the Commission. A Commission representative at the track will process substitutions. The required form will be provided by the Commission. (7-1-93)

02. Officials. Officials of a race meeting may include, but are not limited to, the following: Secretary, Stewards, Placing Judges, Patrol Judges, Paddock Judge, Starters, Mutuel Managers and Track Veterinarian. To avoid undue hardship the Commission may authorize Associations to allow officials other than Stewards to act in dual capacities. Stewards may act as Placing Judges and Timer. The Commission may require that additional officials be present at meets. (7-1-93)

03. Restrictions of Officials. A racing official appointed, or whose appointment is approved by the Commission, shall not, directly or indirectly, for a commission or gratuity or otherwise, sell or buy at private sale for himself or another any thoroughbred, purebred and/or registered horse or own any interest in a horse at a race meet where such person is an official; nor shall the official, directly or indirectly, buy or sell any contract upon any Jockey or apprentice for himself or another; nor shall the official write or solicit horse insurance. (7-1-93)

04. Age. No person under sixteen (16) years of age shall be employed or licensed in or about the track of an Association. (7-1-93)

05. Personnel Registered. The personnel of every stable and changes thereof shall be registered by the owner and/or Trainer with the Racing Commission. (7-1-93)

06. Age, Other. No person under eighteen (18) years of age will be licensed in any capacity unless properly endorsed by their parent or guardian, who assumes complete responsibility and liability for the acts of such minor and verifies the information contained in said minor's application. (7-1-93)

07. Registration with Racing Commission. Any person acting in an official capacity or any person

employed on a race track shall register with and be licensed by the Idaho State Racing Commission. (7-1-93)

08. Duplicate Licenses. In the event of the loss of a license, the Commission may issue a duplicate, the fee for which shall be five dollars (\$5). (7-1-93)

09. ~~Duration of License. Every license shall be for not more than one (1) year and shall expire on December 31 of each year. Applicants Will Have the Option of A One (1) or Three (3) Year License. All licenses issued shall expire on December 31. The license fee for a one (1) year license shall be the annual fee for each category in which the person is licensed. The license fee for a three (3) year license shall be the annual fee for each category in which the person is licensed multiplied by three (3) years.~~ (7-1-93)(1-27-98)T

10. Temporary. All licenses are temporary when issued and subject to final approval by the Commission. (7-1-93)

11. Deny or Revoke. The Commission may deny or revoke a license to any person who shall have been refused a license by any other jurisdiction. (11-1-97)T

12. License Mandatory. It shall be unlawful for any person to take part in or officiate in any way or to serve in any capacity at any licensed race meet without first having secured a license. (7-1-93)

13. Finger Prints - Photograph. Every person holding a license to conduct pari-mutuel wagering in this State, and every person who is a member of an Association or Corporation holding such a license, and every person who is an officer or director of an Association or Corporation which holds such a license in any capacity connected to any extent with the pari-mutuel wagering business in this State, and all owners, Trainers, Jockeys, apprentices, grooms, exercise persons, managers, agents, platers, Veterinarians and like persons who actively participate in the racing activities of any such license holders, shall furnish the Commission on demand for its files his fingerprints and photograph, which fingerprints and photograph shall be taken at such time and places and in such manner as the Commission may from time to time direct and prescribe. (7-1-93)

14. No Dual Licenses. No dual licenses will be issued if, in the opinion of the Stewards or the Commission, there is a conflict of interest in holding more than one (1) license. (7-1-93)

15. License Application Forms. All applications for license to participate in racing shall be made to the Commission on forms supplied by the Commission. (7-1-93)

16. Submission of Applications. Applications for license filed by owners, Trainers, Jockeys, Jockey apprentices and agents must be submitted to the Board of Stewards. (7-1-93)

17. Approval. All applications for such licenses must be approved by the Board of Stewards before action will be taken by the Commission. (7-1-93)

18. Board of Stewards - Qualifications. Before approving an application for a license, it shall be the duty of the Board of Stewards individually and/or collectively to ascertain if the applicant is qualified as to ability, integrity and right to the license applied for. (7-1-93)

19. Appearance Before the Board of Stewards. In considering each application for a license the Board of Stewards may require the applicant, as well as his endorsers, to appear before them and show that said applicant is qualified to receive the license requested. Ability as well as integrity must be clearly shown by the applicant in order to receive recommendation for the granting of the license. (7-1-93)

20. Credentials. Any licensee who harbors anyone not so provided with credentials shall be immediately reported to the Stewards of the meeting so that they may make investigation thereof and report the fact to the Commission. (7-1-93)

21. Suspension. Any Racing Association, owner, Trainer or other licensee licensed by the Commission who shall employ an exercise person, groom or other employee who is not licensed by the Commission shall be subject to suspension, fine or both. The extent of said suspension, fine or both, to be determined by the Board of

Stewards. (7-1-93)

22. Additions Reported. All additions made to or changes in the list of employees of any Association must be reported promptly to the Commission in writing. (7-1-93)

23. Fee. Every Association conducting a race meet shall pay a fee of twenty-five dollars (\$25) for each day of racing, except as otherwise provided in 54, Chapter 25, Idaho Code. All other licensees shall pay annual fees set by the Commission. (7-1-93)

24. Registration. Each stable name must be duly registered with the Commission: (7-1-93)

a. The annual fee shall be specified by the Commission. (7-1-93)

b. In applying to race under a stable name, the applicant must disclose the identity or identities of the ownership interests involved. If a partnership or corporation is involved, the Rules governing partnerships or corporations must be complied with. (7-1-93)

c. Changes in identities must be reported immediately to and approval obtained from the Commission. (7-1-93)

d. A Trainer who is licensed owner or part owner may use a stable name as owner or part owner. However, no Trainer may be licensed as a Trainer other than in his legal name. (7-1-93)

e. Any person who has been registered under a stable name may at anytime cancel the registration after written notice to and approval of the Idaho State Racing Commission has been obtained. (7-1-93)

f. A stable name may be changed at anytime by registering a new stable name and by paying a fee as required above. (7-1-93)

g. A person cannot register a stable name which has been registered by any other person with an Association conducting a recognized meeting, or the Jockey Club (N.Y.) or with another racing authority. (7-1-93)

h. A person may not register as a stable name one which is the real name of any owner of race horses nor one which is the real or assumed name of any prominent person not owning race horses. (7-1-93)

i. A stable name shall be plainly distinguishable from that of other duly registered stable names. (7-1-93)

j. No more than one (1) stable name may be registered under the same name. The Commission may reject any name which is misleading to the public or unbecoming to the sport. (7-1-93)

k. All persons interested in a stable or operating thereunder, whether incorporated or not, shall be liable for all entry fees and penalties against the stable. If one of such persons is suspended or refused a license, all the horses in such stable may be excluded from racing. (7-1-93)

25. Interest. All partnerships and the name and address of every individual having any interest in a horse, the relative proportions of such interest and the terms of any sale with contingencies of any lease or of any arrangement, must be signed by all the parties or by their authorized agents and be lodged at the office of the Board of Stewards before any horse which is a joint property or which is sold with contingencies or is leased can start in any race and all the partners, and each of them, shall be jointly and severally liable for all stakes and obligations. All statements of partnerships, of sales with contingencies, of leases or of arrangements, shall declare to whom winnings are payable (which must be the name of the nominator), in whose name the horse will run and with whom rests the power of entry or of declaration of forfeit. (7-1-93)

26. Emergencies. In case of emergency, authority to sign declarations of partnership may be given to the Board of Stewards by telegram promptly confirmed in writing. (7-1-93)

27. Part Owners. A part owner of any horse cannot assign his share or any part of it without the written consent of the other partners. This consent to be lodged with the Board of Stewards. (7-1-93)

28. Refusal. The Commission or its designate may refuse to issue a license and may revoke any license already issued to any person; (7-1-93)

a. Who has been convicted of any felony and whose civil rights have not yet been restored pursuant to Section 18-310(2), Idaho Code. (7-1-93)

b. Who is on probation, or parole for a conviction or withheld judgement for any felony. (7-1-93)

c. Who has made any material misrepresentation or false statement to the Commission or its agents in his application for license or otherwise, or who fails to answer any material question on any application for a license. (7-1-93)

d. Who is unqualified by age, skill, knowledge or ability to engage in the activities for which a license is required. (7-1-93)

e. Who fails to disclose the true ownership or interest in any or all horses as required by any application. (7-1-93)

f. Who is subject to exclusion or ejection from the racing enclosure or is within the classes of persons prohibited from participating in pari-mutuel wagering. (7-1-93)

g. Who has committed an act or acts demonstrating financial instability, intemperate habits or has a bad reputation for truth, honesty and integrity, or other similar conduct contrary to the best interest of racing. (7-1-93)

h. Who has been convicted of possession, use or sale of any narcotic, dangerous drug or marijuana if such conviction was a misdemeanor, within two (2) years prior to the date of making application for any license. (7-1-93)

i. Who is on probation or parole for a conviction or withheld judgement for misdemeanor possession, use or sale of any narcotic, dangerous drug or marijuana. (7-1-93)

j. Who is not permitted by law or statute to engage in the occupation for which the license is sought. (7-1-93)

k. Who has violated or who aids or abets or conspires with any person to violate any provision of the Rules or of Sections 54-2501 through 54-2516, Idaho Code. (7-1-93)

29. License Granted Upon Conditions. Every license to hold a meeting is granted upon the condition that the licensee shall accept, observe and enforce the Rules Governing Horse Racing. Furthermore, it shall be the duty of each and every officer to observe and enforce the Rules. The Commission may require background investigations, fingerprints and photographs of Association officers, stockholders or employees and of any license official. (7-1-93)

30. Applications for Succeeding Season. Applications for a license to conduct a race meeting during the next succeeding season must be filed with the Commission over the signature of an executive officer of the Association. The Commission shall set the application date. (7-1-93)

31. Racing Dates. Application for racing dates shall not commit the Commission to the granting of a license to conduct race meetings upon the dates requested. (7-1-93)

32. Refusal to Issue. The Commission may refuse to issue a license to conduct a race meeting when such refusal appears to be for the best interest of racing and of the public. The Commission will, in deciding upon applications for licenses, consider the following matters: (7-1-93)

- a. The opportunity for the sport to properly develop. (7-1-93)
 - b. The avoidance of competition with established tracks in Idaho. (7-1-93)
 - c. The extent of community support for the promotion and continuance of the tracks. (7-1-93)
 - d. The character and reputation of the persons identified with the undertaking. (7-1-93)
 - e. The general conditions and safety of the facilities. (7-1-93)
33. Not Transferable. No license or any part thereof shall be transferable or assignable without the consent of the Commission and said license shall not be valid for any racing days other than those set out therein. (7-1-93)
34. Laws and Rules. The Laws of Idaho and the rules promulgated the by Commission supersede the conditions of race or the regulations of a race meeting. (7-1-93)

IDAPA 11 - DEPARTMENT OF LAW ENFORCEMENT

**11.11.01 - RULES OF THE IDAHO PEACE OFFICER
STANDARDS AND TRAINING COUNCIL**

DOCKET NO. 11-1101-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1999 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1999, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 19-5107, Idaho Code.

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

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-12, pages 19 through 26.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Michael N. Becar at (208) 884-7250.

DATED this 18th day of March, 1998.

Michael N. Becar
Executive Director
Department of Law Enforcement
Peace Officer Standards and Training Council
700 South Stratford Drive
P.O. Box 700
Meridian, ID 83680-0700
(208) 884-7250 / (208) 884-7295 (FAX)

**IDAPA 11
TITLE 11
Chapter 01**

RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

**There are no substantive changes
from the proposed rule text.**

**The original text of Docket No. 11-1101-9701 was published in the Idaho
Administrative Bulletin, Volume 97-12, December 3, 1997,
pages 19 through 26.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1999 Idaho State Legislature for final adoption.**

IDAPA 11 - DEPARTMENT OF LAW ENFORCEMENT

**11.11.01 - RULES OF THE IDAHO PEACE OFFICER
STANDARDS AND TRAINING COUNCIL**

DOCKET NO. 11-1101-9702

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1999 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1999, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 19-5107, Idaho Code.

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

Pursuant to Senate Concurrent Resolution No. 133, Section 091 concerning the law enforcement code of conduct has not been extended beyond the end of the session. Therefore the text of Section 091 reverts back to the original final rule text. Section 091 is being promulgated as a new temporary and proposed rule under Docket Number 11-1101-9801 which is published in this bulletin. There are no other changes to the proposed text.

Because Section 091 is reverting back to the original text it is not being republished in this bulletin. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-12, December 3, 1997, pages 27 through 47.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Michael N. Becar at (208) 884-7250.

DATED this 18th day of March, 1998.

Michael N. Becar, Executive Director
Department of Law Enforcement
Peace Officer Standards and Training Council
700 South Stratford Drive
P.O. Box 700, Meridian, ID 83680-0700
(208) 884-7250 / (208) 884-7295 (FAX)

**IDAPA 11
TITLE 11
Chapter 01**

RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

**The final rule text of Section 091 can be found in Volume 2 of the
1997 Idaho Administrative Code on pages 261 and 262.**

**The original text of Docket No. 11-1101-9702 was published in the Idaho Administrative
Bulletin, Volume 97-12, December 3, 1997, pages 27 through 47.**

**This rule has been adopted as Final by the Agency and is now pending review by the
1999 Idaho State Legislature for final adoption.**

IDAPA 11 - DEPARTMENT OF LAW ENFORCEMENT

**11.11.01 - RULES OF THE IDAHO PEACE OFFICER
STANDARDS AND TRAINING COUNCIL**

DOCKET NO. 11-1101-9703

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1999 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1999, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 19-5107, Idaho Code.

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

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-12, pages 48 through 53.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Michael N. Becar at (208) 884-7250.

DATED this 18th day of March, 1998.

Michael N. Becar, Executive Director
Department of Law Enforcement
Peace Officer Standards and Training
700 South Stratford Drive
P.O. Box 700, Meridian, ID 83680-0700
(208) 884-7250 / (208) 884-7295 (FAX)

**IDAPA 11
TITLE 11
Chapter 01**

RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

**There are no substantive changes
from the proposed rule text.**

**The original text of Docket No. 11-1101-9703 was published in the Idaho
Administrative Bulletin, Volume 97-12, December 3, 1997,
pages 48 through 53.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1999 Idaho State Legislature for final adoption.**

IDAPA 11 - DEPARTMENT OF LAW ENFORCEMENT

**11.11.01 - RULES OF THE IDAHO PEACE OFFICER
STANDARDS AND TRAINING COUNCIL**

DOCKET NO. 11-1101-9801

NOTICE OF TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: These temporary rules are effective October 21, 1997.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules, and proposed regular rule-making procedures have been initiated. The action is authorized pursuant to Section(s) 19-5107, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1998.

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

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

In response to recently passed legislation, the proposed rules establish the criteria for the decertification of law enforcement officers. There is a provision to allow officers to maintain their certifications by working a minimum of one hundred twenty (120) hours per year, and another provision to allow officers who have not had a break in service but are returning to Idaho after working in law enforcement in other states to complete a simpler challenge procedure.

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

Protection of the public health, safety, or welfare; and compliance with deadlines in amendments to governing law.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Michael N. Becar at (208) 884-7250.

Anyone may submit written comments regarding this temporary and proposed rule-making. All written comments must be directed to the undersigned and must be delivered on or before May 27, 1998.

DATED this 18th day of March, 1998

Michael N. Becar
Executive Director
Department of Law Enforcement
Peace Officer Standards and Training
700 South Stratford Drive
PO Box 700
Meridian, ID 83680-0700
(208) 884-7250 / (208) 884-7295 (FAX)

TEXT OF DOCKET NO. 11-1101-9801

091. INTRODUCTION.

01. Certificates and Awards. Certificates and awards may be presented by the Council for the purpose of recognizing or raising the level of competence of law enforcement and to foster cooperation among the Council, agencies, groups, organizations, jurisdictions, and individuals. (3-20-97)

02. Property. Certificates and awards remain the property of the Council and are only valid as long as the officer is commissioned as an Idaho peace officer. ~~The Council shall have the power to cancel, recall, or revoke any certificate or award upon reasonable cause as determined by the Council.~~ (7-1-93)(10-21-97)T

~~03. Decertification. The Council may revoke the certification of any peace officer after written notice and hearing, based upon a finding that the officer falsified any information required to obtain certification or has been or should have been, discharged for reasonable cause from employment as a peace officer; decertify any officer who pleads guilty or is found guilty, regardless of the form of judgment or withheld judgment, of any felony or offense which would be a felony if committed in this state; any misdemeanor; any unlawful use, possession, sale, or delivery of any controlled substance; or who willfully or otherwise falsifies or omits any information to obtain any certified status; or who violates any of the standards of conduct as established by the council's code of conduct, as adopted and amended by the council.~~ (7-1-93)(10-21-97)T

04. Law Enforcement Code of Conduct. As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality, and justice. I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. In furtherance of these duties, I hereby adopt and accept the following code of conduct: (10-21-97)T

a. I shall conduct myself at all times in a manner that does not damage or have the likely result of damaging or bringing the public image, integrity, or reputation of my department or myself into discredit or disrepute. (10-21-97)T

b. I shall not possess or consume alcoholic beverages on duty or while in uniform on duty or off duty, except as expressly required for the lawful performance of my duties. Nor shall I unlawfully possess, sell, consume, use or assist in the use of any illegal or unauthorized drugs or medications on duty or off duty. (10-21-97)T

c. I shall not engage in any illegal or unlawful harassment or intimidation of another, nor shall I permit personal prejudices, political beliefs, animosities, or friendships to influence my decisions. (10-21-97)T

d. I shall not lie, give misleading information, or falsify written or verbal communications in official reports or in their actions with another person or organization when it is reasonable to expect that such information may be relied upon because of my position or affiliation with my department. (10-21-97)T

e. I shall willfully observe and obey the lawful verbal and written rules, duties, policies, procedures, and practices of my department. I shall also subordinate my personal preferences and work priorities to the lawful verbal and written rules, duties, policies, procedures and practices of my department, as well as to the lawful orders and directives of supervisors and superior command personnel of my department. I shall willfully perform all lawful duties and tasks assigned by supervisory and/or superior-ranked personnel. Direct, tacit, or constructive refusal to do so is insubordination. (10-21-97)T

f. I shall obey the constitutional, criminal and civil laws of the city, county, state, and federal government. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. (10-21-97)T

~~b05.~~ Lapse of Certification. The certification of any peace officer shall be considered lapsed if the officer does not serve as a peace officer in Idaho for three (3) consecutive years. Provided, however, that those persons once POST certified who remain in active law enforcement in Idaho shall retain their POST certification for purposes of compliance with this rule. The person must work at least one hundred twenty (120) hours active law enforcement per year. This shall include administrative, jail, or civil division duty assignments in law enforcement agencies as defined in Section 19-5101(d), Idaho Code. Provided further that those persons once POST certified in Idaho who remain in full-time, active law enforcement outside the state of Idaho, without a break in full-time law enforcement, and who successfully complete Idaho POST Academy Law Week may petition the Executive Director for recertification. The Executive Director shall have the discretion to grant or deny the petition or may refer the petition to the Council.

~~(3-20-97)(10-21-97)T~~

~~ea.~~ A peace officer who has been out of full-time law enforcement status from three (3) to five (5) years and who wants to be recertified must meet the following POST requirements: attend an approved course of study in Idaho law and pass the POST Idaho law exam, pass the POST patrol certification examination, qualify on the POST firearms course, pass the POST fitness test, and satisfy the probationary period requirement of Section 062.

~~(3-20-97)(10-21-97)T~~

~~eb.~~ A peace officer who has been out of full-time law enforcement status for over five (5) years must attend the POST Basic Patrol Academy to be recertified. The Council may waive this requirement on a showing of good cause by the officer supported by clear and convincing evidence that during a substantial part of the preceding five (5) years, the officer was engaged in an occupation requiring law enforcement training, skill, and experience. Upon receiving a waiver, the officer must meet the following POST requirements: attend an approved course of study in Idaho law and pass the POST Idaho law exam, pass the POST patrol certification examination, qualify on the POST firearms course, pass the POST fitness test, and satisfy the probationary period requirement of Section 062.

~~(3-20-97)(10-21-97)T~~

~~ec.~~ The provisions of Subsections 091.04~~5~~ and 091.05.a shall not apply to officers holding a part-time basic certificate who are employed at least one hundred twenty (120) hours per year within the law enforcement profession.

~~(3-20-97)(10-21-97)T~~

~~ed.~~ A peace officer who has been out of full-time law enforcement status for over eight (8) years must attend the POST Basic Patrol Academy to be recertified. No waiver of this requirement shall be granted by the Council.

~~(3-20-97)(10-21-97)T~~

~~036.~~ Forms. Basic, Part-Time Basic, Intermediate, Supervisory, Advanced, Master, Management, and Executive Certificates are established for the purpose of fostering professionalism, education, and experience necessary to perform adequately the duties of law enforcement.

~~(3-20-97)~~

IDAPA 13 - IDAHO FISH AND GAME COMMISSION

13.01.04 - RULES GOVERNING LICENSING

DOCKET NO. 13-0104-9803

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective March 30, 1998.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 36-104(b).

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1997.

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

DESCRIPTIVE SUMMARY: The following is the is a nontechnical explanation of the substance and purpose of the proposed rule-making:

Set landowner preference seasons and permit levels for 1998.

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

Confers a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact John Beecham at 208-334-2920.

Anyone may submit written comments regarding this proposed rule-making. All written comments must be directed to the undersigned and must be delivered on or before May 27, 1998.

DATED this 25th day of March 1998.

W. Dallas Burkhalter
Deputy Attorney General
Idaho Department of Fish and Game
600 South Walnut
PO Box 25
Boise, ID 83707
208-334-3715/FAX: 208-334-3148

TEXT OF DOCKET NO. 13-0104-9803

400. LANDOWNER PREFERENCE PERMITS.

01. Eligible Applicants. Eligible applicants must be registered with the Department and are limited to landowners or their immediate family members, lessees or their immediate family members, or authorized corporate, or partnership representatives or their immediate family members. (5-15-95)

02. Restrictions. No person shall lease or subdivide property for the purpose of making another person

eligible for a landowner preference permit. (7-1-93)

03. Hunt Units. Landowner Preference Permits shall be issued only for those controlled hunt units designated by the Director as eligible for such permits. These hunts shall occur only where there is no general rifle hunt. (7-1-93)

04. Applications. Applications for landowner preference permits shall be on a form prescribed by the Department. Applicants must be registered with the Department and shall sign the application. (5-15-95)

a. The application shall include the applicant's hunting or combination license number. (5-15-95)

b. Applications will be accepted on or after July 15 of each year. Applications received at the Headquarters Office of the Idaho Department of Fish and Game or postmarked not later than August 15 of each year will be randomly drawn. Any permits left after the drawing will be issued on a first come-first served basis. (5-15-95)

05. Property and Applicant Registration. (5-15-95)

a. Prior to any eligible applicant applying for a Landowner Preference permit, the qualifying property and eligible applicant must be registered with the Department. Registering landowners must notify the Department of any changes in property or applicant eligibility. (5-15-95)

b. Registration of property and eligible applicant must be on a form prescribed by the Department. The landowner must submit the registration form and a copy of the deed(s), or the most recent tax assessment(s), describing the eligible property showing the name(s) of the owner(s) to the Department regional office. Department personnel will certify the registration and land description and return a copy to the landowner. (5-15-95)

c. If the Person registering is an authorized corporate or partnership representative or an immediate family member, he shall submit with his registration written verification from the board of directors, partnership, or an officer of the corporation, other than himself, verifying that he is authorized to register the property and eligible applicants. (5-15-95)

06. Issuance of Permits. (7-1-93)

a. Once the Department has determined the number of controlled hunt permits to be issued in any controlled hunt unit, an additional ten percent (10%) of the number of controlled hunt permits MAY be issued as Landowner Preference Permits, EXCEPT in controlled Deer Hunt Areas 45-1, 45-3 and 45-4, and Elk Hunt Areas 40-1, 40-2, 40-3, and 40-4, ~~45-2, 45-3, 45-4, and 45-5~~ an additional twenty-five percent (25%) of the number of controlled hunt permits MAY be so issued. ~~(3-21-97)T~~(3-20-98)T

b. Where the number of landowner preference applicants exceeds the number of landowner preference permits available in a unit, successful applicants will be determined by drawing. (7-1-93)

c. Only one (1) landowner preference permit may be issued to an eligible applicant. (7-1-93)

d. Only one (1) landowner preference permit may be issued for eligible property consisting of between six hundred forty (640) and four thousand nine hundred ninety-nine (4,999) acres. However, one (1) additional permit may be issued to a family member for eligible property in excess of five thousand (5,000) acres. No family member is eligible to receive more than one (1) permit for one (1) species in a calendar year. (3-21-97)T

e. If more than one (1) application is received for eligible property consisting of from six hundred forty (640) to four thousand nine hundred ninety-nine (4,999) acres, all applications will be disqualified. If more than two (2) applications are received for eligible property consisting of five thousand (5,000) acres or more, all applications will be disqualified. (3-21-97)T

07. Application of Controlled Hunt Restrictions. (7-1-93)

a. The restriction that applying for a moose, bighorn sheep, or mountain goat controlled hunt makes

the applicant ineligible to apply for any other controlled hunt shall not apply to persons who are otherwise eligible to apply for a landowner preference permit. (7-1-93)

b. Landowner preference permits sold to non-residents shall not be considered as part of the non-resident quota. (7-1-93)

08. Special Restrictions. Any person hunting with a landowner preference permit shall hunt only within the boundaries described in the hunt area designated by the Director. Only valid, current-year deer, elk, or antelope tags may be used in conjunction with a landowner preference permit. No person shall kill more than one (1) deer, elk or antelope during a calendar year EXCEPT: (7-1-93)

a. In designated controlled depredation hunts, one (1) additional deer, elk or antelope may be taken by persons holding permit/tags for those hunts; or (7-1-93)

b. In extra tag hunts, one (1) additional deer, elk or antelope may be taken by persons holding tags for those hunts. (3-21-97)T

c. In no event shall any person take more than two (2) deer, elk or antelope during a calendar year or more than one (1) deer, elk or antelope per day. (7-1-93)

09. Depredation Hunts. The requirement that eligible property consist of at least six hundred forty (640) acres shall not apply in the case of a depredation hunt. A single landowner preference permit may be issued to a landowner, lessee, authorized corporate representative or a member of their immediate families where, under existing guidelines: (3-21-97)T

a. The Department has verified that depredation is occurring on property owned or controlled by such individuals; and (7-1-93)

b. The Director has ordered a depredation hunt for the area in which the property is located. (7-1-93)

401. DEER LANDOWNER PREFERENCE SEASONS.

01. Antlered Deer. (~~3-21-97~~)T(3-20-98)T

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
1500	Nov 10-Nov 24		Antlered	44	40
15010	Oct 5-Nov 9 Oct 25		Antlered	44-1	20
15021	Oct 5-Oct 29 25		Antlered	45-1	20 15
15032	Oct 5-Oct 29 25		Antlered	47-1	9
15043	Oct 5-Oct 29 25		Antlered	52-1	8
15054	Oct 45-Oct 29 25		Antlered	54-1	75
15065	Oct 45-Oct 29 25		Antlered	55-2	50
15076	Oct 5-Oct 29 25		Antlered	57-1	11

02. Antlerless Deer. (~~3-21-97~~)T(3-20-98)T

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
15087	Oct 5-Nov 9		Antlerless	44-3	80
15098	Oct 18 25 -Nov 9		Antlerless	45-3	150
1510	Oct 5-Oct 19		Antlerless	54-3	50

03. Muzzleloader Deer. (3-21-97)F(3-20-98)T

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
154409	Oct 5-Oct 29 25		Antlered Only	45-4	4

402. ELK LANDOWNER PREFERENCE SEASONS.

01. Antlered Elk. (3-21-97)F(3-20-98)T

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2501	Oct 10-Nov 3		Antlered	11-1	5
2502	Oct 10-Nov 3		Antlered	18-1	13
2502	Oct 1-Oct 24		Antlered	29-1	15
2503	Oct 1-Oct 24		Antlered	30-1	8
2504	Oct 1-Oct 24		Antlered	30A-1	5
2505	Oct 15-Nov 8		Antlered	31-1	10
2506	Oct 1-Oct 24		Antlered	36A-1	10
2507	Oct 1-Oct 24		Antlered	36A-2	13
2508	Oct 1-Oct 24		Antlered	37A	8
2509	Oct 1-Oct 24		Antlered	37A-1	8
25403	Oct 15-Nov 24		Antlered	40-1	5
254404	Oct 15-Nov 24		Antlered	40-2	5
2512	Oct 15-Nov 3		Antlered	43-2	30
2513	Nov 4-Nov 24		Antlered	43-3	20
2514	Oct 15-Nov 8		Antlered	44-2	10
2515	Oct 15-Nov 8	†	Antlered	45-2	13
2516	Oct 15-Nov 8		Antlered	48-2	3
2517	Oct 15-Nov 8		Antlered	48-3	10

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2518	Oct 15-Nov 8		Antlered	49-2	25
2519	Oct 1-Oct 24		Antlered	50-1	13
2520	Oct 15-Nov 8		Antlered	56-1	1
2521	Nov 1-Nov 30		Antlered	60A-1	4
2522	Oct 26-Nov 9		Antlered	66A-1	20
2523	Sep 16-Oct 4		Antlered	68-1	5
2524	Oct 26-Nov 9		Antlered	70-1	3
2525	Oct 26-Nov 9		Antlered	71-1	3
2526	Oct 26-Nov 9		Antlered	73-2	5
2527	Oct 26-Nov 9		Antlered	73-3	3
2528	Oct 26-Nov 9		Antlered	74-1	5
2529	Oct 26-Nov 9		Antlered	76-1	20
2530	Oct 26-Nov 9		Antlered	76-3	13
2531	Oct 26-Nov 9		Antlered	76-3	15

02. Antlerless Elk.

(3-21-97)T(3-20-98)T

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Elk	Controlled Hunt Area	Number Of Permits
253205	Oct 20-Nov 13		Antlerless	11-2	5
253306	Oct 10-Nov 3	1	Antlerless	13-1	8
<u>2507</u>	<u>Oct 20-Nov 13</u>		<u>Antlerless</u>	<u>18-2</u>	<u>13</u>
2534	Nov 10-Dec 9		Antlerless	29-2	20
2535	Nov 10-Dec 9		Antlerless	30-2	15
2536	Nov 10-Dec 9		Antlerless	30A-2	8
2537	Sep 25-Oct 14		Antlerless	31-2	20
2538	Oct 15-Nov 9		Antlerless	31-3	20
2539	Nov 10-Dec 9		Antlerless	36A-3	15
2540	Nov 10-Dec 9		Antlerless	36A-4	25
2541	Nov 10-Dec 9		Antlerless	37-2	13
2542	Nov 10-Dec 9		Antlerless	37A-2	15
<u>254308</u>	Oct 15-Nov 24		Antlerless	40-3	25
<u>254409</u>	Oct 15-Nov 24		Antlerless	40-4	32

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Elk	Controlled Hunt Area	Number Of Permits
2545	Oct 15-Oct 29		Antlerless	43-4	20
2546	Oct 30-Nov 12		Antlerless	43-5	35
2547	Nov 13-Nov 24		Antlerless	43-6	35
2548	Oct 15-Nov 8		Antlerless	44-3	30
2549	Oct 15-Nov 8	†	Antlerless	45-3	25
2550	Oct 15-Nov 8		Antlerless	48-4	20
2551	Oct 15-Nov 8		Antlerless	48-5	25
2552	Oct 15-Nov 3		Antlerless	49-3	30
2553	Nov 4-Nov 24		Antlerless	49-4	20
2554	Oct 15-Nov 15		Antlerless	50-2	30
2555	Nov 1-Dec 17		Antlerless	50-3	30
2556	Dec 10-Dec 31		Antlerless	50-4	5
2557	Oct 15-Nov 24		Antlerless	53-1	25
2558	Sep 16-Oct 14		Antlerless	56-2	4
2559	Nov 1-Nov 30		Antlerless	56-3	4
2560	Nov 1-Nov 30		Antlerless	60A-2	30
2561	Aug 1-Dec 31		Antlerless	63-1	30
2562	Oct 26-Nov 10		Antlerless	66A-1	30
2563	Sep 16-Oct 14		Antlerless	68-2	20
2564	Oct 26-Nov 9		Antlerless	70-2	10
2565	Oct 26-Nov 9		Antlerless	71-2	15
2566	Nov 10-Nov 24		Antlerless	72-2	20
2567	Oct 26-Nov 9		Antlerless	73-4	5
2568	Oct 26-Nov 9		Antlerless	73-5	3
2569	Oct 26-Nov 9		Antlerless	74-2	15
2570	Oct 26-Nov 9		Antlerless	76-4	20
2571	Oct 26-Nov 9		Antlerless	76-5	25
2572	Oct 26-Nov 9		Antlerless	76-6	13
2573	Nov 10-Dec 31		Antlerless	76-7	15

03. Either Sex Elk.

(3-21-97)F(3-20-98)T

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2574 10	Oct 10-Nov 3	1	Either Sex	13-2	20
2575	Oct 10-Nov 3		Either Sex	48	25
2576	Oct 15-Nov 24		Either Sex	53-2	8
2577	Aug 1-Dec 31		Either Sex	63-2	5

04. ~~Muzzleloader Elk.~~

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2578	Oct 10-Nov 9	1,2	Either Sex	63A	5
2579	Oct 26-Nov 9		Either Sex	72-3	20

Notes:

1 - This hunt has very limited access.

2 - ~~Short range weapons (muzzleloaders, archery and/or shotguns ONLY).~~

~~(3-21-97)F(3-20-98)T~~

403. ANTELOPE LANDOWNER PREFERENCE SEASONS.

01. Any Antelope.

~~(3-21-97)F(3-20-98)T~~

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Antelope	Controlled Hunt Area	Number of Permits
4501	Sep 25-Oct 24		Any Antelope	21A	4
4502 1	Sep 25-Oct 24		Any Antelope	29-1	5
4503 2	Sep 25-Oct 24		Any Antelope	29-2	5
4504 3	Sep 25-Oct 24		Any Antelope	30	3
4505 4	Sep 25-Oct 24		Any Antelope	30A	4
4506 5	Sep 25-Oct 24		Any Antelope	36A-1	2
4507 6	Sep 25-Oct 24		Any Antelope	36A-2	5
4508 7	Sep 25-Oct 24		Any Antelope	36B	3
4509 8	Sep 25-Oct 24		Any Antelope	37-1	8
4510 9	Sep 25-Oct 24		Any Antelope	37-2	10
4511 10	Sep 25-Oct 24		Any Antelope	37A-1	5
4512 11	Sep 25-Oct 24		Any Antelope	37A-2	3

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Antelope	Controlled Hunt Area	Number of Permits
4513 2	Sep 25-Oct 24		Any Antelope	39	1
4514 3	Sep 25-Oct 24		Any Antelope	40	15
4515 4	Sep 25-Oct 24		Any Antelope	42	20
4516 5	Sep 25-Oct 24		Any Antelope	44	24
4517 6	Sep 25-Oct 24		Any Antelope	46-1	6
4518 7	Sep 25-Oct 24		Any Antelope	49	5
4519 8	Sep 25-Oct 24		Any Antelope	50-1	10
4520 19	Sep 25-Oct 24		Any Antelope	50-2	5
4521 0	Sep 25-Oct 24		Any Antelope	50-3	3
4522 1	Sep 25-Oct 24		Any Antelope	51-1	8
4523 2	Sep 25-Oct 24		Any Antelope	51-2	5
4524 3	Oct 25-Nov 30		Any Antelope	51-3	5
4525 4	Sep 25-Oct 24		Any Antelope	54	1
4526 5	Sep 25-Oct 24		Any Antelope	57	1
4527 6	Sep 25-Oct 24		Any Antelope	53	3
4528 7	Sep 25-Oct 24		Any Antelope	58	5
4529 8	Sep 25-Oct 24		Any Antelope	59	10
4530 29	Sep 25-Oct 24		Any Antelope	60A	85
4531 0	Sep 25-Oct 24		Any Antelope	63-1	5
4532 1	Sep 25-Oct 24		Any Antelope	68	5

02. Doe or Fawn Only.

~~(3-21-97)T~~(3-20-98)T

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Antelope	Controlled Hunt Area	Number. Of Permits
4533	Oct 5-Oct 24		Doe or Fawn	36A-3	3
4534	Oct 5-Oct 24		Doe or Fawn	37-3	3
4535	Oct 5-Oct 24		Doe or Fawn	37-4	5
4536 2	Oct 5-Oct 24		Doe or Fawn	46-2	10

03. Muzzleloader Antelope (3-20-98)T.

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Antelope	Controlled Hunt Area	Number of Permits
45373	Sep 25-Oct 24		Any Antelope	41	3
45384	Sep 25-Oct 24		Any Antelope	47	4
4539	Sep 25-Oct 24	1, 2	Any Antelope	61	5
454035	Aug 20-Oct 24		Any Antelope	63-2	18

04. Short-Range Only Antelope (3-20-98)T

<u>Hunt Number</u>	<u>Open Season Dates, Inclusive</u>	<u>Notes</u>	<u>Legal Antelope</u>	<u>Controlled Hunt Area</u>	<u>Number of Permits</u>
4536	Sep 25-Oct 24	1	Any Antelope	61	5

Notes:

~~1 - Muzzleloader or shotgun permitted~~
~~21~~ - Hunt has very limited access.

(3-21-97)T)3-20-98)T

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.08 - RULES GOVERNING THE TAKING OF BIG GAME ANIMALS
DOCKET NO. 13-0108-9802

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective March 30, 1998.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 36-104(b).

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1997.

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

DESCRIPTIVE SUMMARY: The following is the is a nontechnical explanation of the substance and purpose of the proposed rule-making:

Set 1998 hunting seasons.

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

Confers a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact Lonk Kuck at 208-334-2920.

Anyone may submit written comments regarding this proposed rule-making. All written comments must be directed to the undersigned and must be delivered on or before May 27, 1998.

DATED this 25th day of March 1998.

W. Dallas Burkhalter
Deputy Attorney General
Idaho Department of Fish and Game
600 South Walnut
PO Box 25
Boise, ID 83707
208-334-3715/FAX: 208-334-3148

TEXT OF DOCKET NO. 13-0108-9802

250. TAGS AND PERMITS.

No person shall hunt big game animals without having in possession the appropriate hunting license, tags, stamps and permits. (7-1-93)

01. Use of Tags. (7-1-93)

a. Permit/Tags issued for moose, bighorn sheep, mountain goat and antelope may be used only in the

controlled hunt for which the permittee was drawn. (7-1-93)

b. A tag issued for mountain lion after the mountain lion season opens may NOT be used until the second day following its purchase. (3-20-97)

c. A tag issued for black bear after the black bear season opens may NOT be used until the second day following its purchase. (3-20-97)

d. Tags issued for antelope archery hunts may be used only in general archery hunts. (7-1-93)

e. Extra tags issued for deer, elk or antelope may be used only in the hunt area for which the tags are issued. (7-1-93)

f. Any person who purchases a tag to hunt black bear, or archery antelope, who is unsuccessful in killing an animal, and who is subsequently drawn for a controlled hunt permit, including an antelope landowner preference permit, must return the unused tag to a Department office not later than August 10 to exchange the tag for the appropriate controlled hunt tag. The fee for the exchanged tag is the fee for a duplicate tag. (3-20-97)

g. Tags issued for black bear and mountain lion may be used statewide. (7-1-93)

h. Regular tags issued for deer and elk may be used ONLY as follows: (7-1-93)

i. Regular Deer:

TYPE OF TAG	SEASONS
Resident (Type 311)	Any archery, muzzleloader or general deer season. <u>EXCEPT in Clearwater Region, Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20.</u>
Resident (Type 330)	Extra Any antlerless deer tag season. <u>EXCEPT in Clearwater Region, Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20.</u>
Senior Resident (Type 323 330)	Any archery, muzzleloader or general deer season. <u>EXCEPT in Clearwater Region, Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20.</u>
S.E. Idaho Area Units 75, 76, 77, and 78 Nonresident	To Hunt Deer in Units 75, 76, 77, and 78 you must have your deer tag validated for use in these units. These tags are limited to one thousand two-hundred (1200) non-resident tags and will be issued first come - first served. <u>EXCEPT in Clearwater Region, Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20</u>
Nonresident (Type 411)	Any archery, muzzleloader or general deer season or controlled hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Tag	Only the designated controlled hunt for which the permittee was drawn.
Combination Controlled Depredation Hunt Permit and Tag	Only the designated controlled depredation hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Extra Tag	Only the designated controlled extra tag hunt for which the permittee was drawn.

(10-20-97)T(3-20-98)T

ii. Clearwater Deer.

TYPE OF TAG	SEASONS
Resident Clearwater	To hunt deer in any archery, muzzleloader or general deer season in Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20. These tags are valid only in the Clearwater Region units, and Regular Deer tags are not valid in these units.
Resident Extra Clearwater	To hunt an extra any-antlerless deer tag season in Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20. These tags are valid only in the Clearwater Region units, and Regular Deer tags are not valid in these units.
Senior Resident Clearwater	To hunt deer in any archery, muzzleloader or general deer season in Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20. These tags are valid only in the Clearwater Region units, and Regular Deer tags are not valid in these units.
Nonresident Clearwater	To hunt deer in any archery, muzzleloader or general deer season or controlled hunt for which the permittee was drawn in Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20. These tags are valid only in the Clearwater Region, and Regular Deer tags are not valid in these units.

(10-20-97)T

iii. ~~Regular Elk: (All Big Game Management Units EXCEPT 1, 2, 3, 4, 4A, 5, 6, 7, 9, 10, 12, 16A, 17, 19, 19A, 20, 20A, 25, 26, 27, 34, 35, and 36).~~ Elk A Tag: Validate only for A Tag elk seasons in specific elk zones.

TYPE OF TAG	SEASONS
Resident (Type 312)	Any elk archery, muzzleloader or general season in Regular units. <u>A Tag elk seasons in specific zones.</u>
Senior Resident (Type 324; NOT STAMPED FOR USE IN UNITS 1, 2, 3, 4, 4A, 5, 6, 7, 9, 10, 12, 16A, 17, 19, 19A, 20, 20A, 25, 26, 27, 34, 35, and 36)	Any elk archery, muzzleloader, or general season in Regular units <u>A Tag seasons in specific zones.</u>
Nonresident (Type 412)	Any elk archery, muzzleloader, or general season in <u>A Tag elk seasons in specific zones.</u> or controlled hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Tag	Only the designated controlled hunt for which the and Tag permittee was drawn.
Combination Controlled Depredation Hunt Permit and Tag	Only the designated controlled depredation hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Extra Tag	Only the designated controlled extra tag hunt for which the permittee was drawn.

(~~7-1-93~~)(3-20-98)T

iv. ~~Panhandle Elk: (Game Management Units 1, 2, 3, 4, 4A, 5, 6, 7, and 9).~~ Elk B Tag: Validate only for B Tag elk seasons in specific elk zones.

TYPE OF TAG	SEASONS
Resident (Type 313)	Any archery, muzzleloader, or general Panhandle elk season <u>in B Tag elk seasons in specific zones.</u>
Senior Resident (Type 324; STAMPED FOR USE IN UNITS 1, 2, 3, 4, 4A, 5, 6, 7, and 9)	Any archery, muzzleloader, or general Panhandle elk season <u>in B Tag elk seasons in specific zones.</u>
Nonresident (Type 413)	Any elk controlled hunt for which the permittee was drawn or any archery, muzzleloader, or general Panhandle elk season <u>in B Tag elk seasons in specific zones.</u>
Combination Controlled Hunt Permit and Tag	Only the designated controlled hunt for which the permittee was drawn.
Combination Controlled Depredation Hunt Permit and Tag	Only the designated controlled depredation hunt for which the permittee was drawn.
Combination Controlled Permit and Extra Tag	Only the designated controlled and extra tag hunt for which the permittee was drawn.

(7-1-93)(3-20-98)T

v. ~~Mountain Elk: (Game Management Units 10, 12, 16A, 17, 19, 19A, 20, 20A, 25, 26, 27, 34, 35, and 36).~~

TYPE OF TAG	SEASONS
Resident (Type 315)	Any elk archery, muzzleloader, or general season in mountain units.
Senior Resident (Type 324; STAMPED FOR USE IN UNITS 10 units 12, 16A, 17, 19, 19A 20, 20A, 25, 26, 27, 34, 35, and 36)	Any elk archery, muzzleloader, or general season in mountain units.
Nonresident (Type 415)	Any elk controlled hunt for which the permittee was drawn or any elk archery, muzzleloader, or general season in mountain units.
Combination Controlled Hunt Permit and Tag	Only the designated controlled hunt for which the permittee was drawn.
Combination Controlled Depredation Hunt Permit and Tag	Only the designated controlled depredation hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Extra Tag	Only the designated controlled extra tag hunt for which the permittee was drawn.

(7-1-93)

02. Return of Tags by Unsuccessful Permittees. Permittees who are not successful in killing a bighorn sheep, mountain goat or moose shall present or mail their unused tags to a Department office within ten (10) days after the close of the season for which the tag was valid. Canceled tags will be returned to the hunter upon request.

(5-15-95)

03. Archery and Muzzleloader Permits. Any person hunting in an archery only or muzzleloader only

season must have the appropriate permit (archery or muzzleloader) for the relevant season validated on their license. (3-20-97)

a. Except as noted below, individual archery and muzzleloader permits may be sold only until midnight of October 31st of each year. Sportsman licenses (Type 104) are not subject to this cutoff date. After that time and date, permits may be obtained only from Department offices by persons who: (3-21-97)T

i. Hold a valid controlled hunt permit for archery or muzzleloader hunts, through the final day of the hunt for which they have a permit. (7-1-93)

ii. Become twelve (12) years of age after the cutoff date. (7-1-93)

iii. Acquired their six (6) months' residency after the cutoff date. (7-1-93)

iv. Are Idaho servicemen on leave arriving after the cutoff date. (7-1-93)

v. ~~Are purchasing limited edition prints of the original art work depicted on the particular permit. Sale of such archery or muzzleloader permits is limited to permits which are consecutively numbered from one (1) to fifteen hundred (1500). Such permits are not valid for use in any archery or muzzleloader hunt.~~ (7-1-93)

~~b. On and after January 1 of each year, any person may purchase any archery or muzzleloader permit for the prior year that is unsold at midnight on December 31 of the prior year.~~ (7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

255. ELK ZONE A AND B TAGS.

01. Elk Zone A Tag. The Elk Zone A Tag is valid for specified A Tag elk seasons within a specified elk zone only. ~~In most elk zones, the A Tag is intended for extended general archery seasons and, in some units, general any-weapon spike-only bull season. Some zones may include general antlerless-only elk seasons and/or muzzleloader seasons. In the Panhandle Zone, the A Tag is intended for a general either-sex archery season followed by a general any-weapon bull-only season, with a late general any-elk archery season and a spike-only muzzleloader season.~~ (10-20-97)T(3-20-98)T

02. Elk Zone B Tag. The Elk Zone B Tag is valid for specified B Tag elk seasons within a specified elk zone only. ~~In most elk zones, the B Tag is intended for general any-bull or brow-tine or larger-bull-only any-weapon season. In some units, a short, general spike-only bull and/or antlerless elk archery season will be offered. In the Panhandle Zone, the B Tag is intended for a general either-sex archery seasons followed by a general any-weapon bull-only season, with some general antlerless elk hunting with late general any-bull muzzleloader season in some units.~~ (10-20-97)T(3-20-98)T

(BREAK IN CONTINUITY OF SECTIONS)

260. PERMITS FOR CONTROLLED HUNTS

01. Use of Controlled Hunt Permits. No person may hunt in any controlled hunt without having a valid controlled hunt permit in possession. (7-1-93)

a. A controlled hunt area with an "X" suffix is an extra tag hunt. (10-26-94)

b. In the event a permit is issued based on erroneous information, the permit will be invalidated by the Department and may NOT be used. The Department will notify the permittee of the invalidation of the permit. The

person will remain on the drawn list, and if there is a waiting period in a succeeding year, the person will be required to wait the specified time period. (7-1-93)

c. Any person who receives a controlled hunt permit and tag for deer is prohibited from hunting in any other deer hunt--archery, muzzleloader, or general; EXCEPT the holder of a deer controlled hunt permit and tag may purchase a tag for and hunt in an extra tag hunt, or controlled hunt permit/extra tag hunt for deer. (3-20-97)

d. Any person who receives a combination controlled hunt permit/extra tag for deer may hunt in any other deer hunt--archery, muzzleloader, general or controlled hunt. (7-1-93)

e. Any person who receives a controlled hunt permit for elk is prohibited from hunting in any other elk hunt--archery, muzzleloader, or general; EXCEPT a controlled hunt permit holder may purchase a tag for and hunt in an extra tag hunt for elk. (7-1-93)

f. Any person who receives a combination controlled hunt permit/tag for antelope is prohibited from hunting in any archery antelope hunt. The holder of an antelope combination controlled hunt permit/extra tag may apply for a combination controlled hunt permit/tag for antelope or may purchase a tag for an archery antelope hunt. (7-1-93)

g. Any person who receives a spring controlled hunt permit for black bear is prohibited from hunting in any other spring bear hunt - April 15 to June ~~15~~ 30. ~~(10-26-94)~~(3-20-98)T

h. Any person who receives a fall controlled hunt permit for black bear is prohibited from hunting in any other fall bear hunts--September 15 to October 31. (10-26-94)

02. Nonresident Permit Limitations. In controlled hunts with ten (10) or fewer permits, not more than one (1) nonresident permit will be issued. In controlled hunts, EXCEPT unlimited controlled hunts, with more than ten (10) permits, not more than ten percent (10%) of the permits will be issued to nonresidents. (3-21-97)T

03. Eligibility. Any person possessing a valid Idaho hunting license is eligible to apply for controlled hunts subject to the following restrictions: (7-1-93)

a. Holders of a Nongame Hunting License (Type 208) or Two-day (2) Deer License (Type 132) may not apply for any controlled hunt. (10-26-94)

b. Any person whose name was drawn on a controlled hunt for either sub-species of bighorn sheep may not apply for any bighorn permit for two (2) years. Any person whose name was drawn on a controlled hunt for mountain goat may not apply for a mountain goat permit for two (2) years. Any person whose name was drawn on a controlled hunt for moose may not apply for a moose permit for two (2) years. Any person whose name was drawn on a controlled antlered-only deer hunt may NOT apply for any other controlled antlered-only deer hunt for one (1) year. Any person whose name was drawn on a controlled antlered-only elk hunt may NOT apply for any other controlled antlered-only elk hunt for one (1) year. The one (1) year waiting period does NOT apply to controlled hunts with an unlimited number of permits nor Landowner Preference Permits. EXCEPT all successful and unsuccessful deer and elk hunters that comply with all Mandatory Report requirements will be eligible to be randomly drawn for one (1) of ten (10) "Super" controlled deer/elk tags to hunt in any open general and/or controlled deer or elk hunt in the following hunting season. ~~(3-21-97)T~~(3-20-98)T

c. Any person applying for a bighorn sheep, mountain goat, or moose controlled hunt may NOT apply for any other controlled hunt in the same year EXCEPT Unlimited Controlled Hunts, a controlled black bear hunt, or a designated depredation or extra tag hunt for deer, elk or antelope. In addition, unsuccessful applicants for bighorn sheep, mountain goat or moose controlled hunts are eligible to participate in first-come, first-served deer, elk and antelope controlled hunt permit sales. (10-26-94)

d. Any person who has killed a California bighorn ram, Rocky Mountain bighorn ram or a moose on any controlled hunt may not apply for a permit for the same subspecies, EXCEPT any person who has killed a California bighorn ram south of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a Rocky Mountain bighorn ram permit for any hunt north of Interstate Highway 84. Any person who has killed a Rocky

Mountain bighorn ram north of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a California bighorn ram permit for any hunt south of Interstate Highway 84. (7-1-93)

e. No person applying for a Rocky Mountain bighorn sheep controlled hunt as a first choice shall apply for a California bighorn sheep controlled hunt as a second choice. No person applying for a California bighorn sheep controlled hunt as a first choice shall apply for a Rocky Mountain bighorn sheep controlled hunt as a second choice. No person shall apply for both a Rocky Mountain and a California bighorn the same year. (7-1-93)

f. Any person who kills a bighorn ewe may not apply for another bighorn ewe controlled hunt permit for five (5) years. The harvest of a bighorn ewe does not make the permittee ineligible to apply for a permit to take a California bighorn ram or a Rocky Mountain bighorn ram. Any person who applies for a bighorn ewe may not apply for any bighorn ram the same year. (7-1-93)

g. Any person who has killed a mountain goat since 1977 may not apply for a mountain goat permit. (7-1-93)

h. Any person holding a Nonresident Hunting License (Type 202) or a duplicate thereof may not apply for a moose permit. (7-1-93)

i. Any person applying for a landowner permission hunt must have a signed permission slip from a landowner who owns more than one hundred fifty-nine (159) acres in the hunt area. The permission slip must have the landowner's name and address on it along with the landowner's signature. (3-21-97)T

j. Any person may apply for both a controlled hunt permit/tag and a controlled hunt permit/extra tag. (7-1-93)

k. Nonresident hound hunters applying for controlled black bear hunts must first obtain a Hound Hunter Permit pursuant to IDAPA 13.01.15.200.04, "Rules Governing the Use of Dogs." (3-20-98)T

04. Applications. Individual applications or group applications for controlled hunts shall be made on a form prescribed by the Department and must be received at the Headquarters Office of the Idaho Department of Fish and Game or postmarked not later than the annual dates shown below. Any individual application or group application which is unreadable, has incomplete or incorrect hunt or license numbers, or which lacks the required information or fee will be declared void and will not be entered in the drawing. All applications will be considered final; they may not be resubmitted after correction. (10-26-94)

a. Moose, bighorn sheep, and mountain goat - April 30. (7-1-93)

b. Deer, elk, antelope and fall black bear - May 31. (3-20-97)

c. Spring black bear - February 16. (3-20-97)

05. Applicant Requirements. Applicants must comply with the following requirements: (7-1-93)

~~a. Holders of a Duplicate License (Type 501) must use their original license number to apply for a controlled hunt. Duplicate license numbers will not be accepted. (7-1-93)~~

~~ba.~~ Only one (1) application, per person or group, will be accepted for the same species, EXCEPT a person or group may submit one (1) additional application for a controlled hunt permit/extra tag for the same species. Additional applications for the same person or group for the same species will result in all applicants being declared ineligible. (10-26-94)

~~eb.~~ Only one (1) controlled hunt permit/extra tag will be issued for each person on any application submitted. (10-26-94)

~~ec.~~ Several applications may be submitted in a single envelope so long as each application is for a single species, a single applicant or group, and both hunts on an application must be controlled hunt permit/tag hunts

or controlled hunt permit/extra tag hunts. (10-26-94)

ed. Fees must be submitted with each application. A single payment (either cashier's check, money order, certified check, or a personal check) may be submitted to cover fees for all applications in the same envelope. If a check or money order is insufficient to cover the fees, all applications will be voided and returned. The application fee is five dollars (\$5) per person per hunt, for deer, elk, antelope, moose, bighorn sheep, mountain goat, black bear, and lion, applied for and is NOT refundable. The tag fees are not to be submitted with either the telephone or mail-in-application for deer, elk, antelope, black bear, or mountain lion. Persons applying for moose, bighorn sheep, or mountain goat controlled hunts must submit the tag fee and application fee with their application. Applicants successful in drawing for a moose, bighorn sheep, or mountain goat will receive a permit tag in the mail. (3-21-97)T

fe. Any controlled hunt permits for deer, elk, antelope or black bear, EXCEPT unlimited controlled hunts that remain unsold after the controlled hunt drawings may be sold by any Point-of-Sale vendor on a first-come, first-served basis. A controlled hunt permit and tag will be issued to successful applicants. The ten percent (10%) nonresident limitation shall not apply. Applicants with a tag already in possession must return their tag to a Department office to be exchanged for the appropriate controlled hunt tag. The fee for the exchanged tag is the fee for a duplicate tag. Applications for leftover controlled hunt permits will be accepted at Department offices Point-of-Sale vendor on or after the following dates: (3-20-97)

i. Spring black bear - March 22. (3-20-97)

ii. Deer, elk, antelope or fall black bear - July 15. (3-20-97)

gf. A "group application" for deer, elk, and antelope is defined as two, three, or four (2,3, or 4) hunters applying for the same controlled hunt on the same application. All hunters must comply with all rules and complete applications properly. All applicants must abide by the same first and second hunt choices. (10-26-94)

hg. A "group application" for moose, bighorn sheep, mountain goat, and black bear is defined as two (2) hunters applying for the same controlled hunt on the same application. Both hunters must comply with all rules and complete applications properly. Both applicants must abide by the same first and second hunt choices. (10-26-94)

ih. If a group application exceeds the number of permits available in a hunt that group application will not be selected for that hunt. (3-21-97)T

ji. Landowner permission hunt permits will be sold first-come, first-served basis at the Nampa, McCall and Headquarters offices of the Idaho Department of Fish and Game after July 15. (3-21-97)T

06. Refunds of Controlled Hunt Fees. (7-1-93)

a. Controlled hunt tag fees will be refunded to the unsuccessful or ineligible applicants for moose, sheep, and mountain goat. Unsuccessful applicants may donate all or a portion of their tag fee for moose, bighorn sheep, and mountain goat to Citizens Against Poaching by checking the appropriate box on the application. One dollar (\$1) of the non-refundable application fee will go to Citizens Against Poaching unless the applicant instructs otherwise. (3-20-97)

b. Fees for hunting licenses will NOT be refunded to unsuccessful or ineligible applicants. (10-26-94)

c. Fees for deer or elk tags purchased prior to the drawing will NOT be refunded to unsuccessful or ineligible applicants. (10-26-94)

d. Overpayment of fees of more than five dollars (\$5) will be refunded. Overpayment of five dollars (\$5) or less will NOT be refunded and will be retained by the Department. (7-1-93)

07. Controlled Hunt Drawing. Single or group applications which are not drawn for the first choice hunt will automatically be entered into a second choice drawing, provided the second choice hunt applied for has not

been filled.

(7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

300. IDENTIFICATION OF ANIMALS THAT LEGALLY MAY BE TAKEN.

01. Big Game Animals of Either Sex. Big game animals of either sex may be taken as noted below: (7-1-93)
- a. Mountain Goat. Either sex may be taken EXCEPT nannies accompanied by kids. (7-1-93)
 - b. Black Bear. Either sex may be taken EXCEPT female black bears accompanied by young. (7-1-93)
 - c. Mountain Lion. Either sex may be taken EXCEPT spotted young or females accompanied by young. (7-1-93)
02. Seasons Restricted to Antlered or Male Animals Only. (7-1-93)
- a. Deer. Only deer with at least one antler longer than three (3) inches may be taken in any season which is open for antlered deer only. (7-1-93)
 - b. Two-point deer. Only deer with not more than two (2) points on one (1) antler, not including brow point, and at least one (1) antler longer than three (3) inches may be taken in any season which is open for two-point deer only. A point is an antler projection that is at least one (1) inch long and longer than the width of the projection. ~~(7-1-93)~~(3-20-98)T
 - c. Four-point deer. ~~Elk. Only elk with at least one antler longer than six (6) inches may be taken in any season which is open for antlered elk only. Only deer having at least one (1) antler with four (4) or more points not counting the brow point or tine may be taken in any season which is open for four-point or larger deer only. A point is an antler projection that is at least one (1) inch long and longer than the width of the projection. (7-1-93)~~(3-20-98)T
 - d. Elk. Only elk with at least one (1) antler longer than six (6) inches may be taken in any season which is open for antlered elk only. (3-20-98)T
 - ~~e.~~ Spike elk. Only elk with no branching on either antler and at least one (1) antler longer than six (6) inches may be taken in any season which is open for spike elk only. A branch is an antler projection that is at least one (1) inch long and longer than the width of the projection. ~~(7-1-93)~~(3-20-98)T
 - ~~ef.~~ Moose. Only moose with at least one (1) antler longer than six (6) inches may be taken in any season open for antlered moose only. (7-1-93)
 - ~~fg.~~ Bighorn Sheep. Only bighorn sheep rams having three-fourths (3/4) curl or greater horns or exceeding four (4) years of age may be taken in any hunt open for rams only. Determination of a three-fourths (3/4) curl shall be made from a broad side view of the head. A ram shall be considered three-fourths (3/4) curl if an imaginary straight line extending downward from the front of the base of the horn through the center of the eye socket intersects any portion of the horn. (7-1-93)
03. Seasons Restricted to Antlerless or Female Animals Only. (7-1-93)
- a. Deer. Only deer without antlers or with antlers shorter than three (3) inches may be taken in any season which is open for antlerless deer only. (7-1-93)
 - b. Elk. Only elk without antlers or with antlers shorter than six (6) inches may be taken in any season which is open for antlerless elk only. (7-1-93)

- c. Antelope. Only antelope without a black "cheek patch" or horns less than three (3) inches long may be taken during doe and fawn only antelope seasons. (7-1-93)
- d. Bighorn sheep. Only bighorn sheep with horns between six (6) inches and twelve (12) inches in length may be taken in any season which is open for bighorn ewes only. (7-1-93)
- e. Moose. Only moose without antlers or with antlers less than six (6) inches long may be taken in any season which is open for antlerless moose only. (7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

410. UNLAWFUL METHODS OF TAKE.

- No person shall take big game animals as outlined in this section. (7-1-93)
- 01. Firearms. (7-1-93)
 - a. With any firearm that, in combination with a scope, sling, and/or any other attachments, weighs more than sixteen (16) pounds. (7-1-93)
 - b. With any shotgun using any shot smaller than double-aught (#00) buck. (7-1-93)
 - c. With any rimfire rifle, rimfire handgun or any muzzleloading handgun, EXCEPT for mountain lion. (7-1-93)
 - d. With a fully automatic firearm. (10-26-94)
 - 02. Bows, Crossbows, Arrows, Bolts, Chemicals or Explosives. (3-20-97)
 - a. With arrows or bolts having broadheads measuring less than seven-eighths (7/8) inch in width and having a primary cutting edge less than fifteenth-thousandths (0.015) inch thick. (7-1-93)
 - b. With any bow having a peak draw weight of less than forty (40) pounds up to or at a draw of twenty-eight (28) inches, or any crossbow having a peak draw weight of less than one hundred fifty (150) pounds. (3-20-97)
 - c. With any chemicals or explosives attached to the arrow or bolt. (7-1-93)
 - d. With arrows or bolts having expanding broadheads. (7-1-93)
 - e. With arrows or bolts having barbed broadheads. A barbed broadhead is a broadhead which has any portion of the rear edge of the broadhead forming an angle less than ninety (90) degrees with the shaft or ferrule. (7-1-93)
 - f. With any electronic or tritium-powered device attached to an arrow, bolt, crossbow, or bow. (3-20-97)
 - g. With any bow capable of shooting more than one (1) arrow at a time. (7-1-93)
 - h. With any compound bow with more than sixty-five percent (65%) let-off. (7-1-93)
 - i. With an arrow and broadhead, or bolt and broadhead, with a combined total weight of less than four hundred (400) grains. (3-20-97)

- j. During an ARCHERY ONLY season, with any firearm, crossbow (except disabled archers), or other implement other than a longbow, compound bow, or recurve bow, or: (3-20-97)
 - i. With any device attached that holds a bow at partial or full draw. (7-1-93)
 - ii. With any bow or crossbow equipped with magnifying sights. (3-20-97)
- k. With any crossbow pistol. (3-20-97)
- 03. Muzzleloaders. (7-1-93)
 - a. With a muzzleloading rifle or musket which is less than forty-five (0.45) caliber for deer, antelope, or mountain lion, or which is less than fifty (0.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear. (7-1-93)
 - b. During a MUZZLELOADER ONLY season, with any firearm, muzzleloading pistol or other implement other than a muzzleloading rifle or musket which: (7-1-93)
 - i. Is at least forty-five (0.45) caliber for deer, antelope or mountain lion or at least fifty (0.50) caliber for elk, moose, bighorn sheep, mountain goat or black bear. (7-1-93)
 - ii. Is capable of being loaded only from the muzzle. (7-1-93)
 - iii. Is equipped only with open or peep sights. (7-1-93)
 - iv. Is loaded only with black powder or, Pyrodex or other synthetic black powder. (3-20-97)
 - v. Is equipped with no more than two (2) barrels. (7-1-93)
 - vi. Is loaded only with a projectile of at least four hundred twenty-eight (.428) caliber. (3-20-97)
 - vii. Is equipped only with flint or percussion cap. (3-20-97)
- 04. Short-Range Weapon. During Short-Range Weapon ONLY seasons ONLY the following weapons may be used: (3-20-98)T
 - a. With any shotgun using any slug or double-aught (#00) or larger buckshot. (3-20-98)T
 - b. With any muzzleloader that is at least forty-five (0.45) caliber for deer, antelope, or mountain lion or at least fifty (0.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear. (3-20-98)T
 - c. With any bow having a peak draw weight of not less than forty (40) pounds up to or at a draw of twenty-eight (28) inches, or any crossbow having a peak draw weight of not less than one hundred fifty (150) pounds. (3-20-98)T
- 045. Other. (7-1-93)
 - a. With electronic calls. (7-1-93)
 - b. With any bait (EXCEPT for black bear) other than liquid scent. See Rules of the Idaho Fish and Game Commission Governing the Use of Bait for Taking Big Game Animals, IDAPA 13, Title 01, Chapter 17. (7-1-93)
 - c. With dogs, EXCEPT for mountain lion or black bear. See Rules of the Idaho Fish and Game Commission Governing the Use of Dogs, IDAPA 13.01.15. (7-1-93)
 - d. With any net, snare, trap, chemical, deadfall or device other than legal firearm, archery or

muzzleloader equipment.

(7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

~~421. -- 499.~~ (RESERVED).

421. MANDATORY DEER AND ELK REPORT REQUIREMENTS.

01. Mandatory Report Form. Immediately after a deer and/or elk is killed the hunter must accurately complete a Mandatory Report as provided by the Director. (3-20-98)T

02. Mandatory Report. Any hunter that obtains a deer and/or elk tag and kills a deer and/or elk must submit a completed Mandatory Report to the Department or authorized agent, WITHIN TEN (10) DAYS OF KILL any hunter that obtains a deer and/or elk tag and does not successfully kill a deer and/or elk must submit a completed Mandatory Report Form to the Department or authorized agent WITHIN TEN (10) DAYS OF THE CLOSING DATE OF THE APPROPRIATE SEASON. (3-20-98)T

03. Failure to Report. Failure to submit the required deer and/or elk Mandatory Report by January 31 of the following year as required in Subsection 421.02 will render the hunter ineligible to obtain any subsequent year's license until a Mandatory Report is filed with the Department or authorized agent. (3-20-98)T

04. Drawing for "Super" Tag. All successful and unsuccessful deer and elk hunters that comply with all Mandatory Report requirements will be eligible to be randomly drawn for one (1) of ten (10) "Super" controlled deer/elk tags. Each hunter drawn for a "Super" controlled deer/elk hunt must notify the Department by April 1 of which species they have selected to hunt. The "Super" controlled hunt tag is valid for the selected species and allows the hunter to hunt in any open general and/or controlled hunt for the selected species in the following season. (3-20-98)T

~~422. -- 499.~~ (RESERVED).

500. AREAS CLOSED TO HUNTING OF BIG GAME ANIMALS.

01. Restricted Areas For Big Game. Hunting, killing, or molesting of any big game animal is prohibited in the following areas: (7-1-93)

a. Craters of the Moon National Monument in Blaine and Butte Counties; (7-1-93)

b. All state parks, EXCEPT Farragut State Park that has a November/December deer archery season; (7-1-93)

c. All state land within City of Rocks National Reserve in Unit 55; (7-1-93)

d. Idaho National Engineering and Environmental Laboratory (INEEL) site in Bingham, Bonneville, Butte, Clark, and Jefferson Counties, EXCEPT as modified in General A Tag hunt in the Big Desert Zone, elk controlled hunt areas 51-1, 51-2, 51-3, and ~~63~~ 51-4, 52A-1, 52A-2, and 52A-3 and antelope controlled hunt areas 51-2, 63-1 and 63-2. (~~3-20-97~~)(3-20-98)T

e. Nez Perce National Historical Park in Clearwater, Idaho, and Nez Perce Counties; (7-1-93)

f. That portion of Ada County within Veterans Memorial Park and the area between State Highway 21 to Warm Springs Avenue and then along Warm Springs Avenue and the New York Canal from the New York Canal Diversion Dam downstream to the Boise City limits; (~~7-1-93~~)(3-20-98)T

g. Yellowstone National Park in Fremont County; (7-1-93)

h. On any of those portions of State game preserves, State wildlife management areas, bird preserves, bird refuges, and bird sanctuaries for which hunting closures have been declared by legislative or Commission action; (7-1-93)

i. All or portions of national wildlife refuges, EXCEPT as specified in federal regulations for individual refuges; and, (7-1-93)

j. All Snake River islands between the Glens Ferry bridge and the Sailor Creek bridge in Elmore County. (7-1-93)

k. Hagerman Fossil Beds National Monument in Twin Falls County, EXCEPT that portion within an area of fifty (50) feet in elevation above the high water level of the Snake River. The upslope area is marked by yellow fiberglass markers, and hunting is permitted downslope to the river. (3-20-97)

02. Mountain Lions. Mountain lion may not be hunted or pursued within one-half (1/2) mile of any active Department of Fish and Game big game feeding site. (7-1-93)

03. Black Bear. Black bear may not be hunted or pursued within two hundred (200) yards of the perimeter of any designated dump ground or sanitary landfill. (7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

550. DEER GENERAL SEASONS.

Unit(s)	Antlered Deer	Antlerless Deer
1, 2, 3	Nov 1 - Dec 1	Nov 10 - Dec 1 Nov 23
4	Oct 10 - Nov 3	Oct 10 5 - Nov 3 Oct 19
4A, 5, 6	Nov 1 - Dec 1	Nov 10 - Dec 1 Nov 23
7	Oct 1 - Nov 3	Oct 10 5 - Nov 3 Oct 19
8, 8A	Oct 10 - Nov 9 (Mule deer and White-tailed deer)	Oct 10 - Nov 9 (Mule deer and White-tailed deer)
	Nov 10 - Dec 1 (White-tailed deer ONLY)	Nov 10 - Dec 1 (White-tailed deer ONLY)
9	Oct 10 - Nov 3	Oct 10 5 - Nov 3 Oct 19
10	Oct 10 - Nov 9 (Mule deer and White-tailed deer)	Oct 10 - Nov 9 (Mule deer and White-tailed deer)
	Nov 10 - Nov 20 (White-tailed deer ONLY)	None
10A	Oct 10 - Nov 9 (Mule deer and White-tailed deer.)	Oct 10 - Nov 9 (Mule deer and White-tailed deer.)
(That portion of Unit 10A east of Dworshak Reservoir)	Nov 10 - Nov 20 (White-tailed deer ONLY)	Nov 10 - Nov 20 (White-tailed deer ONLY)
11	Oct 10 - Nov 20 (White-tailed deer ONLY-entire unit)	Oct 10 - Nov 9 (White-tailed deer ONLY-entire unit)

Unit(s)	Antlered Deer	Antlerless Deer
	None	Oct 10 - Nov 9
(Mule deer and White-tailed deer.) (That portion of Unit 11 within the following boundary: Beginning at the mouth of Tammany Creek, then upstream to the Tammany Creek Road, then east on Tammany Creek Road to the Waha Road, then south on Waha Road to Redbird Road, then west on Redbird Road to the Craig Mountain Wildlife Management Area boundary, then north and west along the WMA boundary to the Snake River, then north along the Snake River to the mouth of Tammany Creek, the point of beginning.)		
11A	Oct 10 - Oct 24 <u>Nov 20</u> (Mule deer and White-tailed deer <u>ONLY</u>)	Oct 10 - Oct 16 <u>Nov 20</u> (Mule deer and White-tailed deer <u>ONLY</u>)
	Oct 25 - Nov 20 (White-tailed deer <u>ONLY</u>)	Oct 17 - Nov 20 (White-tailed deer <u>ONLY</u>)
12	Oct 10 - Nov 9 (Mule deer and White-tailed deer)	Oct 10 - Nov 9 (Mule deer and White-tailed deer)
	Nov 10 - Nov 20 (White-tailed deer <u>ONLY</u>)	None
13 - (This unit has very limited access.)	Oct 10 - Oct 24 <u>Nov 3</u> (Mule deer and White-tailed deer <u>ONLY</u>)	None <u>Oct 10 - Oct 16</u>
	Oct 25 - Nov 3 (White-tailed deer <u>ONLY</u>)	Oct 10 - Oct 16 (White-tailed deer <u>ONLY</u>)
14	Oct 10 - Oct 24 <u>Nov 20</u> (Mule deer and White-tailed deer <u>ONLY</u>)	None <u>Oct 10 - Oct 16</u> (White-tailed deer <u>ONLY</u>)
	Nov 10 - Nov 20 (White-tailed deer <u>ONLY</u>)	Oct 10 - Oct 16 (White-tailed deer <u>ONLY</u>)
15	Oct 10 - Nov 9 (Mule deer and White-tailed deer)	Oct 10 - Nov 9 (Mule deer and White-tailed deer)
	Nov 10 - Nov 20 (White-tailed deer <u>ONLY</u>)	Nov 10 - Nov 20 (White-tailed deer <u>ONLY</u>)
16	Oct 10 - Nov 9 (Mule deer and White-tailed deer)	Oct 10 - Nov 9 (Mule deer and White-tailed deer)
	Nov 10 - Nov 20 (White-tailed deer <u>ONLY</u>)	Nov 10 - Nov 20 (White-tailed deer <u>ONLY</u>)
16A, 17	Sep 15 - Nov 18	Sep 15 - Nov 18
18	Oct 10 - Oct 24 <u>Nov 20</u> (Mule deer and White-tailed deer <u>ONLY</u>)	None <u>Oct 10 - Oct 16</u> (White-tailed deer <u>ONLY</u>)
	Nov 10 - Nov 20 (White-tailed deer <u>ONLY</u>)	Oct 10 - Oct 16
19	Sep 15 - Nov 18	Sep 15 - Nov 18
19A	Oct 5 - Oct 29 <u>31</u>	None
20	Sep 15 - Nov 18	Sep 15 - Nov 18
20A	Sep 15 - Nov 18	None
21, 21A	Oct 5 - Oct 29 <u>25</u>	None

Unit(s)	Antlered Deer	Antlerless Deer
22, 23	Oct 5 - Oct 14 <u>31</u>	None
24	Oct 5 - Oct 14 <u>31</u>	None
(EXCEPT archery, muzzleloader, and shotgun <u>Short-Range Weapons</u> ONLY in that portion of Unit 24 within the following boundary: Beginning in McCall at the junction of State Highway 55 and Boydston Street, then south on Boydston Street to West Valley Road, then west and south along West Valley Road and West Mountain Road to Cabarton Road, then north on Cabarton Road to State Highway 55, then north on State Highway 55 to Farm-To-Market Road, then north on Farm-To-Market Road to Elo Road, then west on Elo Road to State Highway 55, then north on State Highway 55 to the point of beginning.)		
25	Oct 5 - Oct 29 <u>31</u>	None
26, 27	Sep 15 - Nov 18	None
<u>27</u>	<u>Sep 15 - Nov 18</u> <u>Four point or larger deer ONLY</u>	<u>None</u>
28, 29, 30, 30A	Oct 5 - Oct 29 <u>25</u>	None
<u>29, 30, 30A</u>	<u>Oct 5 - Oct 18</u>	<u>None</u>
31	Oct 5 - Oct 14 <u>31</u> (EXCEPT archery, shotgun and muzzleloader <u>Short-Range Weapons</u> ONLY on the islands in the Snake River.)	None
32	Oct 5 - Oct 14 <u>31</u> (EXCEPT archery, shotgun and muzzleloader <u>Short Range Weapons</u> ONLY on the islands in the Snake River.)	None
	Sep 25 <u>Oct 5 - Oct 29 31</u>	Sep 25 <u>Oct 5 - Oct 29 31</u>
(Archery, shotgun and muzzleloader <u>Short Range Weapons</u> ONLY in that portion of Unit 32 south of <u>within</u> the following line <u>boundary</u> : Beginning at the mouth of the North Side Canal at the Payette River, east on the North Side Canal to State Highway 52, east on Highway 52 to Montour Road, south on Montour Road to Shaleroak Road, west on Shaleroak Road to the Black Canyon Canal, south on the Black Canyon Canal to State Highway 16, <u>south on Highway 16 to State Highway 52, west on Highway 52 to the Payette River, west on the Payette River to the point of beginning.</u>)		
32A, 33, <u>34, 35</u>	Oct 5 - Oct 14 <u>31</u>	None
34, 35, 36, 36A, 36B, 37, 37A	Oct 5 - Oct 29	None
<u>37, 37A</u>	<u>Oct 5 - Oct 25</u>	<u>None</u>
38	Sep 25 <u>Oct 5 - Oct 29 31</u>	Sep 25 <u>Oct 5 - Oct 29 31</u>
(Archery, muzzleloader, and shotgun <u>Short Range Weapons</u> ONLY. EXCEPT that portion of Unit 38 within the Lake Lowell Sector of the Deer Flat National Wildlife Refuge is CLOSED.)		
39	Oct 5 - Oct 14 <u>31</u>	None
	Oct 27 - Nov 2	None
40	Oct 27 - Nov 2 (Two point deer ONLY)	None
	Sep 25 - Oct 29	Sep 25 - Oct 29
(Archery, muzzleloader and shotgun ONLY in that portion of Unit 40 north of the powerline from Noble Island on the Snake River (just east of Walters Ferry) to Oregon two point or antlerless deer ONLY.)		

Unit(s)	Antlered Deer	Antlerless Deer
40, 41, 42	Oct 5 - Oct 29 <u>31</u> (Two point deer ONLY) (EXCEPT: Short Range Weapons ONLY in the C.J. Strike Wildlife Management Area)	None
43	Oct 5 - Oct 29 <u>25</u>	None
46	Oct 5 - Oct 29 <u>25</u> (Archery and shotgun Short Range Weapons ONLY on the islands in the Snake River)	None
48, 49, 50, 51, 52A	Oct 5 - Oct 29 <u>25</u>	None
50, 51	Oct 5 - Oct 31	None
52A	Oct 5 - Oct 25	None
53	Oct 5 - Oct 29 <u>25</u>	Oct 5 - Oct 29 <u>25</u>
(SHOTGUN ONLY Short Range Weapons ONLY) in that portion of Unit 53 west of U.S. Highway 93, south of Interstate 84 and west of the Jerome County 100 West Road (including an imaginary line extending from the 100 West Road one quarter mile south to the south bank of the Snake River) and west of Rock Creek. Remainder of Unit 53 is CLOSED to firearm hunting of deer.)		
56	Oct 5 - Oct 29 <u>25</u> (Two point deer ONLY)	None
58, 59, 59A, 60	Oct 5 - Oct 29 <u>31</u>	None
60A	Oct 5 - Oct 29 <u>31</u>	None
(EXCEPT archery, muzzleloader, and shotgun Short Range Weapons ONLY in that portion of Unit 60A south and east of the North (Henry's) Fork Snake River, and that portion within one (1) mile north and west of the North Fork Snake River.)		
61, 62, 62A	Oct 5 - Oct 29 <u>31</u>	None
63, 63A	Oct 5 - Oct 29 <u>31</u> (Archery, muzzleloader, and shotgun Short Range Weapons ONLY)	None
64, 65, 66	Oct 5 - Oct 29 <u>31</u>	None
66 , 66A	Oct 5 - Oct 29 <u>18</u>	None
67	Oct 5 - Oct 29 <u>31</u>	None
(EXCEPT archery, muzzleloader, and shotgun Short Range Weapons ONLY in that portion of Unit 67 from the Swan Valley (State Highway 26) Bridge upstream to Palisades Dam between south and west of State Highway 26 on the east and the River Road on the west.)		
68	Oct 5 - Oct 24 <u>25</u>	None
69	Oct 5 - Oct 14	None
70	Oct 5 - Oct 9 <u>18</u> (Two-point deer ONLY)	None
71, 72	Oct 5 - Oct 24 <u>25</u>	None
73	Oct 5 - Oct 24 <u>18</u> (Two-point deer ONLY)	None

Unit(s)	Antlered Deer	Antlerless Deer
73A, 74, 75	Oct 5 - Oct 24 <u>25</u>	None
75	Oct 5 - Oct 14	None
76	Oct 5 - Oct 24 <u>18</u>	None
77, 78	Oct 5 - Oct 14 <u>25</u>	None

(~~3-21-97~~)T(3-20-98)T

551. DEER ARCHERY SEASONS.

Unit(s)	Antlered Deer	Antlerless Deer
1	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
2 - (EXCEPT Farragut State Park and Farragut Wildlife Management Area are CLOSED)	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
(Farragut State Park and Farragut Wildlife Management Area ONLY)	Nov 1 - Dec 1	Nov 1 - Dec 1
3	Dec 5 <u>10</u> - Dec 31	Dec 5 <u>10</u> - Dec 31
4, 4A, 5, 6, 7, 8, 8A, 9, 10, 10A, 11A, 12	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
8A	Dec 5 - Dec 20	Dec 5 - Dec 20
(That portion of Unit 8A east and north of the following line: Beginning at the northern boundary of Unit 8A at its junction with State Highway 6, then south on Highway 6 to Forest Service Road 447, then east on Forest Service Road 447 to Forest Service Road 381, then southeast on Forest Service Road 381 to State Highway 8, then southwest on Highway 8 to Forest Service Road 1963 at Helmer, then south and east on Forest Service Road 1963 to Long Meadow Creek, then southeast on Long Meadow Creek to Dworshak Reservoir, then south along the western shoreline of Dworshak Reservoir to the Unit 8A boundary at Dworshak Dam.)		
9, 10, 10A, 11A	Aug 30 - Sep 24	Aug 30 - Sep 24
12 (That portion of Unit 12 north of U.S. 12)	Aug 30 - Sep 24	Aug 30 - Sep 24
15	Aug 30 - Sep 24 <u>30</u> Dec 5 - Dec 20	Aug 30 - Sep 24 <u>30</u> Dec 5 - Dec 20
19A	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
21, 21A	Aug 30 - Sep 24 <u>30</u>	None
22, 23 , 24, 25	Aug 30 - Sep 24 <u>30</u>	None Aug 30 - Sep 30
28	Dec 10 - Dec 31	None
29, 30, 30A,	Aug 30 - Sep 24 <u>30</u>	None
31, 32, 32A, 33, 34, 35	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
36, 36A, 36B, 37, 37A	Aug 30 - Sep 24 <u>30</u>	None

Unit(s)	Antlered Deer	Antlerless Deer
38	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
(EXCEPT that portion of Unit 38 within the Lake Lowell Sector of the Deer Flat National Wildlife Refuge is CLOSED.)		
39	Nov 16 - Dec 6	Nov 16 - Dec 6
(EXCEPT that portion of Unit 39 within Ada County is CLOSED and that portion of Unit 39 within the following boundary: Beginning at the intersection of State Highway 21 and the Middle Fork Boise River Road (U.S. Forest Service Road 268), east on Forest Service Road 268 to Cottonwood Creek-Thorn Creek Road (U.S. Forest Service Road 377), north and west on Forest Service Road 377 to State Highway 21, south and west on Highway 21 to the point of beginning is CLOSED.)		
40, 41, 42	Aug 30 - Sep 24 <u>30</u> (Two-point or antlerless deer ONLY)	Aug 30 - Sep 24 <u>30</u> (Two-point or antlerless deer ONLY)
43	Aug 30 - Sep 24	Aug 30 - Sep 24
46, 47, 48 , 49	Aug 30 - Sep 24 <u>30</u>	None
48 , 49	Aug 30 - Sep 24	None
50, 51	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
52A	Aug 30 - Sep 24 <u>30</u>	None
53 - (That portion of Unit 53 east of U.S. 93)	Aug 30 - Dec 31	Aug 30 - Dec 31
54	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 None
55	Nov 25 - Dec 19	None
56	Aug 30 - Sep 24 <u>30</u> (Two-point or antlerless deer ONLY)	None
57	Aug 30 - Sep 24 <u>30</u>	None
58, 59, 59A, 60	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
60A	Aug 30 - Sep 24 <u>30</u> Nov 1 - Dec 19	Aug 30 - Sep 24 <u>30</u> Nov 1 - Dec 19
(That portion of Unit 60A south and east of the North (Henry's) Fork Snake River, and that portion within one mile north and west of the North Fork Snake River ONLY.)		
61, 62, 62A	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
63, 63A	Aug 30 - Sep 24 <u>30</u> Nov 1 - Dec 19	Aug 30 - Sep 24 <u>30</u> Nov 1 - Dec 19
64, 65, 66	Aug 30 - Sep 24 <u>30</u>	Aug 30 - Sep 24 <u>30</u>
66A	Aug 30 - Sep 24 <u>30</u>	None
67 - (That portion of Unit 67 south and west of State Highway 26 ONLY.)	Aug 30 - Sep 24 <u>30</u> Nov 1 - Dec 19	Aug 30 - Sep 24 <u>30</u> Nov 1 - Dec 19
68, 70, 71, 73, 73A, 74, 75, 76, 77, 78	Aug 30 - Sep 24 <u>30</u>	None
<u>70</u>	Aug 30 - Sep 30 (Two-point deer ONLY)	None
<u>71</u>	Aug 30 - Sep 30	None

Unit(s)	Antlered Deer	Antlerless Deer
<u>72 - (That portion of Unit 72 north of Ten Mile Pass)</u>	<u>Aug 30 - Sep 30</u>	<u>None</u>
<u>73</u>	<u>Aug 30 - Sep 30</u> <u>(Two-point deer ONLY)</u>	<u>None</u>
<u>73A, 74, 75, 76, 77, 78</u>	<u>Aug 30 - Sep 30</u>	<u>None</u>

(3-21-97)T(3-20-98)T

552. DEER MUZZLELOADER SEASONS.

Unit(s)	Antlered Deer	Antlerless Deer
4, 7	Nov 10 - Nov 29	Nov 10 - Nov 29 <u>None</u>
<u>8A</u>	<u>None</u>	<u>Dec 2 - Dec 14</u>
<u>(That portion of Unit 8A east and north of the following line: Beginning at the northern boundary of Unit 8A at its junction with State Highway 6, then south on Highway 6 to Forest Service Road 447, then east on Forest Service Road 447 to Forest Service Road 381, then southeast on Forest Service Road 381 to State Highway 8, then southwest on Highway 8 to Forest Service Road 1963 at Helmer, then south and east on Forest Service Road 1963 to Long Meadow Creek, then southeast on Long Meadow Creek to Dworshak Reservoir, then south along the western shoreline of Dworshak Reservoir to the Unit 8A boundary at Dworshak Dam.)</u>		
10A	Nov 10 - Nov 29 <u>None</u>	Nov 10 - Nov 29 <u>Nov 21 - Dec 9</u> <u>(White-tailed deer ONLY)</u>
<u>(That portion of Unit 10A west of Dworshak Reservoir and west of the Little North Fork Clearwater River.)</u> <u>(Mule deer and White-tailed deer.)</u>		
	<u>None</u>	Nov 25 - Dec 9
<u>(That portion of Unit 10A south and west of the following line: Beginning on the Unit 10A west boundary at Dent Bridge, then up Dworshak Reservoir along the southern shoreline to Reeds Creek, then up Reeds Creek to Snake Creek, then up Snake Creek to the Snake Creek Quartz Creek Hollywood Road, then southeast along said road to Hollywood, then south on State Highway 11 to Forest Service Road 250, then southeast along Forest Service Road 250 to the Clearwater National Forest perimeter boundary, then south along the Clearwater National Forest perimeter boundary to the Unit 10A boundary.)</u> <u>(White-tailed deer ONLY.)</u>		
16	Nov 25 - Dec 9	Nov 25 - Dec 9
<u>(That portion of Unit 16 south and west of the Selway River and south and east of the Nez Perce National Forest perimeter boundary.)</u>		
45	Oct 5 - Oct 29 <u>25</u>	None
That portion of Unit 45 within the following boundary: beginning at Bliss, then north on the Bliss-Hill City Road to the two-pole powerline at White Arrow Ponds (9.5 miles north of Bliss), then west along the two-pole powerline to U.S. 20 (Milepost 102.3), then southwest on Highway 20 to Mountain Home, then south on U.S. 51 to the Snake River, then upstream on the Snake River to the Malad River, then up the Malad River to U.S. 30, then northwest on U.S. 30 to Bliss, the point of beginning.)		

(3-20-97)(3-20-98)T

553. DEER CONTROLLED HUNTS.
~~10,355~~ 9,075 Permits Plus Unlimited Permits.

~~(3-21-97)F(3-20-98)T~~

01. Antlered Deer.

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
1001	Sep 25 <u>Oct 1</u> - Oct 24 <u>2</u>	1	Antlered	1	100 <u>50</u>
1002	Nov 10 - Nov 24		Antlered	11	100
1003	Nov 10 - Nov 24 <u>20</u>		Antlered	19A <u>11A</u>	10 <u>50</u>
1004	Nov 10 - Nov 24 <u>Oct 10 - Nov 3</u>	<u>2, 3</u>	Antlered	22 <u>13</u>	40 <u>Unlimited</u>
1005	Nov 10 - Nov 24 <u>20</u>		Antlered	23 <u>14</u>	25 <u>150</u>
1006	Nov 10 - Nov 24 <u>20</u>		Antlered	25 <u>18</u>	10 <u>100</u>
1007	Nov 10 - Nov 24		Antlered	31 <u>19A</u>	30 <u>10</u>
1008	Nov 10 - Nov 24		Antlered	32 <u>22</u>	40
1009	Nov 10 - Nov 24		Antlered	32A <u>23</u>	30 <u>25</u>
1010	Nov 10 - Nov 24		Antlered	36A <u>25</u>	20 <u>10</u>
1011	Nov 10 - Nov 24		Antlered	36B <u>31</u>	40 <u>30</u>
1012	Aug 15 - Sep 24 <u>Nov 10 - Nov 24</u>		Antlered	39 <u>132</u>	200 <u>40</u>
1013	Nov 10 - Nov 24		Antlered	40 <u>32A</u>	300 <u>30</u>
1014	Nov 10 - Nov 24 <u>Aug 15 - Sep 24</u>		Antlered	41 <u>139-1</u>	150 <u>200</u>
1015	Nov 10 - Nov 24		Antlered	42 <u>40</u>	150 <u>200</u>
1016	Oct 5 - Oct 29 <u>Nov 10 - Nov 24</u>		Antlered	44 <u>141-1</u>	200 <u>100</u>
1017	Nov 10 - Nov 24		Antlered	44 <u>242</u>	25 <u>75</u>
1018	Oct 5 - Oct 29 <u>25</u>		Antlered	45 <u>144-1</u>	80 <u>200</u>
1019	Nov 10 - Nov 24		Antlered	45 <u>244-2</u>	30 <u>25</u>
1020	Oct 5 - Oct 29 <u>25</u>		Antlered	47 <u>145-1</u>	90 <u>60</u>
1021	Nov 10 - Nov 24		Antlered	47 <u>245-2</u>	10 <u>50</u>
1022	Nov 10 - Nov 24 <u>Oct 5 - Oct 25</u>		Antlered	48 <u>47-1</u>	10 <u>90</u>
1023	Nov 10 - Nov 24		Antlered	49 <u>47-2</u>	10
1024	Nov 10 - Nov 30		Antlered	50 <u>148</u>	40 <u>10</u>
1025	Oct 5 - Oct 29 <u>Nov 10 - Nov 24</u>		Antlered	52 <u>149</u>	75 <u>10</u>
1026	Nov 10 - Nov 24 <u>30</u>		Antlered	52 <u>250-1</u>	10 <u>60</u>

Hunt Number	Open Season Dates, Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
1027	Nov 10 - Nov 24 <u>Oct 5 - Oct 25</u>		Antlered	52A-52-1	4075
1028	Oct 15 - Oct 29 <u>Nov 10 - Nov 24</u>		Antlered	54-52-2	75010
1029	Nov 10 - Nov 24		Antlered	54-252A	3010
1030	Aug 15 - Sep 24 <u>Oct 5 - Oct 25</u>		Antlered	55-54-1	25750
1031	Oct 15 - Oct 29 <u>Nov 10 - Nov 24</u>		Antlered	55-254-2	50030
1032	Nov 10 - Nov 24 <u>Aug 15 - Sep 24</u>		Antlered	5655-1	42525
1033	Oct 5 - Oct 29 <u>25</u>		Antlered	57-55-2	440500
1034	Nov 10 - Nov 24		Antlered	57-256	40175
1035	Nov 10 - Nov 30 <u>25</u>		Antlered	5857-1	25110
1036	Nov 10 - Nov 30 <u>24</u>		Antlered	59-57-2	2510
1037	Nov 10 - Nov 30		Antlered	60A-58	4025
1038	Nov 10 - Nov 30		Antlered	66-59-1	25
1039	Nov 10 - Nov 30		Antlered	6760A-1	2540
1040	Nov 10 - Nov 30		Antlered	69-66-1	7525
<u>1041</u>	<u>Nov 10 - Nov 30</u>		<u>Antlered</u>	<u>67</u>	<u>50</u>
<u>1042</u>	<u>Nov 10 - Nov 30</u>		<u>Antlered</u>	<u>69-1</u>	<u>75</u>

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02. Antlerless Deer.

Hunt Number	Open Season Dates Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
1044 <u>3</u>	Oct 10 - Nov 20	24	Antlerless	10AX	350 <u>150</u>
1042 <u>4</u>	Oct 10 - Nov 20	24	Antlerless	11AX	100
1043 <u>5</u>	Oct 10 - Nov 20	24	Antlerless	16X	225 <u>100</u>
1044	Oct 5 - Oct 29		Antlerless	21-1	240
1045	Sep 15 - Nov 18		Antlerless	27	80
1046	Oct 5 - Oct 29		Antlerless	29	140
1047	Oct 5 - Oct 29		Antlerless	36	70
1048 <u>6</u>	Sep 25 - Oct 5 - <u>Oct 29 - 31</u>		Antlerless	41-2	200 <u>50</u>

Hunt Number	Open Season Dates Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
10497	Oct 5 - Oct 29 25		Antlerless	43	400
105048	Oct 5 - Nov 9		Antlerless	44-3	800
105149	Oct 18 25 - Nov 9		Antlerless	45-3	600
105250	Oct 5 - Oct 29 31		Antlerless	50-2 51-1	175 300
1053	Oct 5 - Oct 29		Antlerless	51-1	140
1054	Oct 5 - Oct 19		Antlerless	54-3	500
1055	Oct 5 - Oct 29		Antlerless	59-2	140
1056	Oct 5 - Oct 29		Antlerless	60	1,000
1057	Nov 1 - Nov 30		Antlerless	60A-2	300
1058	Oct 5 - Oct 29		Antlerless	62	100
1059	Oct 5 - Oct 29		Antlerless	63	50
1060	Oct 5 - Oct 29		Antlerless	64	80
1061	Oct 5 - Oct 29		Antlerless	66-2	150
1062	Oct 5 - Oct 14		Antlerless	69-2	200

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03. Either Sex.

<u>Hunt Number</u>	<u>Open Season Dates Inclusive</u>	<u>Notes</u>	<u>Legal Deer</u>	<u>Controlled Hunt Area</u>	<u>Number of Permits</u>
1051	Oct 5 - Oct 31		Either Sex	50-2	275
1052	Oct 5 - Oct 31		Either Sex	51-1	140
1053	Oct 5 - Oct 31		Either Sex	59-2	140
1054	Oct 5 - Nov 8		Either Sex	60	1,000
1055	Oct 5 - Nov 8		Either Sex	62	100
1056	Oct 5 - Oct 31		Either Sex	63	50
1057	Oct 5 - Oct 31		Either Sex	64	80
1058	Oct 5 - Oct 31		Either Sex	66-2	75
1059	Oct 5 - Oct 14		Either Sex	69-2	100

(3-20-98)T

0304. Archery Only.

Hunt Number	Open Season Dates Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
1063 <u>60</u>	Nov 16 - Dec 16		Either Sex	39-2	100
1064 <u>61</u>	Aug 30 - Dec 19 Nov 25 - Dec 19	3 <u>3</u>	Antlered ONLY Either Sex Antlered ONLY	68A 72	Unlimited

(~~3-21-97~~)T(~~3-20-98~~)T

0405. Muzzleloader.

Hunt Number	Open Season Dates Inclusive	Notes	Legal Deer	Controlled Hunt Area	Number of Permits
1065	Nov 10 - Dec 9	2,3,4,5	Either Sex	21-2	Unlimited
1066 <u>62</u>	Nov 25 - Dec 19	<u>3</u>	Antlered	30 <u>29</u>	50 <u>Unlimited</u>
1067 <u>63</u>	Nov 10 - Nov 24	3	Antlered	33	Unlimited <u>150</u>
<u>1064</u>	<u>Oct 5 - Oct 25</u>		<u>Antlered</u>	<u>45-4</u>	<u>15</u>
1068 <u>65</u>	Nov 25 - Dec 9	3	Either Sex	51-2	Unlimited <u>300</u>
1069 <u>66</u>	Nov 10 - Nov 24	65	Antlered	75	Unlimited
1070	Oct 5 - Oct 29	4	Antlered	45-4	15
1071 <u>67</u>	Nov 11 - Dec 9	2 <u>3</u>	Either Sex	61	Unlimited
1072	Nov 15 - Dec 31	2,4,5	Antlerless	65X	150

(~~3-21-97~~)T(~~3-20-98~~)T

06. Short Range Weapon Deer.

<u>Hunt Number</u>	<u>Open Season Dates Inclusive</u>	<u>Notes</u>	<u>Legal Deer</u>	<u>Controlled Hunt Area</u>	<u>Number of Permits</u>
<u>1068</u>	<u>Nov 10 - Dec 9</u>	<u>2, 3, 4</u>	<u>Either Sex</u>	<u>21</u>	<u>Unlimited</u>
<u>1069</u>	<u>Oct 5 - Oct 31</u>	<u>2</u>	<u>Either Sex</u>	<u>63A</u>	<u>100</u>
<u>1070</u>	<u>Nov 15 - Dec 31</u>	<u>2, 4</u>	<u>Antlerless</u>	<u>65X</u>	<u>150</u>

(~~3-20-98~~)T

Notes:

- 1 - Mule deer ONLY.
- 2 - ~~White-tailed deer ONLY~~ This hunt has very limited access.
- 3 - Nonresidents must have valid 1996~~8~~ deer tag in possession to be eligible to apply.
- 4 - ~~This hunt has very limited access. White-tailed deer ONLY.~~
- 5 - ~~Short range weapons (archery, muzzleloader, and shotgun) ONLY.~~
- 6~~5~~ - ~~Effective in 1997~~ Nonresidents must have a valid 1997~~8~~ S.E. Idaho deer tag in possession to be eligible to apply.

(3-20-97)(3-20-98)T

(BREAK IN CONTINUITY OF SECTIONS)

558. ELK GENERAL SEASONS.

Unit(s)	Antlered Elk	Antlerless Elk
†	Oct 10—Oct 24	None
(That portion of Unit 1 west of U.S. 95 from Sandpoint to Deep Creek at Naples then west of Deep Creek to the Kootenai River then west of the Kootenai River from Bonners Ferry to the Canadian border. Head or lower jaw must accompany carcass in transit.)		
†	Oct 10—Oct 24	Oct 15—Oct 21
(That portion of Unit 1 east of U.S. 95 from Sandpoint to Deep Creek at Naples then east of Deep Creek to the Kootenai River then east of the Kootenai River from Bonners Ferry to the Canadian border. Head or lower jaw must accompany carcass in transit.)		
2, 3 (Head or lower jaw must accompany carcass in transit.)	Oct 10—Nov 3	Oct 15—Oct 24
4, 4A (Head or lower jaw must accompany carcass in transit.)	Oct 10—Nov 3	Oct 15—Oct 24
5 (Head or lower jaw must accompany carcass in transit.)	Oct 10—Nov 3	Oct 15—Oct 24
6, 7 (Head or lower jaw must accompany carcass in transit.)	Oct 10—Nov 3	Oct 15—Oct 24
8, 8A	Oct 10—Nov 3	None
9 (Head or lower jaw must accompany carcass in transit.)	Oct 10—Nov 3	Oct 15—Oct 24
10	Oct 10—Nov 3	None
10A	Oct 10—Nov 3	None
11A	Oct 10—Oct 24	None
12	Oct 10—Nov 3	None
14	Oct 10—Oct 24	None
15, 16	Oct 10—Nov 3	None
16A, 17, 19	Sep 15—Nov 18	None
19A	Oct 15—Nov 8	None
20, 20A	Sep 15—Nov 18	None
21, 21A	Oct 15—Nov 8	None
22, 23,	Oct 15—Oct 29	None
24	Oct 15—Oct 29	None

Unit(s)	Antlered Elk	Antlerless Elk
(EXCEPT archery, muzzleloader, and shotgun ONLY in that portion of Unit 24 within the following boundary: Beginning in McCall at the junction of State Highway 55 and Boydston Street, then south on Boydston Street to West Valley Road, then west and south along West Valley Road and West Mountain Road to Cabarton Road, then north on Cabarton Road to State Highway 55, then north on State Highway 55 to Farm To Market Road, then north on Farm To Market Road to Elo Road, then west on Elo Road to State Highway 55, then north on State Highway 55 to the point of beginning.)		
25	Oct 15 - Nov 8	None
26, 27	Sep 15 - Nov 18	None
28	Oct 15 - Nov 8	None
32, 32A, 33	Oct 15 - Oct 29	None
34, 35, 36, 36B	Oct 15 - Nov 8	None
39	Oct 15 - Oct 27	None
51, 58, 59, 59A, 60, 61	Oct 15 - Oct 29 (Spike elk ONLY.)	None
62	Oct 15 - Oct 21	None
62A	Oct 15 - Oct 29 (Spike elk ONLY.)	None
64, 65, 66, 67, 69, 75, 77, 78	Oct 15 - Oct 21	None

(3-20-97)

559: ELK ARCHERY SEASONS:

Unit(s)	Antlered Elk	Antlerless Elk
1, 2 - (Head or lower jaw must accompany carcass in transit.)	Aug 30 - Sep 24	Aug 30 - Sep 24
3 - (Head or lower jaw must accompany carcass in transit.)	Dec 5 - Dec 31	Dec 5 - Dec 31
4, 4A, 5, 6, 7 (Head or lower jaw must accompany carcass in transit.)	Aug 30 - Sep 24	Aug 30 - Sep 24
8A	Dec 5 - Dec 20	Dec 5 - Dec 20
(That portion of Unit 8A east and north of the following line: Beginning at the northern boundary of Unit 8A at its junction with State Highway 6, then south on Highway 6 to Forest Service Road 447, then east on Forest Service Road 447 to Forest Service Road 381, then southeast on Forest Service Road 381 to State Highway 8, then southwest on Highway 8 to Forest Service Road 1963 at Helmer, then south and east on Forest Service Road 1963 to Long Meadow Creek, then southeast on Long Meadow Creek to Dworshak Reservoir, then south along the western shoreline of Dworshak Reservoir to the Unit 8A boundary at Dworshak Dam.)		
9 - (Head or lower jaw must accompany carcass in transit.)	Aug 30 - Sep 24	Aug 30 - Sep 24

Unit(s)	Antlered Elk	Antlerless Elk
10, 10A, 11A	Aug 30 - Sep 24	Aug 30 - Sep 24
12 - (That portion of Unit 12 north of U.S. 12)	Aug 30 - Sep 24	Aug 30 - Sep 24
15	Aug 30 - Sep 24	Aug 30 - Sep 24
	Dec 5 - Dec 20	Dec 5 - Dec 20
19A, 21, 21A, 22, 23, 24, 25	Aug 30 - Sep 24	Aug 30 - Sep 24
28	Dec 10 - Dec 31	Dec 10 - Dec 31
29, 30, 30A, 31, 32, 32A, 33, 34, 35, 36, 36A, 36B, 37, 37A	Aug 30 - Sep 24	Aug 30 - Sep 24
39	Nov 16 - Dec 6	Nov 16 - Dec 6
(EXCEPT that portion of Unit 39 within Ada County is CLOSED and that portion of Unit 39 within the following boundary: Beginning at the intersection of State Highway 21 and the Middle Fork Boise River Road (U.S. Forest Service Road 268), east on Forest Service Road 268 to Cottonwood Creek-Thorn Creek Road (U.S. Forest Service Road 377), north and west on Forest Service Road 377 to State Highway 21, south and west on Highway 21 to the point of beginning is CLOSED.)		
43, 48, 49, 50	Aug 30 - Sep 24	Aug 30 - Sep 24
51	Aug 30 - Sep 24 (Antlerless or spike elk ONLY)	Aug 30 - Sep 24 (Antlerless or spike elk ONLY)
58, 59,	Aug 30 - Sep 24 (Antlerless or spike elk ONLY)	Aug 30 - Sep 24 (Antlerless or spike elk ONLY)
62	Aug 30 - Sep 24	Aug 30 - Sep 24
62A	Aug 30 - Sep 24 (Antlerless or spike elk ONLY)	Aug 30 - Sep 24 (Antlerless or spike elk ONLY)
64, 65, 66, 66A, 67, 70, 71	Aug 30 - Sep 24	Aug 30 - Sep 24
72 - (That portion of Unit 72 north of the Meadowville Ten Mile Baneroff Road)	Aug 30 - Sep 24	Aug 30 - Sep 24
73, 74, 75, 76, 77, 78	Aug 30 - Sep 24	Aug 30 - Sep 24

(3-21-97)T

560. ELK MUZZLELOADER SEASONS.

Unit(s)	Antlered Elk	Antlerless Elk
4, 7 - (Head or lower jaw must accompany carcass in transit.)	Nov 10 - Nov 29	None
10A - (That portion of Unit 10A west of Dworshak Reservoir and west of the Little North Fork Clearwater River.	Nov 10 - Nov 29	None

<u>Unit(s)</u>	<u>Antlered Elk</u>	<u>Antlerless Elk</u>
10A	None	Nov 25 - Dec 9
(That portion of Unit 10A south and west of the following line: Beginning on the Unit 10A west boundary at Dent Bridge, then up Dworshak Reservoir along the southern shoreline to Reeds Creek, then up Reeds Creek to Snake Creek, then up Snake Creek to the Snake Creek Quartz Creek Hollywood Road, then southeast along said road to Hollywood, then south on State Highway 11 to Forest Service Road 250, then southeast along Forest Service Road 250 to the Clearwater National Forest perimeter boundary, then south along the Clearwater National Forest perimeter boundary to the Unit 10A boundary.)		
16	Nov 25 - Dec 9	None
(That portion of Unit 16 south and west of the Selway River and south and east of the Nez Perce National Forest perimeter boundary.)		

(3-20-97)

<u>PANHANDLE ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>PANHANDLE ZONE: Units 1, 2, 3, 4, 4A, 5, 6, 7, & 9</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30 and Dec 10 - Dec 23</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 14</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>Oct 15 - Oct 19 EXCEPTIONS: Units 7 and 9 Oct 15 - Oct 17 Unit 1 West - None</u>
	<u>Antlered Only</u>	<u>Oct 25 - Oct 31</u>		<u>Antlered Only</u>	<u>Oct 10 - Nov 3 EXCEPTION: Unit 1 - Oct 10 - Oct 24</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u> <u>EXCEPTION:</u> <u>Units 4 and 7 ONLY:</u> <u>Nov 10 - Nov 29</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Dec 2 - Dec 8</u>

<u>PALOUSE ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>PALOUSE ZONE: Units 8, 8A, & 11A</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 10 - Nov 3</u> <u>EXCEPTION:</u> <u>Unit 11A ONLY</u> <u>Oct 10 - Oct 24</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 3 - Oct 9</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>NONE</u> <u>EXCEPTION:</u> <u>Unit 8A (See boundary</u> <u>description below)</u> <u>Dec 2 - Dec 9</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 8A (See boundary</u> <u>description below)</u> <u>Dec 2 - Dec 9</u>		<u>Spike Only</u>	<u>None</u>

(That portion of Unit 8A east of State Highway 6 and north of the following line: Beginning at the boundary of Unit 8A at its junction with State Highway 8 at Deary, then east on Highway 8 to Forest Service Road 1963 at Helmer, then south and east on Forest Service Road 1963 to Long Meadow Creek, then southeast on Long Meadow Creek to Dworshak Reservoir, then south along the western shoreline of Dworshak Reservoir to the Unit 8A boundary at Dworshak Dam.)

DWORSHAK ZONE					
1998 GENERAL ELK HUNTS					
DWORSHAK ZONE: Unit 10A					
"A" TAG			"B" TAG		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 10 - Nov 3</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 3 - Oct 9</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>Nov 21 - Dec 9</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Nov 21 - Dec 9</u>		<u>Spike Only</u>	<u>None</u>

LOLO ZONE					
1998 GENERAL ELK HUNTS					
LOLO ZONE: Units 10 & 12					
"A" TAG			"B" TAG		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>

<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u> <u>1600 B Tag Quota</u> <u>Available First-Come, First-Served Basis</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 10 - Nov 3</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>HELLS CANYON ZONE</u> <u>1998 GENERAL ELK HUNTS</u>					
<u>HELLS CANYON ZONE: Units 11, 13 & 18</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>ELK CITY ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>ELK CITY ZONE: Units 14, 15, & 16</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>NONE</u> <u>EXCEPTION:</u> <u>Unit 15 ONLY</u> <u>Aug 30 - Sep 30</u> <u>Dec 5 - Dec 20</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 15 ONLY</u> <u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 15 ONLY</u> <u>Aug 30 - Sep 14</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 10 - Nov 3</u> <u>EXCEPTION:</u> <u>Unit 14 ONLY</u> <u>Oct 10 - Oct 24</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 3 - Oct 9</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 14 & 16</u> <u>Nov 25 - Dec 9</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 14 & 16</u> <u>Nov 25 - Dec 9</u>		<u>Spike Only</u>	<u>None</u>

<u>SELWAY ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>SELWAY ZONE: Units 16A, 17, 19, & 20</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>Oct 1 - Oct 31</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Sep 15 - Sep 30</u> <u>Nov 1 - Nov 18</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>MCCALL ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>MCCALL ZONE: Units 19A, 23, 24, & 25</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u>

<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 15 - Nov 3</u> <u>(See Unit 24</u> <u>Exception below.)</u>
	<u>Antlerless</u>	<u>Units 23 & 24 ONLY</u> <u>Aug 15 - Aug 29</u> <u>(Those lands outside of</u> <u>the National Forest</u> <u>System Boundary only.</u> <u>see Unit 24 Exception</u> <u>below.)</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 5 - Oct 14</u> <u>(See Unit 24 Exception</u> <u>below.)</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

Unit 24 (EXCEPT Short Range Weapons ONLY in that portion of Unit 24 within the following boundary: Beginning in McCall at the junction of State Highway 55 and Boydston Street, then south on Boydston Street to West Valley Road, then west and south along West Valley Road and West Mountain Road to Cabarton Road, then north on Cabarton Road to State Highway 55, then north on State Highway 55 to Farm-to-Market Road then north on Farm-to-Market Road to Elo Road, then west on Elo Road to State Highway 55, then north on State Highway 55 to the point of beginning.)

<u>WEISER ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>WEISER ZONE: Units 22, 32, & 32A</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u>

<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 15 - Oct 29</u>
	<u>Antlerless</u>	<u>None</u> <u>EXCEPTIONS:</u> <u>Units 22 & 32A</u> <u>Those lands located</u> <u>outside the National</u> <u>Forest System</u> <u>Boundary ONLY.</u> <u>Aug 15 - Aug 29</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 5 - Oct 14</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>BROWNLEE ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>BROWNLEE ZONE: Unit 31</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 5 - Oct 14</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

SAWTOOTH ZONE					
1998 GENERAL ELK HUNTS					
SAWTOOTH ZONE: Units 33, 34, 35, & 36					
"A" TAG			"B" TAG		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 15 - Nov 8</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 5 - Oct 14</u>		<u>Antlerless</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

BOISE RIVER ZONE					
1998 GENERAL ELK HUNTS					
BOISE RIVER ZONE: Unit 39					
"A" TAG			"B" TAG		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Nov 16 - Dec 6</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Nov 16 - Nov 25</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Nov 16 - Nov 25</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 15 - Oct 24</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 5 - Oct 14</u>		<u>Spike Only</u>	<u>None</u>

<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>OWYHEE-SOUTH HILLS ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>OWYHEE-SOUTH HILLS ZONE: Units 38, 40, 41, 42, 46, 47, 54, 55, & 57</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>BENNETT HILLS ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>BENNETT HILLS ZONE: Units 45 & 52</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Sep 1 - Nov 9 (52, east 45) Nov 10 - Nov 16 (West 45)</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLELOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>SMOKEY MOUNTAINS ZONE</u> <u>1998 GENERAL ELK HUNTS</u>					
<u>SMOKEY MOUNTAINS ZONE: Units 43, 44, & 48</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 24 EXCEPTION: Unit 44 ONLY None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Nov 10 - Nov 16</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>PIONEER ZONE</u> <u>1998 GENERAL ELK HUNTS</u>					
<u>PIONEER ZONE: Units 49, 50, & 36A</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u> <u>EXCEPTION:</u> <u>Unit 49 ONLY</u> <u>Aug 30 - Sep 24</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u> <u>EXCEPTION:</u> <u>Units 36A & 50 ONLY</u> <u>Aug 1 - Aug 29*</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Nov 1 - Nov 7</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>*Within one (1) mile of private fields on which cultivated crops are currently growing.</u>					

<u>BIG DESERT ZONE</u> <u>1998 GENERAL ELK HUNTS</u>					
<u>BIG DESERT ZONE: Units 52A, 53, 63, 63A, 68, & 68A</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>

<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Aug 1 - Dec 31</u> <u>EXCEPTIONS:</u> <u>Unit 63A - Short</u> <u>Range Weapons ONLY</u> <u>Unit 68A - Archery</u> <u>ONLY</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

A pass is required from Idaho Department of Fish and Game Region office, 1515 Lincoln Road, Idaho Falls, to hunt in Unit 63 within one-half (1/2) mile inside the north and east boundary of the Idaho National Engineering and Environmental Laboratory (INEEL), which is adjacent to agricultural land.

<u>BANNOCK ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>BANNOCK ZONE: Units 56, 70, 71, 72, 73, 73A, & 74</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u> <u>EXCEPTION:</u> <u>Unit 56 NONE</u> <u>Unit 72 North of 10</u> <u>Mile Pass ONLY</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 19 - Oct 25</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 72 ONLY</u> <u>Nov 10 - Nov 24</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>BEAR RIVER ZONE</u> <u>1998 GENERAL ELK HUNTS</u>					
<u>BEAR RIVER ZONE: Units 75, 77, & 78</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 26 - Nov 9</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 19 - Oct 25</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>Nov 10 - Dec 19</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Nov 10 - Dec 19</u>		<u>Spike Only</u>	<u>None</u>

<u>DIAMOND CREEK ZONE</u> <u>1998 GENERAL ELK HUNTS</u>					
<u>DIAMOND CREEK ZONE: Units 66A & 76</u>					

"A" TAG			"B" TAG		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 19 - Oct 25</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>TEX CREEK ZONE</u> <u>1998 GENERAL ELK HUNTS</u> <u>TEX CREEK ZONE: Units 66 & 69</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u> <u>EXCEPTION:</u> <u>Unit 69 ONLY</u> <u>None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u> <u>EXCEPTION:</u> <u>Unit 69 ONLY</u> <u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u> <u>EXCEPTION:</u> <u>Unit 69 ONLY</u> <u>None</u>

<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Nov 1 - Nov 7</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 15 - Oct 28</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>PALISADES ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>PALISADES ZONE: Units 64 & 67</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Nov 1 - Nov 7</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 15 - Oct 28</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>TETON ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>TETON ZONE: Units 62 & 65</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>

<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Nov 1 - Nov 7</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 15 - Oct 28</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>ISLAND PARK ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>ISLAND PARK ZONE: Units 60, 60A, 61, & 62A</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 15 - Oct 28</u>		<u>Spike Only</u>	<u>None</u>

<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 61 ONLY</u> <u>Nov 11 - Dec 9</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 61 ONLY</u> <u>Nov 11 - Dec 9</u>		<u>Spike Only</u>	<u>None</u>

<u>BEAVERHEAD ZONE</u>					
<u>1998 GENERAL ELK HUNTS</u>					
<u>BEAVERHEAD ZONE: Units 30, 30A, 58, 59, & 59A</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>Aug 1 - Aug 29*</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Oct 15 - Oct 28</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
*Within one (1) mile of private fields on which cultivated crops are currently growing.					

<u>LEMHI ZONE</u>	
<u>1998 GENERAL ELK HUNTS</u>	
<u>LEMHI ZONE: Units 29, 37, 37A, & 51</u>	
<u>"A" TAG</u>	<u>"B" TAG</u>

<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>Aug 1 - Aug 29*</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Nov 1 - Nov 7</u> <u>EXCEPTION:</u> <u>Units 29 & 37A - None</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE-LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>Nov 25 - Dec 9</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Nov 25 - Dec 9</u> <u>EXCEPTION:</u> <u>Units 29 & 37A None</u>		<u>Spike Only</u>	<u>None</u>

*Within one (1) mile of private fields on which cultivated crops are currently growing.

SALMON ZONE					
1998 GENERAL ELK HUNTS					
SALMON ZONE: Units 21, 21A, 28, & 36B					
"A" TAG			"B" TAG		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>Aug 30 - Sep 30</u> <u>EXCEPTION:</u> <u>Unit 28</u> <u>None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u> <u>EXCEPTION:</u> <u>Unit 28 ONLY</u> <u>Dec 1 - Dec 31</u>		<u>Antlerless</u>	<u>Aug 30 - Sep 14</u> <u>EXCEPTION:</u> <u>Unit 28 None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>Aug 30 - Sep 14</u> <u>EXCEPTION:</u> <u>Unit 28</u> <u>None</u>

<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Oct 15 - Nov 8</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>Nov 10 - Nov 16</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

<u>MIDDLE FORK ZONE</u> <u>1998 GENERAL ELK HUNTS</u>					
<u>MIDDLE FORK ZONE: Units 20A, 26, & 27</u>					
<u>"A" TAG</u>			<u>"B" TAG</u>		
<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>	<u>WEAPON</u>	<u>LEGAL ELK</u>	<u>DATES</u>
<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>	<u>ARCHERY</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>ANY WEAPON</u>	<u>Any elk</u>	<u>Oct 1 - Oct 31</u>	<u>ANY WEAPON</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>Sep 15 - Sep 30</u> <u>Nov 1 - Nov 18</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>
<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>	<u>MUZZLE- LOADER</u>	<u>Any elk</u>	<u>None</u>
	<u>Antlered Only</u>	<u>None</u>		<u>Antlered Only</u>	<u>None</u>
	<u>Antlerless</u>	<u>None</u>		<u>Antlerless</u>	<u>None</u>
	<u>Spike Only</u>	<u>None</u>		<u>Spike Only</u>	<u>None</u>

(3-20-98)T

559. -- 560. (RESERVED).

(BREAK IN CONTINUITY OF SECTIONS)

561. ELK CONTROLLED HUNTS.
~~29,535~~ 24,885 Permits Plus Unlimited Permits.

01. Antlered Elk.

~~(3-21-97)T(3-20-98)T~~

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2001	Oct 10 - Nov 3		Antlered	11-1	50
2002	Oct 10- Nov 3		Antlered	18-1	125
20023	Sep 25 Oct 1 - Oct 4 14		Antlered	19A	5
20034	Sep 25 Oct 1 - Oct 4 14		Antlered	23-1	5
20045	Oct 1 - Oct 24		Antlered	29-1	150
20056	Oct 1 - Oct 24 14		Antlered	30-1	7530
2007	Nov 1 - Nov 30		Antlered	30-2	75
20068	Oct 1 - Oct 24 - Nov 1 - Nov 30		Antlered	30A-1	50
20079	Oct 15 - Nov 8		Antlered	31-1	100
200810	Oct 1 - Oct 24 31		Antlered	36A-1	100
200911	Oct 1 - Oct 24 31		Antlered	36A-2	125
201012	Oct 1 - Oct 24		Antlered	37-1	75
201113	Oct 1 - Oct 24		Antlered	37A-1	75
201214	Oct 15 - Nov 24		Antlered	40-1	20
201315	Oct 15 - Nov 24		Antlered	40-2	20
201416	Sep 25 - Oct 10		Antlered	43-1	1020
201517	Oct 15 - Nov 3 9		Antlered	43-2	300
201618	Nov 4 10 - Nov 24		Antlered	43-3	200
201719	Sep 25 - Oct 10		Antlered	44-1	10
201820	Oct 15 - Nov 8 9		Antlered	44-2	100
201921	Sep 25 - Oct 10		Antlered	45-1	1030
202022	Oct 15 - Nov 8 9	1	Antlered	45-2	50
202123	Sep 25 - Oct 10		Antlered	48-1	515
202224	Oct 15 - Nov 8 9		Antlered	48-2	25
202325	Oct 15 - Nov 8 9		Antlered	48-3	100
202426	Sep 25 - Oct 10		Antlered	49-1	1020

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2025 <u>27</u>	Oct 15 - Nov 8 Oct 31		Antlered	49-2	250
2026 <u>28</u>	Oct 1 - Oct 24 <u>31</u>		Antlered	50-1	125
2027 <u>29</u>	Sep 25 Oct 1 - Oct 14		Antlered	51-1	10
2028 <u>30</u>	Nov 1 - Nov 30		Antlered	51-2	45
<u>2031</u>	<u>Oct 1 - Oct 14</u>		<u>Antlered</u>	<u>52A-1</u>	<u>25</u>
			(Archery ONLY in Unit 68A)		
<u>2032</u>	<u>Oct 26 - Nov 9</u>		<u>Antlered</u>	<u>52A-2</u>	<u>175</u>
			(Archery ONLY in Unit 68A)		
2029 <u>33</u>	Oct 15 <u>22</u> - Nov 8		Antlered	56-1	10 <u>25</u>
2030 <u>34</u>	Nov 1 - Nov 30		Antlered	58-1	50 <u>100</u>
2031	Oct 1 - Oct 14		Antlered	59-1	5
2032	Nov 1 - Nov 30		Antlered	59-2	60
2033 <u>35</u>	Oct 1 - Oct 14		Antlered	60-1	10 <u>30</u>
2034 <u>36</u>	Nov 1 - Nov 30		Antlered	60-2	90 <u>100</u>
2035 <u>37</u>	Nov 1 - Nov 30		Antlered	60A-1	40 <u>50</u>
2036 <u>38</u>	Nov 1 - Nov 10		Antlered	61-1	100
2037	Sep 25 - Oct 14		Antlered	62A-1	5
<u>2039</u>	<u>Oct 1 - Oct 14</u>		<u>Antlered</u>	<u>66A-1</u>	<u>25</u>
2038 <u>40</u>	Oct 26 - Nov 9		Antlered	66A- 1 <u>2</u>	200 <u>500</u>
2039 <u>41</u>	Sep 25 Oct 1 - Oct 14		Antlered	67-1	5 <u>10</u>
2040	Sep 16 - Oct 4		Antlered	68-1	50
<u>2042</u>	<u>Oct 1 - Oct 14</u>		<u>Antlered</u>	<u>70-1</u>	<u>25</u>
2041 <u>43</u>	Oct 26 - Nov 9		Antlered	70- 1 <u>2</u>	25 <u>200</u>
2042	Oct 26 - Nov 9		Antlered	71-1	25
2043	Sep 25 - Oct 4		Antlered	72-1	25
2044	Sep 25 - Oct 4		Antlered	73-1	10
2045	Oct 26 - Nov 9		Antlered	73-2	50
2046	Oct 26 - Nov 9		Antlered	73-3	25
2047	Oct 26 - Nov 9		Antlered	74-1	50
2048 <u>44</u>	Sep 25 Oct 1 - Oct 4 <u>14</u>		Antlered	75-1	10 <u>25</u>
2049	Oct 26 - Nov 9		Antlered	76-1	200

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2050	Oct 26 - Nov 9		Antlered	76-2	125
2051	Oct 26 - Nov 9		Antlered	76-3	150
2052	Sep 25 - Oct 4		Antlered	77-1	40
2053	Sep 25 - Oct 4		Antlered	78-1	40

(3-21-97)T(3-20-98)T

02. Antlerless Elk.

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2054 <u>45</u>	Oct 20 - Nov 13		Antlerless	8-1	75
2055 <u>46</u>	Oct 20 - Nov 13		Antlerless	8-2	75
2056 <u>47</u>	Nov 21 - Dec 31		Antlerless	8-3	200 125
2057 <u>48</u>	Nov 21 - Dec 31		Antlerless	8-4	200 150
2058	Oct 20 - Nov 13	6, Research Study	Antlerless	10-1	450
2059	Oct 20 - Nov 13	6, Research Study	Antlerless	10-2	275
2060	Oct 20 - Nov 13	6, Research Study	Antlerless	10-3	400
2061	Nov 14 - Nov 30	6, Research Study	Antlerless	10-4	375
2062 <u>49</u>	Oct 10 <u>20</u> - Nov 13		Antlerless	10A-1	225 50
2063 <u>50</u>	Oct 20 - Nov 9 Dec 10 - Dec 31		Antlerless	10A-2	100 50
2064	Dec 10 - Dec 31		Antlerless	10A-3	50
2065 <u>51</u>	Oct 20 - Nov 13		Antlerless	11-2	50
2066 <u>52</u>	Oct 20 - Dec 31		Antlerless	11A-4	75
2067	Oct 20 - Nov 13	6, Research Study	Antlerless	12-1	200
2068	Nov 14 - Nov 30	6, Research Study	Antlerless	12-2	150
2069 <u>53</u>	Oct 10 - Nov 3	1	Antlerless	13-1	75
2070 <u>54</u>	Oct 20 - Nov 13	62 , Research Study	Antlerless	14-1	50 25
2071 <u>55</u>	Dec 10 - Dec 31	62 , Research Study	Antlerless	14-2	75 50
2072 <u>56</u>	Oct 20 - Nov 13	62 , Research Study	Antlerless	14-3	75 50
2073 <u>57</u>	Nov 14 - Nov 24	62 , Research Study	Antlerless	14-4	125 100
2074 <u>58</u>	Oct 20 - Nov 13	62 , Research Study	Antlerless	15-1	100 75
2075 <u>59</u>	Nov 14 - Nov 30	62 , Research Study	Antlerless	15-2	300 250

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
207660	Oct 20 - Dec 31 <u>Nov 13</u>	<u>2, Research Study</u>	Antlerless	16-1	150
207761	Oct 20 Nov 14 - Nov 13 24	62, Research Study	Antlerless	16-2	225 <u>150</u>
2078	Nov 14 - Nov 24	6, Research Study	Antlerless	16-3	150
<u>2062</u>	<u>Oct 20 - Nov 13</u>		<u>Antlerless</u>	<u>18-2</u>	<u>125</u>
207963	Nov 10 - Dec 9 <u>Nov 30</u>		Antlerless	21-1	751 <u>200</u>
2080	Nov 10 - Dec 9		Antlerless	21-2	150
2081	Dec 10 - Dec 31		Antlerless	21-3	75
2082	Dec 10 - Dec 31		Antlerless	21-4	150
2083	Nov 10 - Dec 9		Antlerless	21A-1	350
2084	Dec 10 - Dec 31		Antlerless	21A-2	250
208564	Sep 25 Oct 1 - Oct 14		Antlerless	22-1	400
208665	Sep 25 Oct 1 - Oct 14		Antlerless	22-2	100
208766	Oct 15 - Oct 29		Antlerless	22-3	150
208867	Sep 25 Oct 1 - Oct 14		Antlerless	23-2	100
208968	Oct 5 - Oct 29	1	Antlerless	23-3	100
209069	Oct 15 - Nov 8		Antlerless	23-4	150
209170	Oct 15 - Dec 31	1	Antlerless	23-5	150
209271	Nov 1 - Dec 15	1	Antlerless	23-6	100
209372	Oct 1 - Oct 14		Antlerless	24-1	50
209473	Oct 1 - Oct 14		Antlerless	24-2	50
209574	Oct 15 - Nov 8		Antlerless	24-3	300
209675	Oct 15 - Nov 8		Antlerless	24-4	150
209776	Oct 15 - Nov 8		Antlerless	25	75
2098	Nov 10 - Dec 9		Antlerless	28-1	400
2099	Nov 10 - Dec 9		Antlerless	28-2	150
210077	Nov 10 1 - Dec 9 <u>Nov 20</u>		Antlerless	29-2	200 <u>600</u>
210178	Nov 10 - Dec 9 <u>Dec 1 - Dec 15</u>		Antlerless	30-23	150 <u>400</u>

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2402 079	Nov 10 - Dec 9 Dec 1 - Dec 15		Antlerless	30A-2	75
2403080	Sep 25 Oct 1 - Oct 14		Antlerless	31-2	200
2404081	Oct 15 - Nov 9		Antlerless	31-3	200
2405082	Sep 25 Oct 1 - Oct 29	1	Antlerless	32-1	100
2406083	Sep 25 - Nov 9 Aug 1 - Aug 29 Oct 1 - Oct 31	1	Antlerless	32-2	100
2407084	Nov 10 - Nov 30	1	Antlerless	32-3	200
2408085	Nov 10 - Nov 30	1	Antlerless	32-4	200
2409086	Dec 1 - Dec 31	1	Antlerless	32-5	100
2410087	Sep 25 Oct 1 - Oct 14		Antlerless	32A-1	400
2411088	Oct 15 - Oct 29		Antlerless	32A-2	100
2412089	Nov 10 - Nov 30		Antlerless	32A-3	100
2413090	Oct 15 - Nov 8		Antlerless	33-1	200
2414091	Nov 25 - Dec 9		Antlerless	33-2	100
2415092	Oct 15 - Nov 8		Antlerless	34	50
2416093	Oct 15 - Nov 8		Antlerless	35	50
2417094	Nov 10 - Dec 1 Oct 5 - Oct 14		Antlerless	36-1	300 100
2418095	Dec 2 - Dec 20 Nov 10 - Nov 23		Antlerless	36-2	400 75
2096	Nov 24 - Dec 6		Antlerless	36-3	25
2419097	Nov 10 - Dec 9 Nov 30		Antlerless	36A-3	156 650
2120	Nov 10 - Dec 9		Antlerless	36A-4	250
2121	Nov 10 - Dec 9		Antlerless	36B	250
2422098	Nov 10 - Dec 9 Nov 20		Antlerless	37-2	125 200
2123	Nov 10 - Dec 9		Antlerless	37A-2	150
2124099	Sep 25 - Oct 14		Antlerless	39-1	75
212500	Oct 15 - Nov 3		Antlerless	39-2	100
212601	Oct 15 - Nov 3		Antlerless	39-3	100

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2127 <u>02</u>	Aug 30 <u>1</u> - Nov 15 Dec 7 - Dec 31	Land. Perm	Antlerless	39-4	300 <u>400</u>
2128 <u>03</u>	Oct 15 - Nov 24		Antlerless	40-3	100
2129 <u>04</u>	Oct 15 - Nov 24		Antlerless	40-4	125
2130 <u>05</u>	Oct 15 - Oct 29 Nov <u>9</u>		Antlerless	43-4	200 <u>300</u>
2131 <u>06</u>	Oct 30 Nov <u>10</u> - Nov 12 <u>24</u>		Antlerless	43-5	350 <u>600</u>
2132	Nov 13 - Nov 24		Antlerless	43-6	350
2133 <u>07</u>	Oct 15 - Nov 8 <u>9</u>		Antlerless	44-3	300
2134 <u>08</u>	Oct 15 - Nov 8 <u>9</u>	1	Antlerless	45-3	100 <u>150</u>
2135 <u>09</u>	Oct 15 - Nov 8 <u>9</u>		Antlerless	48-4	200
2136 <u>10</u>	Oct 15 - Nov 8 <u>9</u>		Antlerless	48-5	250
2137 <u>11</u>	Oct 15 - Nov 3 Oct <u>31</u>		Antlerless	49-3	300
2138 <u>12</u>	Nov <u>4</u> <u>10</u> - Nov 24		Antlerless	49-4	200
2139 <u>13</u>	Nov 1 - Nov 15		Antlerless	50-2	300
2140 <u>14</u>	Nov 1 - Dec 17		Antlerless	50-3	300
2141 <u>15</u>	Dec 10 - Dec 31		Antlerless	50-4	50 <u>100</u>
2142 <u>16</u>	Nov 1 - Nov 24		Antlerless	51-3	100
2143	Oct 15 - Nov 24		Antlerless	53-1	100
<u>2117</u>	<u>Aug 1 - Dec 31</u>		<u>Antlerless</u>	<u>52A-3</u>	<u>400</u>
			<u>(Archery ONLY in Unit 68A)</u>		
2144 <u>18</u>	Sep 16 - Oct 14		Antlerless	56-2	35
2145 <u>19</u>	Nov 1 - Nov 30		Antlerless	56-3	35
2146 <u>20</u>	Nov 1 - Nov 30		Antlerless	58-2	150
2147 <u>21</u>	Nov 1 - Nov 30		Antlerless	59- 3	300
2148 <u>22</u>	Nov 1 - Nov 30		Antlerless	60-3	100 <u>250</u>
2149 <u>23</u>	Oct 1 - Nov 30		Antlerless	60A-2	300 <u>350</u>
<u>2124</u>	<u>Oct 22 - Nov 8</u>		<u>Antlerless</u>	<u>61-2</u>	<u>200</u>
2150 <u>25</u>	Nov 1 - Dec 31		Antlerless	62A- 2 <u>1</u>	150
2151	Aug 1 - Dec 31		Antlerless	63-1	300
2152 <u>26</u>	Nov 1 - Nov 30		Antlerless	64	75
2153 <u>27</u>	Oct 15 - Nov 8		Antlerless	66-1	600
2154 <u>28</u>	Nov 15 - Nov 30		Antlerless	66-2	600

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
215529	Oct 26 - Nov 9		Antlerless	66A-23	3001,000
215630	Oct 22 - Nov 24		Antlerless	67-2	250
215731	Nov 25 - Dec 15		Antlerless	67-3	200
2158	Sep 16 - Oct 4		Antlerless	68-2	200
215932	Aug 15 - Nov 30		Antlerless	69-1	250
216033	Dec 1 - Dec 31		Antlerless	69-2	100
216134	Oct 26 - Nov 9		Antlerless	70-2	400800
2162	Oct 26 - Nov 9		Antlerless	71-2	150
2163	Nov 10 - Nov 24		Antlerless	72-2	200
2164	Oct 26 - Nov 9		Antlerless	73-4	50
2165	Oct 26 - Nov 9		Antlerless	73-5	25
2166	Oct 26 - Nov 9		Antlerless	74-2	150
216735	Oct 26 - Nov 9		Antlerless	75-2	450450
2168	Oct 26 - Nov 9		Antlerless	76-4	200
2169	Oct 26 - Nov 9		Antlerless	76-5	250
2170	Oct 26 - Nov 9		Antlerless	76-6	125
217136	Nov 10 - Dec 31		Antlerless	76-71	150
2172	Oct 26 - Nov 9		Antlerless	77-2	100
2173	Oct 26 - Nov 9		Antlerless	78-2	150

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03. Either Sex Elk.

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
217437	Oct 10 - Nov 3	1	Either Sex	13-2	200
2175	Oct 5 - Nov 8	2	Either Sex	16A	200
2176	Oct 5 - Nov 8	2	Either Sex	17-1	100
2177	Oct 5 - Nov 8	2	Either Sex	17-2	325
2178	Oct 5 - Nov 8	2	Either Sex	17-3	300
2179	Oct 10 - Nov 3		Either Sex	18	250
2180	Oct 5 - Nov 8	2	Either Sex	19	400
2181	Oct 5 - Nov 8	2	Either Sex	20	125
2182	Oct 5 - Nov 8	2	Either Sex	20A	400

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2183	Oct 5 - Nov 8	2	Either Sex	26	300
2184	Oct 5 - Nov 8	2	Either Sex	27	500
2185	Oct 15 - Nov 24		Either Sex	53-2	30
<u>2138</u>	<u>Aug 1 - Dec 31</u>		<u>Either Sex</u>	<u>51-4</u>	<u>100</u>
2186 <u>39</u>	Oct 25 - Dec 15		Either Sex	62	300
2187 <u>40</u>	Nov 1 - Dec 9		Either Sex	62A- 3 <u>2</u>	200
2188	Aug 1 - Dec 31		Either Sex	63-2	50

(3-21-97)F(3-20-98)T

04. Archery Elk.

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2189	Aug 30 - Sep 30	3	Either Sex	11A-2	Unlimited

(3-21-97)F

054. Muzzleloader Elk.

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2190 <u>41</u>	Nov 10 - Nov 29		Either Sex	4	20
2191	Nov 10 - Nov 29		Antlerless	10A-4	150
2192	Nov 25 - Dec 9 Dec 10 - Dec 31	3 3	Antlerless Antlerless	14-5 30-3	Unlimited
2193 <u>42</u>	Nov 1 - Nov 24		Antlerless	22-4	50
2194 <u>43</u>	Aug 15 - Sep 30		Either Sex Antlerless	24-5	75
2195 <u>44</u>	Nov 15 - Dec 10		Antlerless	24-6	300
2196 <u>45</u>	Dec 1 - Dec 31		Antlerless	32A-4	50
2197 <u>46</u>	Nov 10 - Nov 24		Antlered	33-3	50
2198 <u>47</u>	Nov 10 - Nov 24		Antlerless	33-4	150 <u>200</u>
2199	Nov 11 - Dec 9	3,4	Either Sex	61-2	Unlimited
2200 <u>148</u>	Nov 11 - Dec 9		Either Sex	61-3	300
2201	Oct 10 - Nov 9	1,5	Either Sex	63A	50
2202	Oct 26 - Nov 9		Either Sex	72-3	200

Hunt Number	Open Season Dates	Notes	Legal Elk	Controlled Hunt Area	Number of Permits
2203	Nov 10—Dec 9		Antlerless	75-3	150

(3-21-97)F(3-20-98)T

Notes:

- 1 - This hunt has very limited access.
- 2 - ~~Wilderness Hunt.~~ Successful hunters must report to an IDFG office or official check point within five (5) days of date-of-kill to turn in requested blood and tissue samples for research study
- 3 - ~~Nonresidents must have a valid 1997 elk tag in possession to be eligible to apply.~~
- 4 - ~~Antlerless or spike elk ONLY.~~
- 5 - ~~Short range weapons (archery, muzzleloader, and shotguns) ONLY.~~
- 6 - ~~Successful hunters must report to an IDFG office or official check point within five (5) days of date-of-kill to turn in requested blood and tissue samples for research study.~~

(3-13-96)F(3-20-98)T

(BREAK IN CONTINUITY OF SECTIONS)

572. ANTELOPE CONTROLLED HUNTS.

~~2,225~~ 2,110 Permits.

(3-21-97)F(3-20-98)T

- 01. Any Antelope.

Hunt Number	Open Season Dates Inclusive	Notes	Legal Antelope	Controlled Hunt Area	Number of Permits
4001	Sep 25—Oct 24		Any Antelope	21A	40
4002 1	Sep 25 - Oct 24		Any Antelope	29-1	50
4003 2	Sep 25 - Oct 24		Any Antelope	29-2	50
4004 3	Sep 25 - Oct 24		Any Antelope	30	30
4005 4	Sep 25 - Oct 24		Any Antelope	30A	40
4006 5	Sep 25 - Oct 24		Any Antelope	36A-1	15
4007 6	Sep 25 - Oct 24		Any Antelope	36A-2	50
4008 7	Sep 25 - Oct 24		Any Antelope	36B	25
4009 8	Sep 25 - Oct 24		Any Antelope	37-1	75
4010 9	Sep 25 - Oct 24		Any Antelope	37-2	100
4011 10	Sep 25 - Oct 24		Any Antelope	37A-1	50
4012 11	Sep 25 - Oct 24		Any Antelope	37A-2	25
4013 12	Sep 25 - Oct 24		Any Antelope	39	10
4014 13	Sep 25 - Oct 24		Any Antelope	40	150
4015 14	Sep 25 - Oct 24		Any Antelope	42	200
4016 15	Sep 25 - Oct 24		Any Antelope	44	2040

Hunt Number	Open Season Dates Inclusive	Notes	Legal Antelope	Controlled Hunt Area	Number of Permits
401716	Sep 25 - Oct 24		Any Antelope	46-1	60
401817	Sep 25 - Oct 24		Any Antelope	49	50
401918	Sep 25 - Oct 24		Any Antelope	50-1	100
402019	Sep 25 - Oct 24		Any Antelope	50-2	50
402120	Sep 25 - Oct 24		Any Antelope	50-3	30
402221	Sep 25 - Oct 24		Any Antelope	51-1	75
402322	Sep 25 - Oct 24		Any Antelope	51-2	50
402423	Oct 25 - Nov 30		Any Antelope	51-3	50
402524	Sep 25 - Oct 24		Any Antelope	53	30
402625	Sep 25 - Oct 24		Any Antelope	54	10
402726	Sep 25 - Oct 24		Any Antelope	57	5
402827	Sep 25 - Oct 24		Any Antelope	58	50
402928	Sep 25 - Oct 24		Any Antelope	59	100
403029	Sep 25 - Oct 24		Any Antelope	60A	7550
403130	Sep 25 - Oct 24		Any Antelope	63-1	50
403231	Sep 25 - Oct 24		Any Antelope	68	50

(3-21-97)F(3-20-98)T

02. Doe or Fawn Only.

Hunt Number	Open Season Dates Inclusive	Notes	Legal Antelope	Controlled Hunt Area	Number of Permits
4033	Oct 5 - Oct 24		Doe or Fawn	36A-3	25
4034	Oct 5 - Oct 24		Doe or Fawn	37-3	25
4035	Oct 5 - Oct 24		Doe or Fawn	37-4	50
403632	Oct 5 - Oct 24		Doe or Fawn	46-2	100

(3-21-97)F(3-20-98)T

03. Muzzleloader Antelope.

Hunt Number	Open Season Dates Inclusive	Notes	Legal Antelope	Controlled Area	Number of Permits
403733	Sep 25 - Oct 24		Any Antelope	41	25
403834	Sep 25 - Oct 24		Any Antelope	47	40

Hunt Number	Open Season Dates Inclusive	Notes	Legal Antelope	Controlled Area	Number of Permits
4039	Sep 25—Oct 24	1,2	Any Antelope	61	50
404035	Aug 1 - Oct 24		Any Antelope	63-2	175

(3-20-98)T

04. Short Range Only Antelope.

(3-20-98)T

<u>Hunt Number</u>	<u>Open Season Dates Inclusive</u>	<u>Notes</u>	<u>Legal Antelope</u>	<u>Controlled Area</u>	<u>Number of Permits</u>
4036	Sep 25 - Oct 24	1	Any Antelope	61	50

Notes:

~~1 - Muzzleloader or shotgun permitted.~~

2 1 - Hunt has very limited access.

(3-21-97)T(3-20-98)T

(BREAK IN CONTINUITY OF SECTIONS)

587. BLACK BEAR TAKE SEASONS.

Unit(s)	Fall	Spring
1 - (Dogs and bait prohibited.)	Sep 15 - Oct 31	Apr 15 - May 31
2, 3, 4, 4A, 5 - (Dogs prohibited from April 15 through April 30.)	Sep 15 - Oct 31	Apr 15 - May 15
6 - (Bait prohibited. Dogs prohibited from April 15 through April 30.)	Sep 15 - Oct 31	Apr 15 - May 15
7	Sep 15 - Oct 31	Apr 15 - Jun 15
8 - (Dogs prohibited from April 15 through April 30.)	Sep 15 - Oct 31	Apr 15 - May 15
8A - (Bait prohibited. Dogs prohibited from April 15 through April 30.)	Sep 15 - Oct 31	Apr 15 - May 15
9	Sep 15 - Oct 31	Apr 15 - Jun 15
10	Sep 15 - Oct 31	Apr 15 - Jun 15 30
10A - (Bait prohibited. Dogs prohibited from April 15 through April 30.)	Sep 15 - Oct 31	Apr 15 - May 15
11, 11A - (Dogs prohibited from April 15 through April 30.)	Sep 15 - Oct 31	Apr 15 - May 15
12	Sep 15 - Oct 31	Apr 15 - Jun 15 30
13, 14, 15, 16 - (Dogs prohibited from April 15 through April 30.)	Sep 15 - Oct 31	Apr 15 - May 15
16A, 17	Sep 15 - Oct 31	Apr 15 - June 15
18 - (Dogs prohibited from April 15 through April 30.)	Sep 15 - Oct 31	Apr 15 - May 15
19, 19A, 20, 20A, 21, 21A	Sep 15 - Oct 31	Apr 15 - Jun 15

Unit(s)	Fall	Spring
23, 24, 25	Sep 15 - Oct 21	Apr 15 - May 31
26, 27, 28, 29, 30, 30A	Sep 15 - Oct 31	Apr 15 - Jun 15
33	Sep 15 - Oct 31	Apr 15 - May 22
34, 35, 36	Sep 15 - Oct 31	Apr 15 - Jun 7
36A, 36B, 37, 37A	Sep 15 - Oct 31	Apr 15 - Jun 15
39, 43	Sep 15 - Oct 31	Apr 15 - May 22
44, 45, 48, 49 - (Dogs prohibited from September 15 through October 31.)	Sep 15 - Oct 31	Apr 15 - May 22
50, 51, 58, 59, 59A	Sep 15 - Oct 14	Apr 15 - Jun 7
60, 61, 62, 62A (Dogs and bait prohibited in that portion of Unit 61 east of Howard Creek: in Clark County and in all of Units 62 and 62A.)	Sep 15 - Oct 14	Apr 15 - Jun 15
64, 65, 66, 66A, 67, 69, 76	Sep 15 - Oct 14	Apr 15 - Jun 7

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588. BLACK BEAR DOG TRAINING SEASONS.

Black bears may NOT be killed during these seasons.

(3-20-97)

Unit(s)	Season Dates
4, 4A	May 16 - Jul 31
6 - (Bait prohibited)	May 16 - Jul 31
7	Jun 16 - Jul 31
8A - (Bait prohibited)	May 16 - Jul 31
9, 10	Jun 16 - Jul 31
<u>10</u>	<u>Jul 1 - Jul 31</u>
10A - (Bait prohibited)	May 16 - Jul 31
12	Jun 16 <u>Jul 1</u> - Jul 31
14, 15, 16, 18	May 16 - Jul 31
19A, 21, 21A	Jun 16 - Jul 31
22 - (Bait prohibited)	May 16 - Jul 31
23, 24, 25	Jun 1 - Jul 31
28, 29, 30, 30A	Jun 16 - Jul 31
31, 32, 32A - (Except that portion of Unit 32A within the Middle Fork of the Weiser River and Little Weiser River drainages is CLOSED.) (Bait prohibited)	May 16 - Jul 31
33 - (Except that portion of Unit 33 within the Middle Fork of the Payette River drainage downstream from but excluding Powder House Gulch drainage is CLOSED.)	May 23 - Jul 31

Unit(s)	Season Dates
34, 35, 36	Jun 8 - Jul 31
36A, 36B, 37, 37A	Jun 16 - Jul 31
39, 43, 44, 45, 48, 49	May 23 - Jul 31
50, 51, 58, 59, 59A	Jun 8 - Jul 31
61 - (Only that portion of unit west of Howard Creek in Clark County.)	Jun 16 - Jul 31
64, 65, 66, 66A, 67, 69, 76	Jun 8 - Jul 31

(~~3-20-97~~)(3-20-98)T

(BREAK IN CONTINUITY OF SECTIONS)

594. MOUNTAIN LION TAKE SEASONS.

Unit(s)	Dates
1, 2, 3, 4, 4A, 5, 6, 7, 9	Sep 15 - Mar 15 31
8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, 19A, 20, 20A	Sep 15 - Mar 31
21, 21A	Sep 15 - Feb 15
22, 23	Sep 15 - Mar 31
24 - (This unit will remain open until a total of three (3) females has been harvested or March 31, whichever occurs first.)	Sep 15 - Mar 31
25 - (This unit will remain open until a total of four (4) females has been harvested, or March 31, whichever occurs first.)	Sep 15 - Mar 31
26, 27	Sep 15 - Mar 31
28, 29, 30, 30A	Sep 15 - Feb 15
31, 32 - (These units will remain open until a total of four (4) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15 - Mar 31
32A, 33, 34, 35	Sep 15 - Mar 31
36, 36A, 36B, 37, 37A	Sep 15 - Feb 15
39 - (This unit will remain open until a total of seven (7) females has been harvested, or March 31, whichever occurs first.)	Sep 15 - Mar 31
40 - (This unit will remain open until a total of five (5) females has been harvested, or March 31, whichever occurs first.)	Sep 15 - Mar 31
41, 42 - (These units will remain open until a total of five (5) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15 - Mar 31
43, 44, 49 - (These units will remain open until a total of three (3) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15 - Mar 31

Unit(s)	Dates
45, 52, 52A, 53 - (These units will remain open until a total of three (3) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15-Mar 31
46, 47 - (These units will remain open until a total of three (3) females has been harvested in this group of units, or March 31 whichever occurs first.)	Sep 15 - Mar 31
50, 51 - (These units will remain open until a total of three <u>four (34)</u> females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15 - Mar 31
54 - (This unit will remain open until a total of six (6) females has been harvested in this unit, or March 31 whichever occurs first.)	Sep 15 - Mar 31
55 - (This unit will remain open until a total of six (6) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15 - Mar 31
56, 57 - (These units will remain open until a total of three (3) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15 - Mar 31
58, 59, 59A - (These units will remain open until a total of two (2) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15- Mar31
64, 65, 66, 67, 69 - (Only that portion of Unit 69 within the Antelope and Granite Creek drainages is OPEN.) (These units will remain open until a total of four <u>five (45)</u> females has been harvested in this group of units, or December 31, whichever occurs first.)	Sep 15 - Dec 31
66A, 70, 71, 72, 73, 73A, 74, 75, 76, 77, 78 - (These units will remain open until a total of six (6) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15 - Mar 31 <u>Feb 15</u>
70, 71, 73, 73A - (These units will remain open until a total of seven (7) females has been harvested in this group of units, or March 31, whichever occurs first.)	Sep 15 - Mar 31

(3-21-97)~~F~~(3-20-98)T

595. MOUNTAIN LION DOG TRAINING SEASONS.

Mountain lions may NOT be killed during these seasons.

Units	Season Dates
21, 21A, 28, 29, 30, 30A, 36, 36A, 36B, 37, 37A, 66A, 70, 71, 72, 73, 73A, 74, 75, 76, 77, 78	Feb 16 - Mar 31
60, 61, 62, 62A	Jan 1 - Mar 31

For the following units a dog training season shall open upon the closure of the unit to harvest where a harvest quota is met: 24, 25, 31, 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 52A, 53, 54, 55, 56, 57, 58, 59, and 59A, ~~66A, 70, 71, 72, 73, 73A, 74, 75, 76, 77, and 78~~. If opened, the training season in any of these units shall close March 31.

(3-20-97)(3-20-98)T

(BREAK IN CONTINUITY OF SECTIONS)

600. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS.

01. Unit 1. All of BOUNDARY COUNTY and that portion of BONNER COUNTY north of the Pend Oreille River, Pend Oreille Lake and Clark Fork River. MYRTLE CREEK AND DAVID THOMPSON GAME PRESERVES - CLOSED. (7-1-93)

02. Unit 2. Those portions of BONNER and KOOTENAI COUNTIES within the following boundary: beginning at the intersection of the Idaho-Washington State line and the north bank of the Pend Oreille River, then east along the Pend Oreille River to Pend Oreille Lake at the railroad trestle in the southeast corner of the City of Sandpoint, then south across the railroad trestle, then east and south along the western shore line of Pend Oreille Lake to the south boundary fence of Farragut State Park, then west along the boundary fence to State Highway 54 at the west entrance to Farragut State Park, then west on State Highway 54 to U.S. 95, then south on U.S. 95 to Lake Coeur d'Alene at the source of the Spokane River, then west along the southern bank of the Spokane River to the Idaho-Washington State line, then north along the state line to the point of beginning. FARRAGUT STATE PARK, CLOSED EXCEPT TO ARCHERY. (7-1-93)

03. Unit 3. Those portions of KOOTENAI, SHOSHONE, and BENEWAH COUNTIES within the following boundary: beginning at Mission Point on the St. Joe River and State Highway 3, then northeast on State Highway 3 to Interstate 90, then east on Interstate 90 to Kingston, then north on Forest Highway 9 (North Fork of the Coeur d'Alene River Road) to Forest Service Road 209 (Little North Fork of the Coeur d'Alene River Road), then northwest along Forest Service Road 209 to the watershed divide between the Coeur d'Alene River and Pend Oreille Lake, then northwest along the divide to Bernard Peak, then north to Steamboat Rock on Pend Oreille Lake, then west along the lake shore to the south boundary fence of Farragut State Park, then west along the boundary fence to State Highway 54 at the west entrance of Farragut State Park, then west on State Highway 54 to U.S. 95, then south on U.S. 95 to Coeur d'Alene Lake, then southeast along the eastern shore line of Coeur d'Alene and Round Lakes to Mission Point, the point of beginning. (3-20-97)

04. Unit 4. Those portions of BONNER, KOOTENAI, and SHOSHONE COUNTIES within the following boundary: beginning on the Idaho-Montana State line at the watershed divide between Pend Oreille Lake and the Coeur d'Alene River, then southeast along the state line to the watershed divide between the Coeur d'Alene and St. Joe Rivers, then west along the divide to State Highway 3, then northeast on State Highway 3 to Interstate 90, then east on Interstate 90 to Kingston, then north on Forest Highway 9 (North Fork of the Coeur d'Alene River Road) to Forest Service Road 209 (Little North Fork of the Coeur d'Alene River Road), then northwest along Forest Service Road 209 to the watershed divide between the Coeur d'Alene River and Pend Oreille Lake, then northeast along the divide to the point of beginning. (3-20-97)

05. Unit 4A. Those portions of BONNER and KOOTENAI COUNTIES within the following boundary: beginning on the Idaho-Montana State line at the watershed divide between Pend Oreille Lake and the Coeur d'Alene River, then southwest along the divide to Bernard Peak, then north to Steamboat Rock on Pend Oreille Lake, then northwest along the western shoreline of Pend Oreille Lake to the railroad trestle approximately one mile south of Sandpoint, then north on the railroad trestle to Sandpoint, then east along the north banks of Pend Oreille Lake and the Clark Fork River to the Idaho-Montana State line, then south on the state line to the point of beginning. (7-1-93)

06. Unit 5. Those portions of BENEWAH and KOOTENAI COUNTIES within the following boundary: beginning at the intersection of the Idaho-Washington State line and the Spokane River, then east along the southern bank of the Spokane River to U.S. 95 at Coeur d'Alene Lake, then southeast along the eastern shore line of Coeur d'Alene and Round Lakes to Mission Point, then upstream along the northern bank of the St. Joe River to the mouth of St. Maries River, then upstream along the St. Maries River to the intersection of the St. Maries River and State Highway 3 near Washburn, then south on State Highway 3 to the intersection of State Highway 6, then west on State Highway 6 to the watershed divide between the St. Maries and Palouse Rivers, then northwest along the divide to West Dennis Peak, then west along the watershed divide between Hangman Creek and Palouse River to the Idaho-Washington State line, then north along the state line to the Spokane River, the point of beginning. HEYBURN STATE PARK-CLOSED. (7-1-93)

07. Unit 6. Those portions of KOOTENAI, SHOSHONE, BENEWAH, CLEARWATER, and LATAH COUNTIES within the following boundary: beginning at St. Maries, then downstream along the northern bank of the

St. Joe River to Mission Point on State Highway 3, then north on State Highway 3 to the watershed divide between the St. Joe and Coeur d'Alene Rivers, then east along the divide to the Moon Pass Road, then south on Moon Pass Road to Avery, then west on the St. Joe River Road to the Fishhook Creek Road (Forest Service Road 301), then south on Fishhook Creek Road to Breezy Saddle, then southwest on Forest Service Road 301 to White Rock Springs, then south along the watershed divide between the St. Maries River and Little North Fork of the Clearwater River over Stony Butte to Hemlock Butte, then northwest along the St. Maries River-Potlatch River watershed divide across Bald Mountain to State Highway 6, then northeast on State Highway 6 to the intersection of State Highway 3, then north on State Highway 3 to the St. Maries River, then downstream to St. Maries, the point of beginning. (7-1-93)

08. Unit 7. That portion of SHOSHONE COUNTY within the following boundary: beginning on the Idaho-Montana State line at the watershed divide between the St. Joe and Coeur d'Alene Rivers, then west along the divide to the Moon Pass Road, then south on Moon Pass Road to Avery, then west on the St. Joe River Road to the Fishhook Creek Road (Forest Service Road 301), then south on the Fishhook Creek Road to Forest Service Road 201, then east on Forest Service Road 201 to Bluff Creek Saddle (Dismal Saddle), then southeast past Dismal Lake and Bathub Springs to the watershed divide between the St. Joe and North Fork of the Clearwater Rivers, then east along the divide to the Idaho-Montana State line, then north along the state line to the point of beginning. (7-1-93)

09. Unit 8. Those portions of LATAH, NEZ PERCE, and CLEARWATER COUNTIES within the following boundary: Beginning on the Idaho-Washington state line at the watershed divide between Hangman Creek and Palouse River, south along the divide to U.S. 95, then south along U.S. 95 to State Highway 6, then east along State Highway 6 to State Highway 9, then southeast along State Highway 9 to Deary, then south on State Highway 3 to Kendrick, then southeast along County Road P-1 through Southwick and Cavendish to the North Fork of the Clearwater River at Ahsahka, then downstream along the North Fork of the Clearwater River to its junction with the main Clearwater River, then down the main Clearwater River to the Idaho-Washington state line, then north to the point of beginning. (3-21-97)T

10. Unit 8A. Those portions of BENEWAH, LATAH, CLEARWATER, and NEZ PERCE COUNTIES within the following boundary: Beginning at Ahsahka on County Road P-1, then northwest along County Road P-1 through Southwick and Cavendish to State Highway 3, then northeast along State Highway 3 to Deary, then northwest along State Highway 9 to State Highway 6, then west along State Highway 6 to U.S. 95, then north along U.S. 95 to the watershed divide between Hangman Creek and Palouse River, then southeast along the divide to West Dennis Mountain, then southeast along the St. Maries watershed divide to Hemlock Butte, then south on Elk Creek Road (Forest Service Road 382.4) to Elk River, then south on the Dent Bridge-Elk River Road to the south shoreline of Dworshak Reservoir, then along the southern shoreline to Dworshak Dam, then downstream to the main Clearwater River, then downstream along the North Fork of the Clearwater River to Ahsahka, the point of beginning. (3-21-97)T

11. Unit 9. Those portions of SHOSHONE and CLEARWATER COUNTIES within the following boundary: beginning at Getaway Point, then due south to the Little North Fork of the Clearwater River, then upstream to the watershed divide between Bear and Devils Club Creeks, then east along the divide to Larkins Peak, then northeast along the watershed divide between the Little North Fork of the Clearwater River and the North Fork of the Clearwater River to the Surveyors Ridge-Bathub Springs Road (Forest Service Road 201), then northwest on Surveyors Ridge-Bathub Springs Road past Bathub Springs and Bluff Creek Saddle (Dismal Saddle), to the Fishhook Creek Road (Forest Service Road 301), then south on Fishhook Creek Road to Breezy Saddle, then southwest on Fishhook Creek Road to the Goat Mountain-Getaway Point Road, then southeast on the Goat Mountain-Getaway Point Road to Getaway Point, the point of beginning. (7-1-93)

12. Unit 10. Those portions of SHOSHONE, CLEARWATER, and IDAHO COUNTIES within the following boundary: beginning at the confluence of the Little North Fork and the North Fork of the Clearwater Rivers at the upstream end of Dworshak Reservoir, then up the east bank of the reservoir and the Little North Fork of the Clearwater River to the watershed divide between Bear and Devils Club Creeks, then east along the divide to the watershed divide between the Little North Fork and the North Fork of the Clearwater Rivers, then east along the divide to the watershed divide between the North Fork of the Clearwater and the St. Joe Rivers, then east along the divide to the Idaho-Montana State line, then south along the state line to the divide between the North Fork of the Clearwater and the Lochsa Rivers, then west along the divide over Williams Peak to its intersection with the Lolo Motor Way (Forest Service Road 500), then west on Lolo Motor Way to its intersection with the Hemlock Butte Road (Forest Service Road 104), then northwest on Hemlock Butte Road to Hemlock Butte and the watershed divide

between Weitas and Orogrande Creeks, then north along the divide to Cabin Point then northwest along Forest Service Trail 17 to the North Fork Clearwater River then downstream along the North Fork of the Clearwater River and the north bank of Dworshak Reservoir to the mouth of the Little North Fork of the Clearwater River, the point of beginning. (7-1-93)

13. Unit 10A. Those portions of SHOSHONE, IDAHO and CLEARWATER COUNTIES within the following boundary: beginning at the mouth of the North Fork of the Clearwater River, upstream to Dworshak Dam, then up Dworshak Reservoir along the southern shoreline to Dent Bridge, then north on the Elk River Road to Elk River, then north on the Elk Creek Road (Forest Service Road 382) to Hemlock Butte, then north along the watershed divide between the St. Maries and Little North Fork of the Clearwater Rivers over Stony Butte to White Rock Springs, then east on the Gold Center-Roundtop Road (Forest Service Road 301) to the Goat Mountain-Getaway Point Road (Forest Service Roads 457 and 220), then south along Goat Mountain-Getaway Point Road to Getaway Point, then due south to the Little North Fork of the Clearwater River, then downstream to Dworshak Reservoir, then along the east bank of the reservoir to the North Fork of the Clearwater River, then east along the north bank of the reservoir and the North Fork of the Clearwater River, to Forest Service Trail 17, then south along Forest Service Trail 17 to Cabin Point and the watershed divide between Orogrande and Weitas Creeks, then south along the divide to Hemlock Butte and its intersection with Forest Service Road 104, then southeast on Forest Service Road 104 to Lolo Motor Way (Forest Service Road 500), then south along Lolo Motor Way to Smith Creek Road (Forest Service Road 101), then southwest along Smith Creek Road to the Middle Fork of the Clearwater River, then northwest along the Middle Fork of the Clearwater River to the mouth of the North Fork of the Clearwater River, the point of beginning. (10-26-94)

14. Unit 11. Those portions of NEZ PERCE, LEWIS, and IDAHO COUNTIES within the following boundary: beginning at the mouth of the Clearwater River, upstream to U.S. 95 bridge near Spalding, then southeast on U.S. 95 to the Graves Creek Road at Cottonwood, then south on Graves Creek Road to the Salmon River, then downstream to the Snake River, then downstream to the mouth of the Clearwater River, the point of beginning. (7-1-93)

15. Unit 11A. Those portions of CLEARWATER, NEZ PERCE, LEWIS, and IDAHO COUNTIES within the following boundary: beginning on the Clearwater River at the U.S. 95 bridge near Spalding, upstream to the South Fork of the Clearwater River, then up the South Fork to Harpster Bridge, then southwest on State Highway 13 to U.S. 95 at Grangeville, then northwest on U.S. 95 to Spalding, the point of beginning. NEZ PERCE NATIONAL HISTORICAL PARK-CLOSED. (7-1-93)

16. Unit 12. Those portions of IDAHO and CLEARWATER COUNTIES within the following boundary: beginning at the junction of the Smith Creek Road (Forest Service Road 101) and the Middle Fork of the Clearwater River, then northeast on the Smith Creek Road to the Lolo Motor Way (Forest Service Road 500), then north along the Lolo Motor Way to the point where it leaves the watershed divide between the North Fork of the Clearwater and Lochsa Rivers at the heads of Papoose Creek and Cayuse Creek, then north along the divide over Williams Peak to the Idaho-Montana State line, then southeast along the state line to the watershed divide between the Lochsa and Selway Rivers, then west along the divide over Diablo Mountain, Elk Summit, McConnell Mountain and Fenn Mountain to the confluence of the Lochsa and Selway Rivers, then down the Middle Fork of the Clearwater River to the Smith Creek Road, the point of beginning. (4-25-94)

17. Unit 13. That portion of IDAHO COUNTY bounded by the Snake River on the west, the Salmon River on the east and north and the White Bird-Pittsburg Landing Road on the south. (7-1-93)

18. Unit 14. That portion of IDAHO COUNTY within the following boundary: beginning at Riggins on the Salmon River, then upstream to Wind River, then up Wind River to Anchor Creek, then up Anchor Creek to Anchor Meadows, then northeast along the old wagon road (Forest Service Trail 313) to the divide between the Salmon River and South Fork Clearwater River, then west on the divide to Square Mountain, then west on the Square Mountain-Gospel Hill Road (Forest Service Road 444) to the Grangeville-Salmon River Road (Forest Service Road 221), then north on Grangeville-Salmon River Road to State Highway 13 at Grangeville, then west on Highway 13 to U.S. 95, then northwest on U.S. 95 to Cottonwood, then south on the Graves Creek Road to the Salmon River, then upstream to Riggins, the point of beginning. NEZ PERCE NATIONAL HISTORICAL PARK-CLOSED. (10-26-94)

19. Unit 15. That portion of IDAHO COUNTY within the following boundary: beginning at

Grangeville on State Highway 13, then northeast on State Highway 13 to the South Fork of the Clearwater River, then downstream to the road that goes up Sally Ann Creek, then up the road to the town of Clearwater, then southeast along Forest Service Road 284 to Forest Service Road 464, then east along Forest Service Road 464 to the watershed divide between the South Fork Clearwater and Selway Rivers, then southeast along the divide over Forest Service Trail 835 to Anderson Butte, then south over Forest Service Trail 505 to Black Hawk Mountain and Soda Creek Point to the Montana Road (Forest Service Road 468), then west on Montana Road to the Red River Ranger Station-Mackay Bar Road (Forest Service Road 222.3), then southwest on Red River Ranger Station-Mackay Bar Road to Dixie Summit, then west along the watershed divide between the South Fork Clearwater and Salmon Rivers over the Crooked River-Big Creek Divide, Orogrande Summit and Square Mountain to the Moores Guard Station-Adams Ranger Station Road (Forest Service Road 444), then west on Moores Guard Station-Adams Ranger Station Road to the Grangeville-Salmon River Road (Forest Service Road 221), then north on Grangeville-Salmon River Road to Grangeville, the point of beginning. (7-1-93)

20. Unit 16. That portion of IDAHO COUNTY within the following boundary: beginning at the mouth of the Middle Fork of the Clearwater River, then upstream to the confluence of the Lochsa and Selway Rivers, then east along the watershed divide between the Lochsa and Selway Rivers to the watershed divide between Gedney and Three Links Creeks, then south along the divide to Big Fog Mountain, then along Forest Service Trail 343 to Big Fog Saddle, then south along the Fog Mountain Road (Forest Service Road 319) to the Selway River, then upstream to Meadow Creek, then up the Meadow Creek-Falls Point Road (Forest Service Road 443) to Forest Service Road 464, then west along Forest Service Road 464 to Forest Service Road 284, then along Forest Service Road 284 to the town of Clearwater, then west along the road down Sally Ann Creek to State Highway 13, then downstream on the South Fork of the Clearwater River to the Middle Fork of the Clearwater River, the point of beginning. (7-1-93)

21. Unit 16A. That portion of IDAHO COUNTY within the following boundary: beginning at the mouth of Meadow Creek on the Selway River, up the Selway River to Mink Creek, then up the divide between Mink Creek and the drainages of Coyote, Wolf, Jims, and Otter Creeks, over Wolf Point and Highline Ridge to the divide between Meadow Creek and the Selway River, then southeast along the divide over Bilk Mountain and Elk Mountain to the Elk Mountain Road, then southwest on the Elk Mountain-Green Mountain-Montana Road to the watershed divide between the South Fork of the Clearwater River and the Selway River (near Mountain Meadows), then northeast along the divide over Soda Creek Point and around the head of Red River, then northwest along the divide over Black Hawk Mountain to Anderson Butte, then from Anderson Butte northwest on Forest Service Trail 835 to the Falls Point Road (Forest Service Road 443), then northeast on Falls Point Road to the mouth of Meadow Creek, the point of beginning. (7-1-93)

22. Unit 17. That portion of IDAHO COUNTY within the following boundary: beginning at the Fog Mountain Road (Forest Service Road 319) on the Selway River, then north along Fog Mountain Road to Big Fog Saddle, then north along Forest Service Trail 343 to Big Fog Mountain, then north along the watershed divide between Gedney and Three Links Creeks to the watershed divide between the Lochsa and Selway Rivers, then northeast along the divide over McConnell Mountain and Diablo Mountain to the Idaho-Montana State line, then south along the state line to the watershed divide between the Selway and Salmon Rivers, then west along the divide over Square Top, Waugh Mountain, Salmon Mountain, Burnt Knob and Three Prong Mountain to the Green Mountain-Elk Mountain Road, then north along Green Mountain-Elk Mountain Road to Elk Mountain, then along the watershed divide between the Selway River and Meadow Creek over Elk Mountain and Bilk Mountain to the head of Mink Creek, then down the divide between Mink Creek and the drainages of Otter, Jims, Wolf and Coyote Creeks over Highline Ridge and Wolf Point to the confluence of Three Links Creek with the Selway River, then down the Selway River to the Fog Mountain Road, the point of beginning. (7-1-93)

23. Unit 18. Those portions of IDAHO and ADAMS COUNTIES within the following boundary: beginning at Riggins, up the Little Salmon River to Rapid River, then up Rapid River to and including the Shingle Creek drainage to the Snake River divide, then south along the divide to Purgatory Saddle at the head of Granite Creek, then down Granite Creek to the Snake River, then downstream to Pittsburg Landing, then east on the Pittsburg Landing-White Bird Road to the Salmon River, then upstream to Riggins, the point of beginning. (4-25-94)

24. Unit 19. That portion of IDAHO COUNTY within the following boundary: beginning on the Salmon River at the mouth of Wind River, then up Wind River to Anchor Creek, then up Anchor Creek to Anchor Meadows, then northeast along the old wagon road (Forest Service Trail 313) to the divide between the Salmon River and South Fork Clearwater River, then east on the divide over Orogrande Summit and the Crooked River-Big Creek

divide to Dixie Summit on the Red River Ranger Station-Dixie-Mackay Bar Road, then south on Red River Ranger Station-Dixie-Mackay Bar Road to Mackay Bar, then down the Salmon River to the mouth of Wind River, the point of beginning. (7-1-93)

25. Unit 19A. Those portions of IDAHO and VALLEY COUNTIES within the drainage of the south side of the Salmon River from the French Creek-Burgdorf-Summit Creek Road upstream to the South Fork of the Salmon River, the drainage of the west side of the South Fork of the Salmon River from its mouth upstream to and including the Bear Creek watershed, and the drainage of the Secesh River upstream from the mouth of Paradise Creek (including the Paradise Creek watershed), EXCEPT those portions of the French Creek, Lake Creek and Summit Creek drainages west of the French Creek-Burgdorf-Summit Creek Road. (7-1-93)

26. Unit 20. That portion of IDAHO COUNTY within the following boundary: beginning at the mouth of the South Fork of the Salmon River, then north along the Mackay Bar-Red River Ranger Station Road (Forest Service Road 222.3) to the Montana Road, then east along Montana Road to the Green Mountain-Elk Mountain Road, then northeast along Green Mountain-Elk Mountain Road to the watershed divide between the Selway and Salmon Rivers around the head of Bargamin Creek, then southeast along the divide over Three Prong Mountain, Burnt Knob, Salmon Mountain and Waugh Mountain, then south down Waugh Ridge to the Salmon River, then downstream to the South Fork of the Salmon River, the point of beginning. (7-1-93)

27. Unit 20A. Those portions of IDAHO and VALLEY COUNTIES within the drainage of the south side of the Salmon River from the mouth of the South Fork of the Salmon River upstream to the mouth of the Middle Fork of the Salmon River; the drainage of the east side of the South Fork of the Salmon River from its mouth upstream to and including Hall Creek drainage, and the drainage of the west side of the Middle Fork of the Salmon River from its mouth upstream to but excluding the Big Creek drainage. (7-1-31)

28. Unit 21. That portion of LEMHI COUNTY within the following boundary: beginning at the Idaho-Montana State line on U.S. 93, then west along the state line to the Idaho-Lemhi County line, then southwest along the Idaho-Lemhi County line to the Salmon River, then upstream to the town of North Fork, then north on U.S. 93 to the Idaho-Montana State line, the point of beginning. (7-1-93)

29. Unit 21A. That portion of LEMHI COUNTY within the drainage of the east side of the Salmon River downstream from and including the Carmen Creek drainage to the town of North Fork, and that portion of the North Fork of the Salmon River drainage east of U.S. 93 between the town of North Fork and the Idaho-Montana State line. (7-1-93)

30. Unit 22. Those portions of IDAHO, ADAMS, and WASHINGTON COUNTIES within the following boundary: beginning at the mouth of Granite Creek on the Snake River, then up Granite Creek to Purgatory Saddle located on the watershed divide between Rapid River and Snake River, then south along the divide to Lick Creek Lookout, then along the watershed divide between Boulder Creek and the Weiser River to the watershed divide between Mud Creek and the Weiser River, then south along the divide to U.S. 95, then southwest on U.S. 95 to Cambridge, then northwest on State Highway 71 to Brownlee Dam, then down the Snake River to Granite Creek, the point of beginning. (7-1-93)

31. Unit 23. Those portions of IDAHO, ADAMS, and VALLEY COUNTIES within the drainage of the south side of the Salmon River from its confluence with the Little Salmon River upstream to the French Creek-Burgdorf-Summit Creek Road; those portions of the French Creek, Lake Creek and Summit Creek drainages west of the French Creek-Burgdorf-Summit Creek Road; and within the Little Salmon River drainage, EXCEPT that portion on the north side of Rapid River from the mouth upstream to and including Shingle Creek drainage. (7-1-93)

32. Unit 24. That portion of VALLEY COUNTY within the drainage of the North Fork of the Payette River, EXCEPT that portion south of the Smiths Ferry Bridge-Packer John Road on the east side of the river and south of the Smith Ferry-High Valley Road on the west side of the river. (7-1-93)

33. Unit 25. That portion of VALLEY COUNTY within the drainage of the South Fork of the Salmon River south of the Hall Creek drainage on the east side of the river, and south of the Bear Creek drainage on the west side of the river, EXCEPT that portion of the Secesh River drainage upstream from and including Paradise Creek drainage. (7-1-93)

34. Unit 26. Those portions of IDAHO and VALLEY COUNTIES within the drainage of Big Creek (tributary to the Middle Fork of the Salmon River). (7-1-93)

35. Unit 27. Those portions of LEMHI, VALLEY, and CUSTER COUNTIES within the drainage of the Middle Fork of the Salmon River as follows: the drainages on the east side of the Middle Fork Salmon River from its mouth upstream to Camas Creek; the drainages on the north side of Camas Creek from its mouth upstream to, but excluding, the Yellowjacket Creek drainage; the drainages on the south side of Camas Creek and south of the Camas Creek Trail (Forest Service Trail 134); the drainages on the east side of the Middle Fork Salmon River from Camas Creek upstream to, but excluding, the Marsh Creek drainage; and the drainages on the west side of the Middle Fork of the Salmon River upstream from, but excluding, the Big Creek drainage to, but excluding, the Sulphur Creek drainage. (7-1-93)

36. Unit 28. That portion of LEMHI COUNTY within the drainage of the Salmon River south and west of the river from the mouth of the Middle Fork of the Salmon River upstream to, but excluding, the Ellis Creek and Morgan Creek drainages to the Custer County line, and that portion of the north side of Camas Creek and north of the Camas Creek Trail (Forest Service Trail 134) upstream from and including the Yellowjacket Creek drainage. (7-1-93)

37. Unit 29. That portion of LEMHI COUNTY within the Lemhi River drainage south and west of State Highway 28 and that portion of the Salmon River drainage east of the Salmon River from the Salmon River bridge in the City of Salmon upstream to and including the Poison Creek drainage. (7-1-93)

38. Unit 30. That portion of LEMHI COUNTY within the Lemhi River drainage north and east of State Highway 28 and north and west of State Highway 29 and that portion of the Salmon River drainage east of the Salmon River from the U.S. 93 bridge in the City of Salmon downstream to, but excluding, the Carmen Creek drainage. (7-1-93)

39. Unit 30A. That portion of LEMHI COUNTY within the Lemhi River Drainage north and east of State Highway 28 and east of State Highway 29. (7-1-93)

40. Unit 31. That portion of WASHINGTON COUNTY within the following boundary: beginning at Brownlee Dam on the Snake River, then southeast on State Highway 71 to U.S. 95, then southwest on U.S. 95 to the Snake River at Weiser, then down the Snake River to Brownlee Dam, the point of beginning. (7-1-93)

41. Unit 32. Those portions of ADAMS, BOISE, GEM, PAYETTE, VALLEY, and WASHINGTON COUNTIES within the following boundary: beginning at Banks, then down State Highway 55 to Floating Feather Road, then west on Floating Feather Road to State Highway 16, then north on State Highway 16 to State Highway 52, then north on State Highway 52 to the Payette River, then downstream (EXCLUDING PAYETTE RIVER ISLANDS) to the Snake River, then downstream to Weiser, then northeast on U.S. 95 to the Emmett-Council Road in Indian Valley, then south on Emmett-Council Road to the Sheep Creek Road, then east on the Sheep Creek Road to the Squaw Creek Road, then south on the Squaw Creek Road to Ola, then northeast on the Ola-Smiths Ferry Road to High Valley, then south on the High Valley-Dry Buck Road to Banks, the point of beginning. (7-1-93)

42. Unit 32A. Those portions of ADAMS, GEM, VALLEY, and WASHINGTON COUNTIES within the following boundary: beginning at U.S. 95 on the watershed divide between Weiser River and Mud Creek, then southeast along the watershed divide between Weiser River and Little Salmon River to No Business Lookout, then south along the watershed divide between Weiser River and North Fork Payette River to Lookout Peak, then south along the watershed divide between Squaw Creek and North Fork Payette River to the Smiths Ferry-Ola Road, then northeast on Smiths Ferry-Ola Road to Smiths Ferry, then down the North Fork to Banks, then northwest on the Banks-Dry Buck-High Valley Road to the Ola-High Valley Road, then west on Ola-High Valley Road to Ola, then north on the Squaw Creek Road to the Sheep Creek Road, then west on the Sheep Creek Road to the Emmett-Council Road, then north on Emmett-Council Road to U.S. 95 in Indian Valley, then north on U.S. 95 to the watershed divide between the Weiser River and Mud Creek, the point of beginning. (7-1-93)

43. Unit 33. Those portions of BOISE and VALLEY COUNTIES within the North Fork of the Payette River drainage east of the river and south of the Packer John Lookout Road, and the drainage of the Middle and South Forks of the Payette River, (EXCEPT the drainage of the Deadwood River upstream from and including Nine Mile

Creek on the west side, and No Man Creek on the east side), and that portion of the South Fork of the Payette River drainage downstream from and including the Lick Creek drainage on the north side of the South Fork of the Payette River and downstream from, but excluding, the Huckleberry Creek drainage on the south side of the South Fork of the Payette River. (7-1-93)

44. Unit 34. Those portions of BOISE and VALLEY COUNTIES within the Middle Fork of the Salmon River drainage on the west side of the river upstream from and including the Sulphur Creek drainage, the drainage of Bear Valley Creek and the drainage of Deadwood River upstream from and including the Nine Mile Creek drainage on the west side and the No Man Creek drainage on the east side. (7-1-93)

45. Unit 35. That portion of BOISE COUNTY within the South Fork of the Payette River drainage upstream from, but excluding, the Lick Creek drainage on the north side of the South Fork of the Payette River and upstream from, and including the Huckleberry Creek drainage on the south side of the South Fork of the Payette River. (7-1-93)

46. Unit 36. Those portions of BLAINE and CUSTER COUNTIES within the Salmon River drainage upstream from and including the Yankee Fork on the north side of the river, and upstream from, and including the Warm Springs, Treon, Cold, and Beaver Creek drainages on the south side of the Salmon River, and including the Marsh Creek drainage of the Middle Fork of the Salmon River. (7-1-93)

47. Unit 36A. That portion of CUSTER COUNTY within the Salmon River drainage south and west of U.S. 93 between Willow Creek Summit and the U.S. 93 bridge across the Salmon River south of the town of Challis, and all drainages on the southeast side of the Salmon River upstream from the U.S. 93 bridge to, but excluding, the Warm Springs, Treon, Cold, and Beaver Creek drainages. (7-1-93)

48. Unit 36B. That portion of CUSTER COUNTY within the Salmon River drainage on the north and west side of the Salmon River from and including the Ellis Creek drainage upstream to, but excluding, the Yankee Fork drainage. (7-1-93)

49. Unit 37. Those portions of CUSTER and LEMHI COUNTIES within the Salmon and Pahsimeroi River drainages east of the Salmon River, south and west of the Ellis-May-Howe Highway, and north and east of U.S. 93 between the U.S. 93 bridge across the Salmon River south of the town of Challis and Willow Creek Summit. (7-1-93)

50. Unit 37A. Those portions of CUSTER and LEMHI COUNTIES within the Salmon and Pahsimeroi River drainages east of the Salmon River upstream from, but excluding, the Poison Creek drainage and north and east of the Ellis-May-Howe Highway. (7-1-93)

51. Unit 38. Those portions of ADA, BOISE, CANYON, ELMORE, GEM, and PAYETTE COUNTIES within the following boundary: beginning at the confluence of the Payette and Snake Rivers, then up the Payette River (INCLUDING ISLANDS) to State Highway 52 near Emmett, then south on State Highway 52 to State Highway 16, then south on State Highway 16 to Floating Feather Road, then east on Floating Feather Road to State Highway 55, then south on State Highway 55 to State Highway 44, then east on State Highway 44 to Boise, then south on Interstate 84 to Mountain Home, then south on State Highway 51 to the Snake River, then downstream (INCLUDING ISLANDS) to the Idaho-Oregon State line, then north on the state line to the Payette River, the point of beginning. LAKE LOWELL SECTOR OF DEER FLAT NATIONAL WILDLIFE REFUGE-CLOSED. (7-1-93)

52. Unit 39. Those portions of ADA, BOISE, and ELMORE COUNTIES within the following boundary: beginning at the City of Boise, then southeast on Interstate 84 to Mountain Home, then northeast on the Mountain Home-Anderson Ranch Dam Road to Anderson Ranch Dam, then up the South Fork of the Boise River to Fall Creek (center of Anderson Ranch Reservoir), then up Fall Creek to the Anderson Ranch Reservoir-Fall Creek-Trinity Mountain-Rocky Bar-James Creek Road, then north on Anderson Ranch Reservoir-Fall Creek-Trinity Mountain-Rocky Bar-James Creek Road to James Creek Summit, then east along the watershed divide between the South and Middle Forks of the Boise River to the intersection of the Camas, Blaine and Elmore County lines, then north along the watershed divide between the Boise and Salmon Rivers to the watershed divide between the Boise and South Fork of the Payette Rivers, then west along the divide to Hawley Mountain, then northwest along the divide between the Payette River and the South Fork Payette River to Banks, then south on State Highway 55 to State

Highway 44, then east on State Highway 44 to Boise, the point of beginning. THE AREA BETWEEN STATE HIGHWAY 21 AND THE NEW YORK CANAL FROM THE NEW YORK CANAL DIVERSION DAM DOWNSTREAM TO BOISE CITY LIMITS-CLOSED. (7-1-93)

53. Unit 40. That portion of OWYHEE COUNTY within the following boundary: beginning on the Snake River at the Idaho-Oregon State line, upstream to Grandview, then southeast on State Highway 78 to the Poison Creek Road, then southwest on the Poison Creek-Mud Flat-Deep Creek-Cliffs Road to the North Fork of the Owyhee River, then downstream to the Idaho-Oregon State line, then north to the Snake River, the point of beginning. (7-1-93)

54. Unit 41. That portion of OWYHEE COUNTY within the following boundary: beginning at Grandview on the Snake River, then southeast on State Highway 78 to the Poison Creek Road, then southwest on the Poison Creek-Mud Flat Road to Poison Creek Summit, then southeast along the watershed divide between the drainages of Poison, Shoofly and Jacks Creeks, and the drainage of Battle Creek to the El Paso Natural Gas Pipeline, then south along the pipeline to the Idaho-Nevada State line, then east to the Rogerson-Three Creek-Jarbidge Road, then north on Rogerson-Three Creek-Jarbidge Road to the Jarbidge River, then downstream to the West Fork of the Bruneau River, then downstream to the Bruneau River, then downstream to State Highway 51, then north on State Highway 51 to the Snake River, then downstream (EXCLUDING ISLANDS) to Grandview, the point of beginning. (7-1-93)

55. Unit 42. That portion of OWYHEE COUNTY within the following boundary: beginning on the North Fork of the Owyhee River at the Idaho-Oregon State line, south along the state line to the Idaho-Nevada State line, then east along the state line to the El Paso Natural Gas Pipeline, then north along the pipeline to the watershed divide between Battle and Jacks Creeks, then northwest along the divide and the divide between Battle, Shoofly, and Poison Creeks to the Poison Creek-Mud Flat Road, then west on Poison Creek-Mud Flat Road to the North Fork of the Owyhee River crossing, then downstream to the state line, the point of beginning. (7-1-93)

56. Unit 43. Those portions of CAMAS and ELMORE COUNTIES within the following boundary: beginning at the confluence of the South Fork of the Boise River and Fall Creek (center of Anderson Ranch Reservoir), then up Fall Creek to the Anderson Ranch Reservoir-Fall Creek-Trinity Mountain-Rocky Bar-James Creek Road, then north on Anderson Ranch Reservoir-Fall Creek-Trinity Mountain-Rocky Bar-James Creek Road to James Creek Summit, then east along the watershed divide between the Middle and South Forks of the Boise River to the intersection with the Elmore-Camas County line, then north along the Elmore-Camas County line to the junction with the Camas-Blaine County line, then southeast along the Camas-Blaine County line to the Dollarhide Summit-Carrie Creek-Little Smoky Creek Road (Forest Service Road 227), then southwest on Dollarhide Summit-Carrie Creek-Little Smoky Creek Road to the Five Points Creek-Couch Summit Road (Forest Service Road 094), then south on Five Points Creek-Couch Summit Road to Couch Summit, then west along the South Fork of the Boise River-Camas Creek watershed divide to Iron Mountain, then southwest on the Forest Service trail to and down the Middle Fork of Lime Creek to Lime Creek (Forest Service Trails 050 and 049), then downstream to the South Fork of the Boise River (middle of Anderson Ranch Reservoir) to the confluence of Fall Creek, the point of beginning. (7-1-93)

57. Unit 44. Those portions of BLAINE, CAMAS, and ELMORE COUNTIES within the following boundary: beginning at the junction of the Camp Creek-Croy Creek Road and U.S. 20, then west on U.S. 20 to the Anderson Ranch Dam Road, then north on the Anderson Ranch Dam Road to Anderson Ranch Dam, then up the South Fork of the Boise River (middle of Anderson Ranch Reservoir) to Lime Creek, then upstream along Lime Creek to the Middle Fork of Lime Creek, then northeast on the Middle Fork Lime Creek Forest Service trail to Iron Mountain (Forest Service Trails 049 and 050), then east along the South Fork Boise River-Camas Creek watershed divide to Couch Summit, then north on the Five Points Creek Road (Forest Service Road 094), to the Little Smoky Creek-Carrie Creek-Dollarhide Summit Road (Forest Service Road 227), then northeast on Little Smoky Creek-Carrie Creek-Dollarhide Summit Road to Dollarhide Summit, then southeast along the Little Smoky Creek-Big Wood River-Camas Creek watershed divide to Kelly Mountain, then south down Kelly Gulch Creek to the Camp Creek-Croy Creek Road, then southwest on Camp Creek-Croy Creek Road to U.S. 20, the point of beginning. (4-25-94)

58. Unit 45. Those portions of CAMAS, ELMORE, and GOODING COUNTIES within the following boundary: beginning at the junction of U.S. 20 and the Anderson Ranch Dam Road, then east on U.S. 20 to State Highway 46, then south on State Highway 46 to Gooding, then west on U.S. 26 to Bliss, then south on U.S. 30 to the Malad River, then downstream to the Snake River, then downstream (EXCLUDING ALL ISLANDS) to State

Highway 51, then north on State Highway 51 to Mountain Home, then northeast on U.S. 20 to Anderson Ranch Dam Road, the point of beginning. THREE ISLAND STATE PARK-CLOSED. (7-1-93)

59. Unit 46. Those portions of ELMORE, OWYHEE, and TWIN FALLS COUNTIES within the following boundary: beginning at the State Highway 51 bridge on the Snake River, then upstream (INCLUDING ALL ISLANDS) to the Gridley Bridge across the Snake River near Hagerman, then southeast on U.S. 30 to U.S. 93, then south on U.S. 93 to Rogerson, then southwest on the Rogerson-Three Creek-Jarbidge Road to the Jarbidge River, then downstream to the West Fork of the Bruneau River, then downstream to the Bruneau River, then downstream to State Highway 51, then north on State Highway 51 to the Snake River, the point of beginning. THREE ISLAND STATE PARK AND ALL SNAKE RIVER ISLANDS BETWEEN THE GLENNS FERRY BRIDGE AND THE SAILOR CREEK BRIDGE-CLOSED. (7-1-93)

60. Unit 47. Those portions of OWYHEE and TWIN FALLS COUNTIES within the following boundary: beginning at Rogerson on U.S. 93, then southwest on the Rogerson-Three Creek-Jarbidge Road to the Idaho-Nevada State line, then east along the state line to U.S. 93, then north on U.S. 93 to Rogerson, the point of beginning. (7-1-93)

61. Unit 48. That portion of BLAINE COUNTY within the following boundary: beginning at Ketchum, then south on State Highway 75 to U.S. 20, then west on U.S. 20 to the Camp Creek-Croy Creek Road, then northeast on Camp Creek-Croy Creek Road to Kelly Gulch Creek, then up Kelly Gulch Creek to the Big Wood River-Camas Creek-South Fork of the Boise River watershed divide, then north, east, and south around the headwaters of the Big Wood River to the Trail Creek Road, then southwest on Trail Creek Road to Ketchum, the point of beginning. (7-1-93)

62. Unit 49. That portion of BLAINE COUNTY with the following boundary: beginning at Ketchum, then south on State Highway 75 to U.S. 20, then east on U.S. 20 to Lava Lake, then up Copper Creek to the watershed divide between the Little Wood and Big Lost Rivers, then along the divide to the watershed divide between the Big Wood and Big Lost Rivers, then along the divide to the Trail Creek Road, then southwest on Trail Creek Road to Ketchum, the point of beginning. (7-1-93)

63. Unit 50. Those portions of BLAINE, BUTTE, and CUSTER COUNTIES within the Big Lost River drainage north of U.S. 20-26 and State Highway 33, and the area east of Lava Lake and Copper Creek and north of U.S. 20-26. CRATERS OF THE MOON NATIONAL MONUMENT-CLOSED. (7-1-93)

64. Unit 51. Those portions of BUTTE, CUSTER, and LEMHI COUNTIES within the Little Lost River drainage north and west of State Highway 33. I.N.E.E.L. SITE-CLOSED. ~~(7-1-93)~~(3-20-98)T

65. Unit 52. Those portions of BLAINE, CAMAS, GOODING, AND LINCOLN COUNTIES within the following boundary: beginning at Gooding, then north on State Highway 46 to U.S. 20, then east on U.S. 20 to Carey, then southwest on U.S. 93 to Shoshone, then west on U.S. 26 to Gooding, the point of beginning. (7-1-93)

66. Unit 52A. Those portions of BLAINE, BUTTE, LINCOLN, and MINIDOKA COUNTIES within the following boundary: beginning at Shoshone, then north and east on U.S. 93 to Arco, then south on the Arco-Minidoka Road to Minidoka, then northwest on State Highway 24 to Shoshone, the point of beginning. CRATERS OF THE MOON NATIONAL MONUMENT-CLOSED. (7-1-93)

67. Unit 53. Those portions of BLAINE, CASSIA, GOODING, JEROME, LINCOLN, MINIDOKA, POWER, and TWIN FALLS COUNTIES within the following boundary: beginning at Twin Falls, then west and north on U.S. 30 to the Snake River, then down the Snake River to the Malad River, then up the Malad River to U.S. 30, then northwest on U.S. 30 to Bliss, then east on U.S. 26 to Shoshone, then southeast on State Highway 24 to Minidoka, then east on the Union Pacific railroad tracks to the Minidoka-Blaine County line, then south along the Minidoka-Blaine County line to the Minidoka National Wildlife Refuge, then southeast along the refuge boundary to the Cassia-Power County line, then south along the Cassia-Power County line to Interstate 86 near Raft River, then west on Interstate 86 to Yale Road, then southwest on Yale Road over Interstate 84 to State Highway 81, then west on State Highway 81 to Burley, then west on U.S. 30 to Twin Falls, the point of beginning. MINIDOKA NATIONAL WILDLIFE REFUGE-CLOSED. (7-1-93)

68. Unit 54. Those portions of CASSIA and TWIN FALLS COUNTIES within the following boundary: beginning at Burley, then west on U.S. 30 to U.S. 93 west of Twin Falls, then south on U.S. 93 to the Idaho-Nevada State line, then east along the state line to the Oakley-Goose Creek Road, then north on Oakley-Goose Creek Road to Oakley, then north on State Highway 27 to Burley, the point of beginning. (7-1-93)

69. Unit 55. That portion of CASSIA COUNTY within the following boundary: beginning at Burley, then south on State Highway 27 to Oakley, then south on the Oakley-Goose Creek Road to the Idaho-Utah State line, then east on the state line to the Strevell-Malta Road, then north on Strevell-Malta Road to Malta and State Highway 81, then northwest on State Highway 81 to Burley, the point of beginning. (7-1-93)

70. Unit 56. Those portions of CASSIA, ONEIDA, and POWER COUNTIES within the following boundary: beginning at the Yale Road-State Highway 81 junction, then northeast on Yale Road over Interstate 84 to Interstate 86, then east on Interstate 86 to State Highway 37, then south on State Highway 37 to Holbrook, then south on the Holbrook-Stone Road to the Idaho-Utah State line, then west on the state line to Interstate 84, then northwest on Interstate 84 to the Malta-Sublett Road, then west on Malta-Sublett Road to its junction with State Highway 81, then north on State Highway 81 to the point of beginning. (7-1-93)

71. Unit 57. Those portions of CASSIA and ONEIDA COUNTIES within the following boundary: beginning at Malta, then east on the Malta-Sublett Road to Interstate 84, then southeast on Interstate 84 to the Idaho-Utah State line, then west on the state line to the Malta-Strevell Road, then northwest on Malta-Strevell Road to Malta, the point of beginning. (7-1-93)

72. Unit 58. Those portions of BUTTE, CLARK, JEFFERSON, and LEMHI COUNTIES within the Birch Creek drainage northwest of State Highway 22. I.N.E.E.L. SITE-CLOSED. (~~7-1-93~~)(3-20-98)T

73. Unit 59. That portion of CLARK COUNTY within the following boundary: beginning at Dubois, then north on Interstate 15 to the Idaho-Montana State line, then west along the state line to Bannock Pass (Clark County), then south on Medicine Lodge Road to State Highway 22, then east on State Highway 22 to Dubois, the point of beginning. (7-1-93)

74. Unit 59A. Those portions of CLARK, JEFFERSON, and LEMHI COUNTIES within the following boundary: beginning at Bannock Pass (Clark County) on the Idaho-Montana State line, then west along the state line to the watershed divide between Birch and Crooked Creeks, then south along the divide through Reno Point to State Highway 22, then east on State Highway 22 to Medicine Lodge Road, then north on Medicine Lodge Road to Bannock Pass, the point of beginning. (7-1-93)

75. Unit 60. Those portions of CLARK and FREMONT COUNTIES within the following boundary: beginning at Ashton, then north on U.S. 191-20 to the old (south) Shotgun Valley Road, then west on Shotgun Valley Road to Idmon, then south on the Rexburg-Kilgore Road (Red Road) to the Camas Creek-Jackson Mill Springs Road, then east on Camas Creek-Jackson Mill Springs Road to the Hamilton Hill Road, then southeast on the Hamilton Hill Road to the Sand Creek Road, then southeast on the Sand Creek Road to the old Yellowstone Highway, then east on old Yellowstone Highway to U.S. 191-20, then north on U.S. 191-20 to Ashton, the point of beginning. HARRIMAN STATE PARK WILDLIFE REFUGE-CLOSED. (7-1-93)

76. Unit 60A. Those portions of CLARK, FREMONT, JEFFERSON, and MADISON COUNTIES within the following boundary: beginning at Spencer, east on the Spencer-Kilgore Road to Idmon, then south on the Rexburg-Kilgore Road (Red Road) to the Camas Creek-Jackson Mill Springs Road, then east on Camas Creek-Jackson Mill Springs Road to the Hamilton Hill Road, then southeast on the Hamilton Hill Road to the Sand Creek Road, then south on the Sand Creek Road to the old Yellowstone Highway, then south on old Yellowstone Highway to U.S. 191-20, then south on U.S. 191-20 to Rexburg, then west on State Highway 33 to Sage Junction, then north on Interstate 15 to Spencer, the point of beginning. (7-1-93)

77. Unit 61. Those portions of CLARK and FREMONT COUNTIES within the following boundary: beginning at Spencer, then east on the old (south) Shotgun Valley Road to U.S. 191, then south on U.S. 191 to State Highway 47, then southeast on State Highway 47 to the North Hatchery Butte Road, then east on North Hatchery Butte Road to Pineview, then north on the Pineview-Island Park Road to the Baker Draw-Black Mountain Springs Road, then east on Baker Draw-Black Mountain Springs Road to Fish Creek Road, then south on Fish Creek Road to

the North Fork of Partridge Creek, then upstream to the Yellowstone Park boundary, then north along the Yellowstone Park boundary to the Idaho-Montana State line, then west to Monida Pass, then south on Interstate 15 to Spencer, the point of beginning. (7-1-93)

78. Unit 62. Those portions of FREMONT, MADISON, and TETON COUNTIES within the following boundary: beginning at the Leigh Creek Road on the Idaho-Wyoming State line, north along the state line to the Yellowstone Park boundary, then northwest along the Yellowstone Park boundary to Robinson Creek, then downstream to State Highway 47, then southwest on State Highway 47 to Ashton, then south on U.S. 191 to State Highway 33, then east on State Highway 33 to Leigh Creek Road east of Tetonia, then east on Leigh Creek Road to the state line, the point of beginning. (7-1-93)

79. Unit 62A. That portion of FREMONT COUNTY within the following boundary: beginning at Ashton, then north on U.S. 191 to State Highway 47, then south on State Highway 47 to the North Hatchery Butte Road, then east on North Hatchery Butte Road to Pineview, then north on the Pineview-Island Park Road to the Baker Draw-Black Mountain Springs Road, then east on Baker Draw-Black Mountain Springs Road to Fish Creek Road, then south on Fish Creek Road to the North Fork of Partridge Creek, then upstream to the Yellowstone Park boundary, then south along the park boundary to Robinson Creek, then downstream to State Highway 47, then southwest on State Highway 47 to Ashton, the point of beginning. HARRIMAN STATE PARK WILDLIFE REFUGE - CLOSED. (7-1-93)

80. Unit 63. Those portions of BINGHAM, BONNEVILLE, BUTTE, CLARK, and JEFFERSON COUNTIES within the following boundary: beginning at Blackfoot then north on Interstate 15 to Dubois, then southwest on State Highway 22 to U.S. 20-26, then southeast on U.S. 26 to Interstate 15 at Blackfoot, the point of beginning. I.N.E.E.L. SITE-CLOSED, Camas National Wildlife Refuge - CLOSED. ~~(7-1-93)~~(3-20-98)T

81. Unit 63A. Those portions of BONNEVILLE, JEFFERSON, and MADISON COUNTIES within the following boundary: beginning at Idaho Falls, then east on U.S. 26 to the spot directly above the Heise measuring cable (about 1.5 miles upstream from Heise Hot Springs), then north across the South Fork of the Snake River to the Heise-Archer-Lyman Road (Snake River Road), then northwest on Heise-Archer-Lyman Road to U.S. 191, then north on U.S. 191 to Rexburg, then west on State Highway 33 to Interstate 15 (Sage Junction), then south on Interstate 15 to Idaho Falls, then east on Broadway Street to U.S. 26, the point of beginning. (7-1-93)

82. Unit 64. Those portions of BONNEVILLE, JEFFERSON, MADISON, and TETON COUNTIES within the following boundary: beginning at the junction of State Highway 33 and U.S. 191 at Sugar City, then south on U.S. 191 to the Lyman-Archer-Heise Road (Snake River Road), then southeast on Lyman-Archer-Heise Road to the Kelly Canyon-Tablerock Road, then east on Kelly Canyon-Tablerock Road to the Hawley Gulch Road (Forest Service Road 218), then east on Hawley Gulch Road to the Moody Swamp Road (Forest Service Road 226), then northeast on Moody Swamp Road to the head of Hilton Creek, then east along the watershed divide between Big Burns and Canyon Creeks to Garns Mountain, then north along the watershed divide between Canyon Creek and Teton River to Grandview Point, then north down the Milk Creek Road to State Highway 33, then west on State Highway 33 to U.S. 191, the point of beginning. (7-1-93)

83. Unit 65. Those portions of BONNEVILLE, MADISON, and TETON COUNTIES within the following boundary: beginning on the Leigh Creek Road at the Idaho-Wyoming State line east of Tetonia, west to State Highway 33, then west on State Highway 33 to Milk Creek Road, then south on Milk Creek Road to Grandview Point, then south along the watershed divide between Canyon Creek and Teton River to Garns Mountain, then southeast along the watershed divide between Pine Creek and Teton River over Red Mountain to Pine Creek Pass, then east on State Highway 31 to Victor, then southeast on State Highway 33 to the state line, then north to the Leigh Creek Road, the point of beginning. (7-1-93)

84. Unit 66. Those portions of BINGHAM and BONNEVILLE COUNTIES within the following boundary: beginning at the Idaho-Wyoming State line on the South Fork of the Snake River, then downstream to the Swan Valley bridge on U.S. 26, then northwest on U.S. 26 to the watershed divide between Granite and Garden Creeks, then southwest along the divide and the divides between Garden-Antelope Creeks, Antelope-Pritchard Creeks and Fall-Tex Creeks to the Fall Creek Road (Forest Service Road 077), then west on Fall Creek Road to Skyline Ridge Road (Forest Service Road 077), then south on Skyline Ridge Road to Brockman Guard Station, then down Brockman Creek to Grays Lake Outlet, then upstream along the outlet to the Bone-Grays Lake Road, then east

on Bone-Grays Lake Road to the McCoy Creek Road (Forest Service Road 087), then east on the McCoy Creek Road to the Idaho-Wyoming State line, then north to the point of beginning. (7-1-93)

85. Unit 66A. Those portions of BONNEVILLE and CARIBOU COUNTIES within the following boundary: beginning on the McCoy Creek Road (Forest Service Road 087) at the Idaho-Wyoming State line, west on McCoy Creek Road through Herman to the Bone Road, then south on the Bone Road to State Highway 34, then east on State Highway 34 to the state line, then north along the state line to the point of beginning. (7-1-93)

86. Unit 67. Those portions of BONNEVILLE, JEFFERSON, MADISON, and TETON COUNTIES within the following boundary: beginning on State Highway 33 at the Idaho-Wyoming State line, then northwest to Victor, then southwest on State Highway 31 to Pine Creek Pass, then northwest along the watershed divide between Pine Creek and Teton River over Red Mountain to Garns Mountain, then west along the watershed divide between Big Burns and Canyon Creeks to the Moody Swamp Road (Forest Service Road 226) at Hilton Creek, then west on Moody Swamp Road to the Hawley Gulch Road (Forest Service Road 218), then west on Hawley Gulch Road and the Kelly Canyon Road to the South Fork Snake River Road, then upstream to the Heise measuring cable (about 1.5 miles upstream from Heise Hot Springs), then due south across the river to the mean high water line on the south shore of the South Fork Snake River, then upstream along the mean high water line to the divide between Garden and Granite Creeks in Conant Valley, then south up the divide to U.S. 26, then southeast on U.S. 26 to the Swan Valley bridge, then up the South Fork Snake River to the Idaho-Wyoming State line, then north on the state line to State Highway 33, the point of beginning. (7-1-93)

87. Unit 68. Those portions of BINGHAM, BLAINE, BUTTE, CASSIA, MINIDOKA, and POWER COUNTIES within the following boundary: beginning at Arco, then southeast on U.S. 26 to Blackfoot, then southwest on State Highway 39 to American Falls, then southwest on Interstate 86 to the Cassia-Power County line east of Raft River, then north along the county line to the Snake River, then northwest along the northern boundary of the Minidoka National Wildlife Refuge to the Minidoka-Blaine County line, then north along the Minidoka-Blaine County line to the Union Pacific Railroad tracks, then west on the tracks to Minidoka, then north on the Minidoka-Arco Road to Arco, the point of beginning. I.N.E.E.L. SITE-CLOSED. ~~(7-1-93)~~(3-20-98)T

88. Unit 68A. Those portions of BANNOCK, BINGHAM, BONNEVILLE, and POWER COUNTIES within the following boundary: beginning at American Falls, then northeast on State Highway 39 to U.S. 26 near Blackfoot, then east on U.S. 26 to Interstate 15, then north on Interstate 15 to Idaho Falls, then east on Broadway Street to U.S. 91 (Old Yellowstone Highway), then south on U.S. 91 to Interstate 15, then south on Interstate 15 to Interstate 86, then southwest on Interstate 86 to American Falls, the point of beginning. (7-1-93)

89. Unit 69. Those portions of BINGHAM, BONNEVILLE, and CARIBOU COUNTIES within the following boundary: beginning at Idaho Falls, then south on U.S. 91 to Blackfoot, then south on Interstate 15 to the Fort Hall interchange, then east on the Fort Hall-Government Dam Road to the Blackfoot River below the Government Dam, then along the north and east shore of the Blackfoot River and Reservoir to State Highway 34, then north on State Highway 34 to the Bone Road, then north on the Bone Road west of Grays Lake to Grays Lake Outlet, then downstream along the outlet to Brockman Creek, then up Brockman Creek to the Brockman Guard Station, then northwest on the Skyline Ridge Road (Forest Service Road 077) to Fall Creek Road (Forest Service Road 077), then east on the Fall Creek Road to the watershed divide between Fall and Tex Creeks, then north along the Fall Creek-Tex Creek, Antelope Creek-Pritchard Creek, Antelope Creek-Garden Creek and Garden Creek-Granite Creek watershed divides to the South Fork of the Snake River, then downstream along the mean high water line on the south shore of the South Fork to the Heise measuring cable (about 1.5 miles upstream from Heise Hot Springs), then southwest to U.S. 26, then west on U.S. 26 to Idaho Falls, the point of beginning. (7-1-93)

90. Unit 70. Those portions of BANNOCK and POWER COUNTIES within the following boundary: beginning at the junction of Interstate 86 and Interstate 15 near Pocatello, then west on Interstate 86 to the Bannock Creek-Arbon Valley Highway, then south along Bannock Creek-Arbon Valley Highway to Mink Creek-Arbon Valley junction near Pauline, then northeast along Mink Creek Road to the Rattlesnake Creek Road, then east along the Rattlesnake Creek-Garden Gap-Arimo Road, then southeast on Rattlesnake Creek-Garden Gap-Arimo Road to Arimo, then north on Interstate 15 to the point of beginning. (7-1-93)

91. Unit 71. Those portions of BANNOCK, BINGHAM, and CARIBOU COUNTIES within the following boundary: beginning at Bancroft, then north on the Bancroft-Chesterfield Road to Chesterfield Dam, then

upstream on the Portneuf River to the Government Dam-Fort Hall Road, then west to Fort Hall interchange, then south on Interstate 15 to U.S. 30, then east to the Pebble-Bancroft county road (old U.S. 30N), then northeast to Bancroft, the point of beginning. (7-1-93)

92. Unit 72. Those portions of BINGHAM and CARIBOU COUNTIES within the following boundary: beginning at State Highway 34 on the Blackfoot River, then west along the east and north shore of the Blackfoot River and Reservoir to the Government Dam Road, then west on the Government Dam-Fort Hall Road to the Portneuf River, then downstream to Chesterfield Dam, then south on the Chesterfield-Bancroft Road to Bancroft, then east on the Pebble-Bancroft county road (old U.S. 30N) to U.S. 30N-State Highway 34, then northeast on State Highway 34 to the point of beginning. (7-1-93)

93. Unit 73. Those portions of BANNOCK, FRANKLIN, POWER, and ONEIDA COUNTIES within the following boundary: beginning on U.S. 91 at the Idaho-Utah State line, then north to Arimo, then northwest on the Arimo-Garden Gap-Rattlesnake Road to the Mink Creek Highway, then south along Mink Creek Highway to the Arbon Valley Highway near Pauline, then south on the Arbon Valley Highway to State Highway 37, then west to Holbrook, then south on the Holbrook-Stone Road to the Idaho-Utah State line, then east along the state line to U.S. 91, the point of beginning. (7-1-93)

94. Unit 73A. Those portions of BANNOCK, ONEIDA, and POWER COUNTIES within the following boundary: beginning at Holbrook, then north on State Highway 37 to Interstate 86, then northeast on Interstate 86 to the Bannock Creek-Arbon Valley Highway, then south on Bannock Creek-Arbon Valley Highway to State Highway 37, then west to Holbrook, the point of beginning. (7-1-93)

95. Unit 74. Those portions of BANNOCK, CARIBOU, and FRANKLIN COUNTIES within the following boundary: beginning at Preston, then north on U.S. 91 to Interstate 15, then north on Interstate 15 to U.S. 30N, then east on U.S. 30N to the Pebble-Bancroft county road (old U.S. 30N), then northeast to State Highway 34, then south on State Highway 34 to Preston, the point of beginning. (7-1-93)

96. Unit 75. Those portions of BEAR LAKE, CARIBOU, and FRANKLIN COUNTIES within the following boundary: beginning at Montpelier, then northwest on U.S. 30 to State Highway 34, then south to Cleveland Bridge, then south on the county road to Maple Grove Hot Springs, then east on the Hot Springs-Strawberry Canyon Road to the Strawberry Canyon-Emigration Canyon Road, then east on Strawberry Canyon-Emigration Canyon Road to Ovid, then east on U.S. 89 to Montpelier, the point of beginning. (7-1-93)

97. Unit 76. Those portions of BEAR LAKE and CARIBOU COUNTIES within the following boundary: beginning at U.S. 89 on the Idaho-Utah State line, then north to Montpelier, then north on U.S. 30 to Soda Springs, then northeast on State Highway 34 to the Idaho-Wyoming State line, then south on the Idaho-Wyoming State line to the Idaho-Utah State line, then west on the Idaho-Utah State line to U.S. 89, the point of beginning. (7-1-93)

98. Unit 77. That portion of FRANKLIN COUNTY within the following boundary: beginning at U.S. 91 on the Idaho-Utah State line, then north to Preston, then north on State Highway 34 to Cleveland Bridge, then south on the county road to Maple Grove Hot Springs, then east on the Hot Springs-Strawberry Canyon Road to the Strawberry Canyon-Emigration Canyon Road, then east to the Franklin-Bear Lake County line, then south on the county line to the ridge at the head of Hillyard Canyon, then west approximately one mile along the ridge to the Franklin Basin Road, then south to the Idaho-Utah State line, then west on the state line to U.S. 91, the point of beginning. (7-1-93)

99. Unit 78. Those portions of BEAR LAKE and FRANKLIN COUNTIES within the following boundary: beginning at U.S. 89 on the Idaho-Utah State line, then north to Ovid, then west on the Emigration Canyon-Strawberry Canyon Road to the Bear Lake-Franklin County line, then south to the ridge at the head of Hillyard Canyon, then west approximately one mile along the ridge to Franklin Basin Road, then south on Franklin Basin Road to the Idaho-Utah State line, then east on the state line to U.S. 89, the point of beginning. (7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

700. CONTROLLED HUNT AREA DESCRIPTIONS - DEER.

01. Hunt Area 1. ~~All of Unit 1~~ That portion of Unit 1 within the Priest Lake drainage. ~~(10-26-94)~~(3-20-98)T
02. Hunt Area 10AX. That portion of Unit 10A west of the Clearwater National Forest boundary, south of Forest Service Road 250, west of State Highway 11 north of Pierce and south of the Grangemont county road. (3-21-97)T
03. Hunt Area 11. All of Unit 11. (10-26-94)
04. Hunt Area 11A. All of Unit 11A. (3-20-98)T
05. Hunt Area 13. All of Unit 13. (3-20-98)T
06. Hunt Area 14. All of Unit 14. (3-20-98)T
07. Unit Area 18. All of Unit 18. (3-20-98)T
7. 048. Hunt Area 11AX. That portion of Unit 11A south of State Highway 162, and east of State Highway (3-21-97)T
059. Hunt Area 16X. That portion of Unit 16 south of the Selway River, and west of the O'Hara Creek Road (Forest Service Road 651). (3-21-97)T
- ~~0610.~~ Hunt Area 19A. All of Unit 19A. (3-21-97)T
- ~~0711.~~ Hunt Area 21-1. All of Units 21, 21A, 28, ~~and 36B~~ 29, 30, 37, and 37A. ~~(3-21-97)T~~(3-20-98)T
- ~~08.~~ ~~Hunt Area 21-2. All of Units 21, 21A, 28, 29, and 30.~~ ~~(3-21-97)T~~
- ~~0912.~~ Hunt Area 22. All of Unit 22. (10-26-94)
- ~~103.~~ Hunt Area 23. All of Unit 23. (10-26-94)
- ~~144.~~ Hunt Area 25. All of Unit 25. (7-1-93)
- ~~12.~~ ~~Hunt Area 27. All of Unit 27.~~ ~~(3-21-97)T~~
- ~~135.~~ Hunt Area 29. All of Units 29, ~~30, and 30A~~ 37, and 37A. ~~(3-21-97)T~~(3-20-98)T
- ~~14.~~ ~~Hunt Area 30. All of Unit 30.~~ ~~(3-21-97)T~~
- ~~156.~~ Hunt Area 31. All of Unit 31. (10-26-94)
- ~~167.~~ Hunt Area 32. All of Unit 32. (10-26-94)
- ~~178.~~ Hunt Area 32A. All of Unit 32A. (7-1-93)
- Stanley Road. 189. Hunt Area 33. All of Units 33 and 35, and that portion of Unit 34 south and west of the Landmark (10-26-94)
- ~~19.~~ ~~Hunt Area 36. All of Unit 36.~~ ~~(3-21-97)T~~

- ~~20.~~ ~~Hunt Area 36A. All of Unit 36A.~~ (~~10-26-94~~)
- ~~21.~~ ~~Hunt Area 36B. All of Unit 36B.~~ (~~10-26-94~~)
- ~~220.~~ Hunt Area 39-1. All of Unit 39. (10-26-94)
- ~~231.~~ Hunt Area 39-2. That portion of Unit 39 within the following boundary: Beginning at a point four hundred (400) yards north of State Highway 21 at the Ada County Line, south and west on a line four hundred (400) yards north of State Highway 21 to Warm Springs Avenue, and west on a line four hundred (400) yards north of Warm Springs Avenue to the Highlands-Table Rock powerline, north and west on the Highlands-Table Rock powerline to State Highway 55, north on Highway 55 to the Ada County Line, and southeast on the Ada County Line to the point of beginning. (~~10-26-94~~)(3-20-98)T
- ~~242.~~ Hunt Area 40. All of Unit 40. (3-21-97)T
- ~~253.~~ Hunt Area 41-1. All of Unit 41. (3-21-97)T
- ~~264.~~ Hunt Area 41-2. That portion of Unit 41 within ten (10) miles of Highway 78. (3-21-97)T
- ~~275.~~ Hunt Area 42. All of Unit 42. (10-26-94)
- ~~286.~~ Hunt Area 43. All of Unit 43. (3-21-97)T
- ~~297.~~ Hunt Areas 44-1, 44-2 and 44-3. All of Unit 44. (3-21-97)T
- ~~3028.~~ Hunt Areas 45-1, 45-2, 45-3 and 45-4. All of Unit 45, EXCEPT that portion of Unit 45 within the following boundary: Beginning at Bliss, then north on the Bliss-Hill City Road to the two-pole powerline at White Arrow Ponds (9.5 miles north of Bliss), then west along the two-pole powerline to U.S. 20 (milepost 102.3), then southwest on U.S. 20 to Mountain Home, then south on U.S. 51 to the Snake River, then upstream on the Snake River to the Malad River, then up the Malad River to U.S. 30, then northwest on U.S. 30 to Bliss, the point of beginning. (10-26-94)
- ~~3429.~~ Hunt Area 47-1. All of Unit 47. (3-21-97)T
- ~~320.~~ Hunt Area 47-2. All of Units 46 and 47. (10-26-94)
- ~~331.~~ Hunt Area 48. All of Unit 48. (10-26-94)
- ~~342.~~ Hunt Area 49. All of Unit 49. (10-26-94)
- ~~353.~~ Hunt Area 50-1. That portion of Unit 50 west of U.S. 93. (3-21-97)T
- ~~364.~~ Hunt Area 50-2. All of Unit 50. (3-21-97)T
- ~~375.~~ Hunt Area 51-1. All of Units 51 and 58. (3-21-97)T
- ~~386.~~ Hunt Area 51-2. All of Unit 51 and that portion of Unit 50 east of U.S. Highway 93. (3-21-97)T
- ~~397.~~ Hunt Areas 52-1 and 52-2. All of Unit 52. (3-21-97)T
- ~~4038.~~ Hunt Area 52A. All of Unit 52A. (7-1-93)
- ~~4439.~~ Hunt Areas 54-1, 54-2, and 54-3. All of Unit 54. (10-26-94)
- ~~420.~~ Hunt Areas 55-1 and 55-2. All of Unit 55. Most of City of Rocks National Reserve is open to hunting. Information about hunting within the Reserve is available to permittees at Department offices and at the National Park Service office in Almo. (3-21-97)T

431. Hunt Area 56. All of Unit 56. (10-26-94)
442. Hunt Areas 57-1 and 57-2. All of Unit 57. (3-21-97)T
453. Hunt Area 58. All of Unit 58. (10-26-94)
464. Hunt Areas 59-1 and 59-2. All of Units 59 and 59A. (3-21-97)T
475. Hunt Area 60. All of Unit 60, 61, and 62A. (3-21-97)T
486. Hunt Areas 60A-1 and 60A-2. That portion of Unit 60A south of the Dubois-Kilgore Road and west of the Parker-Salem Road (Red Road) and beyond one (1) mile north and west of the North (Henry's) Fork of the Snake River. (3-20-97)
497. Hunt Area 61. All of Unit 61. (3-20-97)
5048. Hunt Area 62. All of Units 62 and 65. (3-21-97)T
5149. Hunt Area 63. All of Units 63 and 63A. (~~3-21-97~~)T(3-20-98)T
50. Hunt Area 63A. All of 63A. (3-20-98)T
26. 521. Hunt Area 64. All of Units 64 and 67 and that portion of Unit 67 north and east of State Highway ~~(3-21-97)~~T(3-20-98)T
532. Hunt Area 65X. All of Unit 65. (3-21-97)T
543. Hunt Areas 66-1 and 66-2. All of Unit 66. (3-21-97)T
554. Hunt Area 67. That portion of Unit 67 north and east of State Highway 26. (3-21-97)T
565. Hunt Area 68A. All of Unit 68A. (3-20-97)
- Road. 576. Hunt Area 69-1. That portion of Unit 69 north and east of the Grays Lake-Long Valley-Bone-Iona (3-21-97)T
587. Hunt Area 69-2. All of Unit 69. (3-21-97)T
598. Hunt Area 72. All of Unit 72. (3-20-97)
6059. Hunt Area 75. All of Unit 75. (10-26-94)

701. CONTROLLED HUNT AREA DESCRIPTIONS - ELK.

01. Hunt Area 4. All of Units 4 and 7. (3-20-97)
02. Hunt Areas 8-1 and 8-3. That portion of Units 8 and 8A north of the following line: Beginning at the western boundary of Unit 8 at its junction with State Highway 8, then east and north on Highway 8 to Forest Service Road 381, then northwest on Forest Service Road 381 to Forest Service Road 447 State Highway 9, then northwest on Highway 9, then west on Forest Service Road 447 to State Highway 6, then north on Highway 6 to the Unit 8A boundary. (~~10-26-94~~)T(3-20-98)T
03. Hunt Areas 8-2 and 8-4. That portion of Units 8 and 8A south of the following line: Beginning at the western boundary of Unit 8 at its junction with State Highway 8, then east on Highway 8 to Forest Service Road 1963 at Helmer, then south and east on Forest Service Road 1963 to Long Meadow Creek, then southeast along Long Meadow Creek to Dworshak Reservoir, then south along the western shoreline of Dworshak Reservoir to the Unit 8A

boundary at Dworshak Dam. (10-26-94)

~~04. Hunt Area 10-1. That portion of Unit 10, north and west of the following boundary: Beginning on the Unit 10 boundary at the junction of the North Fork of the Clearwater River and Forest Service Road 250, then northeast along Forest Service Road 250 to the Unit 10 boundary at Hoodoo Pass. (3-20-97)~~

~~05. Hunt Area 10-2. That portion of Unit 10, east of the following boundary: Beginning on the Unit 10 boundary at Hoodoo Pass, then southwest along Forest Service Road 250 to the junction with Forest Service Road 255, then east along Forest Service Road 255 to the junction with Forest Service Road 581, then southeast along Forest Service Road 581 to the Unit 10 boundary at Cayuse Junction. (3-20-97)~~

~~06. Hunt Area 10-3. That portion of Unit 10, south of the following boundary: Beginning on the Unit 10 boundary at the junction of the North Fork of the Clearwater River and Forest Service Road 250, then east along Forest Service Road 250 to the junction with Forest Service Road 255, then east along Forest Service Road 255 to the junction with Forest Service Road 581, then southeast along Forest Service Road 581 to the Unit 10 boundary at Cayuse Junction. (3-20-97)~~

~~07. Hunt Area 10-4. All of Unit 10. (3-21-97)T~~

~~084. Hunt Area 10A-1. All of Unit 10A. That portion of Unit 10A east of Dworshak Reservoir. (10-26-94)(3-20-98)T~~

~~09. Hunt Areas 10A-2 and 10A-4. That portion of Unit 10A west of Dworshak Reservoir and west of the Little North Fork Clearwater River. (10-26-94)~~

~~105. Hunt Area 10A-32. That portion of Unit 10A west of the Clearwater National Forest boundary, south of Forest Service Road 250, south of State Highway 11 from Pierce to Weippe, and Jim Ford Creek from Weippe to its junction with the Clearwater River. (3-21-97)T(3-20-98)T~~

~~1106. Hunt Areas 11-1 and 11-2. All of Unit 11. (10-26-94)~~

~~1207. Hunt Area 11A-4. All of Unit 11A. (10-26-94)(3-20-98)T~~

~~13. Hunt Area 11A-2. All of Units 11A, 24, 25, 29, 30, 30A, 33, 36A, 37, 37A, 50, 58, 59, 59A, 61, 66A, 70, 71, 74, and 76. (3-21-97)T~~

~~14. Hunt Areas 12-1 and 12-2. All of Unit 12. (3-21-97)T~~

~~1508. Hunt Areas 13-1 and 13-2. All of Unit 13. (10-26-94)~~

~~1609. Hunt Areas 14-1 and 14-2. That portion of Unit 14 north of the following line: Beginning on the Unit 14 west boundary on the Slate Creek Road (Forest Service Road 354), then east on the Slate Creek Road to Forest Service Road 221, then north on Forest Service Road 221 to the Unit 14 east boundary. (10-26-94)~~

~~1710. Hunt Areas 14-3 and 14-4. That portion of Unit 14 south of the following boundary: Beginning on the Unit 14 west boundary on the Slate Creek Road (Forest Service Road 354), then east on the Slate Creek Road to Forest Service Road 221, then north on Forest Service Road 221 to the Unit 14 east boundary. (3-21-97)T~~

~~18. Hunt Area 14-5. All of Unit 14. (3-21-97)T~~

~~1911. Hunt Areas 15-1 and 15-2. All of Unit 15. (3-21-97)T~~

~~20. Hunt Area 16-1. Those portions of Units 15 and 16 north and west of the Nez Perce National Forest perimeter boundary. (3-20-97)~~

~~212. Hunt Areas ~~16-2 and 16-3~~ 16-1 and 16-2. All of Unit 16. (3-21-97)T(3-20-98)T~~

- ~~22.~~ Hunt Area 16A. All of Unit 16A. (10-26-94)
- ~~23.~~ Hunt Area 17-1. That portion of Unit 17 north of the following boundary: Beginning on the Unit 17 boundary along the Selway River at the Fog Mountain Road (Forest Service Road 319), then east along the Selway River to Moose Creek, then north along Moose Creek to the East Fork of Moose Creek, then northeast along the East Fork of Moose Creek to Forest Service Trail 5, then northeast along Forest Service Trail 5 to the Unit 17 boundary. (3-20-97)
- ~~24.~~ Hunt Area 17-2. That portion of Unit 17 within the following boundary: Beginning on the Unit 17 boundary at the junction of Forest Service Roads 357 and 285, then east along Forest Service Road 357 to Running Creek, then northeast along Running Creek to the Selway River, then south along the Selway River to Forest Service Trail 517, then northeast along Forest Service Trail 517 to the White Cap Creek/Bear Creek Divide at Gardiner Peak, then east along the White Cap Creek/Bear Creek Divide to the Unit 17 boundary, then north along the Unit 17 boundary to Forest Service Trail 5, then southwest along Forest Service Trail 5 to the East Fork of Moose Creek, then southwest along the East Fork of Moose Creek to Moose Creek, then south along Moose Creek to the Selway River, then west along the Selway River to the Unit 17 boundary at Weasel Creek, then south along the Unit 17 boundary to the point of beginning. (3-20-97)
- ~~25.~~ Hunt Area 17-3. That portion of Unit 17 south of the following boundary: Beginning on the Unit 17 boundary at the junction of Forest Service Roads 357 and 285, then east along Forest Service Road 357 to Running Creek, then northeast along Running Creek to the Selway River, then south along the Selway River to Forest Service Trail 517, then northeast along Forest Service Trail 517 to the White Cap Creek/Bear Creek Divide at Gardiner Peak, then east along the White Cap Creek/Bear Creek Divide to the Unit 17 boundary. (3-20-97)
- ~~26~~13. Hunt Areas 18-1 and 18-2. All of Unit 18. (10-26-94)(3-20-98)T
- ~~27.~~ Hunt Area 19. All of Unit 19. (3-20-97)
- ~~28~~14. Hunt Area 19A. All of Unit 19A. (10-26-94)
- ~~29.~~ Hunt Area 20. All of Unit 20. (10-26-94)
- ~~30.~~ Hunt Area 20A. All of Unit 20A. (10-26-94)
- ~~31~~5. Hunt Areas 21-1. and 21-3. That portion of Unit 21 within the North Fork of the Salmon River drainage. All of Units 21, 21A, 28, and 36B. (10-26-94)(3-20-98)T
- ~~32.~~ Hunt Areas 21-2 and 21-4. That portion of Unit 21 from and including the Horse Creek drainage to but excluding the North Fork of the Salmon River drainage. (10-26-94)
- ~~33.~~ Hunt Areas 21A-1 and 21A-2. All of Unit 21A. (10-26-94)
- ~~34~~16. Hunt Areas 22-1, 22-3, and 22-4. That portion of Unit 22 described as follows: Beginning at the junction of U.S. 95 and the West Fork Weiser River Road (Forest Service Road 127), then north on Forest Service Road 127 to Grouse Creek Road (Forest Service Road 123), then northwest on Forest Service Road 123 to the watershed divide between Lick Creek and Lost Creek drainages, then north on the divide between Lick Creek and Lost Creek drainages to Lick Creek Lookout, then west on Unit 22 boundary to the Snake River, then south on the Snake River to State Highway 71, then southeast on State Highway 71 to Cambridge, then north on U.S. 95 to the point of beginning. (3-21-97)T
- ~~35~~17. Hunt Area 22-2. That portion of Unit 22 as follows: Beginning at the junction of U.S. 95 and the West Fork Weiser River Road (Forest Service Road 127), then north on Forest Service Road 127 to Grouse Creek Road (Forest Service Road 123), then northwest on Forest Service Road 123 to the watershed divide between Lick Creek and Lost Creek drainages, then north on the divide between Lick Creek and Lost Creek drainages to Lick Creek Lookout, then east along Unit 22 boundary to U.S. 95 to the point of beginning. (5-15-95)
- ~~36~~18. Hunt Area 23-1. All of Unit 23. (10-26-94)

~~37~~19. Hunt Areas 23-2 and 23-4. That portion of Unit 23 within the Little Salmon River drainage, upstream from but excluding the Round Valley Creek drainage on the west side of the Little Salmon River; and upstream from but excluding the Hazard Creek drainage on the east side of the Little Salmon River, EXCEPT the Little Goose Creek drainage and the Goose Creek drainage above Little Goose Creek are CLOSED. (5-15-95)

~~38~~20. Hunt Areas 23-3 and 23-6. That portion of Unit 23 west of U.S. 95 and north of, and excluding, the Boulder Creek drainage. (5-15-95)

~~39~~21. Hunt Area 23-5. That portion of Unit 23 which drains into the main Salmon River upstream from its confluence with the Little Salmon River to the French Creek-Burgdorf Road. (5-15-95)

~~40~~22. Hunt Areas 24-1 and 24-3. That portion of Unit 24 within the following boundary: Beginning at the junction of State Highway 55 and the Warm Lake Road, then east along Warm Lake Road to the Unit 24/25 boundary, then north along the Unit 24/25/19A boundary to the intersection of the Unit 24/19A/23 boundaries, then south along the Unit 24/23/32A boundary to Forest Service Road 186 at No Business Saddle, then southeast on Forest Service Road 186 to West Mountain Road, then north and east on West Mountain Road and West Valley Road to Boydston Street, then north on Boydston Street to State Highway 55, then south on State Highway 55 to Elo Road, then east on Elo Road to Farm-To-Market Road, then south on Farm-To-Market Road to State Highway 55, then south on State Highway 55 to the point of beginning. (3-13-96)T

~~41~~23. Hunt Areas 24-2 and 24-4. That portion of Unit 24 within the following boundary: Beginning in Cascade at the junction of State Highway 55 and Cabarton Road, then south on Cabarton Road to West Mountain Road, then west and north on West Mountain Road to Forest Service Road 186, then northwest on Forest Service Road 186 to No Business Saddle, then south along the Unit 24/32A unit boundary to the intersection of the Unit 24/32A/33 boundaries at Smith's Ferry, then north along the Unit 24/33/25 boundary to Warm Lake Road, then west on Warm Lake Road to State Highway 55, then south on State Highway 55 to the point of beginning. (3-21-97)T

~~42~~4. Hunt Area 24-5. That portion of Unit 24 within the following boundary: Beginning at the junction of State Highway 55 and Warm Lake Road, then east on Warm Lake Road to the Unit 24/25 boundary, then south on the Unit 24/25/33 boundary to the North Fork Payette River at Smith's Ferry, then north along the North Fork Payette River to Cabarton Road, then north on Cabarton Road to West Mountain Road, then west and north along the West Mountain Road and West Valley Road to Boydston Street, then north on Boydston Street to State Highway 55, then south on State Highway 55 to Elo Road, then east on Elo Road to Farm-To-Market Road, then south on Farm-To-Market Road to State Highway 55, then south on State Highway 55 to the point of beginning. (3-20-97)

~~43~~25. Hunt Area 24-6. All of Unit 24. (3-20-97)

~~44~~26. Hunt Area 25. All of Unit 25. (10-26-94)

~~45~~. ~~Hunt Area 26. All of Unit 26.~~ (10-26-94)

~~46~~. ~~Hunt Area 27. All of Unit 27.~~ (10-26-94)

~~47~~. ~~Hunt Area 28-1. That portion of Unit 28 east of Panther Creek Road (Forest Service Road 055).~~ (10-26-94)

~~48~~. ~~Hunt Area 28-2. That portion of Unit 28 west of the Panther Creek Road (Forest Service Road 055).~~ (10-26-94)

~~49~~27. Hunt Areas 29-1 and 29-2. All of Unit 29. (10-26-94)

~~28~~. ~~Hunt Area 29-2. All of Units 29 and 37A.~~ (3-20-98)T

~~50~~29. Hunt Areas 30-1, ~~30-2,~~ and ~~30-3.~~ All of Units 30, 30A, 58, 59, and 59A. (~~3-20-97~~)(3-20-98)T

~~30~~. ~~Hunt Areas 30-2 and 30-3. All of Unit 30.~~ (3-20-98)T

- ~~531.~~ Hunt Areas 30A-1 and 30A-2. All of Unit 30A. (10-26-94)
- ~~532.~~ Hunt Area 31-1, 31-2, and 31-3. All of Unit 31. (10-26-94)
- ~~533.~~ Hunt Areas 32-1 and 32-3. That portion of Unit 32 south and east of the following boundary: Beginning at the mouth of Big Willow Creek, north and east on Big Willow Creek to the point where Four Mile Road crosses Big Willow Creek, then north on Four Mile Road to the Riley Butte Road, then east on the Riley Butte Road to the North Crane Road, then north on the North Crane Road to the Emmett/Council Road, then north on the Emmett/Council Road to U.S. Highway 95. (3-20-97)
- ~~534.~~ Hunt Areas 32-2, 32-4, and 32-5. That portion of Unit 32 north and west of the following boundary: Beginning at the mouth of Big Willow Creek, north and east on Big Willow Creek to the point where Four Mile Road crosses Big Willow Creek, then north on Four Mile Road to the Riley Butte Road, then east on the Riley Butte Road to the North Crane Road, then north on the North Crane Road to the Emmett/Council Road, then north on the Emmett/Council Road to U.S. Highway 95. (5-15-95)
- ~~535.~~ Hunt Areas 32A-1, 32A-2, 32A-3, and 32A-4. All of Unit 32A. (10-26-94)
- ~~536.~~ Hunt Area 33-1. All of Unit 33. (3-21-97)T
- ~~537.~~ Hunt Area 33-2. That portion of Unit 33 outside of the exterior boundary of the Boise National Forest. (3-21-97)T
- ~~538.~~ Hunt Areas 33-3 and 33-4. All of Units 33 and 35 and that portion of Unit 34 south and west of the Landmark-Stanley Road. (3-21-97)T
- ~~539.~~ Hunt Area 34. All of Unit 34. (10-26-94)
- ~~6040.~~ Hunt Area 35. All of Unit 35. (10-26-94)
- ~~641.~~ Hunt Areas 36-1, ~~and 36-2,~~ and 36-3. All of Unit 36. (~~3-20-97~~)(3-20-98)T
- ~~642.~~ Hunt Areas 36A-1 ~~and 36A-3.~~ That portion of Unit 36A west of the East Fork of the Salmon River and that portion east of the East Fork of the Salmon River upstream from and including the West Pass Creek drainage. (~~10-26-94~~)(3-20-98)T
- ~~643.~~ Hunt Areas 36A-2 ~~and 36A-4.~~ That portion of Unit 36A east of the East Fork of the Salmon River downstream from but EXCLUDING the West Pass Creek drainage; and that portion of Unit 50 north of Trail Creek Road and west of U.S. 93, and that portion of Unit 50 north of the Doublespring Pass Road east of U.S. 93. (~~10-26-94~~)(3-20-98)T
44. Hunt Area 36A-3. All of Unit 36A. (3-20-98)T
- ~~64.~~ ~~Hunt Area 36B. All of Unit 36B.~~ (~~10-26-94~~)
- ~~645.~~ Hunt Areas 37-1 and 37-2. All of Unit 37. (10-26-94)
- ~~646.~~ Hunt Areas 37A-1 ~~and 37A-2.~~ All of Unit 37A. (~~10-26-94~~)(3-20-98)T
- ~~647.~~ Hunt Area 39-1. That portion of Unit 39 south and east of the Blacks Creek Road and the South Fork of the Boise River. (3-21-97)T
- ~~648.~~ Hunt Area 39-2. That portion of Unit 39 south and east of State Highway 21. (3-21-97)T
- ~~649.~~ Hunt Area 39-3. That portion of Unit 39 north and west of State Highway 21. (3-21-97)T

~~7050.~~ Hunt Area 39-4. That portion of Unit 39 north and west of the following boundary: Beginning in Boise, north on the Bogus Basin Road to Bogus Basin, then north on Forest Service Road 374 (Boise Ridge Road) to the Unit 39 boundary at Hawley Mountain. (3-21-97)T

~~751.~~ Hunt Area 40-1 and 40-3. That portion of Unit 40 north of the following boundary: Beginning at the Cow Creek-Delamar-Silver City Road at the Oregon-Idaho border, south and east on the Cow Creek-Delamar-Silver City Road to the Murphy-Silver City Road, north on the Murphy-Silver City Road to Highway 78, east on Highway 78 to Sinker Creek, north on Sinker Creek to the Snake River. (3-21-97)T

~~752.~~ Hunt Areas 40-2 and 40. That portion of Unit 40 south of the following boundary: Beginning at the Cow Creek-Delamar-Silver City Road at the Oregon-Idaho border, south and east on the Cow Creek-Delamar-Silver City Road to the Murphy-Silver City Road, north on the Murphy-Silver City Road to Highway 78, east on Highway 78 to Sinker Creek, north on Sinker Creek to the Snake River and all of Unit 42. (3-21-97)T

~~753.~~ Hunt Areas 43-1, 43-2, 43-3, 43-4, and 43-5, ~~and 43-6.~~ All of Unit 43. (~~3-20-97~~)(3-20-98)T

~~754.~~ Hunt Areas 44-1, 44-2, and 44-3. All of Unit 44. (10-26-94)

~~755.~~ Hunt Area 45-1, 45-2, and 45-3. All of Units 45 and 52. (~~10-26-94~~)(3-20-98)T

~~76.~~ ~~Hunt Areas 45-2 and 45-3. That portion of Unit 45 north of Interstate 84 and west of the Bliss Hill City Road.~~ (3-20-97)

~~7756.~~ Hunt Area 48-1. All of Unit 48. (10-26-94)

~~7857.~~ Hunt Areas 48-2 and 48-4. That portion of Unit 48 north of the Ketchum-Warm Springs Creek-Dollarhide Summit Road and west and south of State Highway 75. (10-26-94)

~~7958.~~ Hunt Areas 48-3 and 48-5. All of Unit 48 EXCEPT that portion north of the Ketchum-Warm Springs Creek-Dollarhide Summit Road and west and south of State Highway 75. (10-26-94)

~~8059.~~ Hunt Areas 49-1, 49-2, 49-3, and 49-4. All of Unit 49 and that portion of Unit 50 in the Copper Creek and Cottonwood Creek drainages west of the Craters of the Moon National Monument. (3-21-97)T

~~8460.~~ Hunt Areas 50-1 and 50-2. That portion of Unit 50 south of the Doublespring Pass Road east of U.S. 93, and that portion south of the Trail Creek Road west of U.S. 93 but EXCLUDING the Copper Creek and Cottonwood Creek drainages west of the Craters of the Moon National Monument. (10-26-94)

~~8261.~~ Hunt Area 50-3. That portion of Unit 50 downstream from and excluding the Barlett Creek drainage west of U.S. 93, south of Trail Creek Road, downstream from and including the Rock Creek drainage of the Big Lost River, west of U.S. 93, south of Trail Creek Road, but EXCLUDING the Copper Creek and Cottonwood Creek drainages west of the Craters of the Moon National Monument. (~~10-26-94~~)(3-20-98)T

~~8362.~~ Hunt Area 50-4. That portion of Unit 50 east of U.S. 93. (3-21-97)T

~~8463.~~ Hunt Areas 51-1, 51-2, and 51-3. All of Unit 51 ~~and that portion of Unit 63 within Butte County~~ and including that portion of this hunt within one-half mile inside the north and west boundary of the Idaho National Engineering and Environmental Laboratory (INEEL) adjacent to agricultural lands. (~~10-26-94~~)(3-20-98)T

64. Hunt Area 51-4. That portion of Unit 51 south of Deer Creek and Cedar Run Creek and within one (1) mile of private fields on which cultivated crops are currently growing, and that portion of Unit 58 south of and including the Kyle Canyon drainage north and west of State Highway 22, including all the Idaho National Engineering and Environmental Laboratory (INEEL) lands in Units 51 and 58 within the described boundary. (3-20-98)T

~~865.~~ Hunt Areas 52A-1, 52A-2, and 52A-3, 53-1 and 53-2. That portion of Unit 45 east of the Bliss Hill City Road and all of Units 52, 52A, and 53. All of Units 52A, 53, 63, 63A, 68, and 68A and including that portion of

this hunt in Unit 63 within one-half (1/2) mile inside the boundary of the Idaho National Engineering and Environmental Laboratory (INEEL) which is adjacent to agricultural lands. ~~(3-20-97)~~(3-20-98)T

- ~~866.~~ Hunt Areas ~~56-1, and 56-2, and 56-3.~~ All of Unit 56. ~~(3-21-97)T~~(3-20-98)T
- ~~867.~~ Hunt Areas ~~58-1 and 58-2.~~ All of Unit 58, 59, and 59A. ~~(10-26-94)~~(3-20-98)T
- ~~68.~~ Hunt Area 58-2. All of Unit 58. (3-20-98)T
- ~~8869.~~ Hunt Areas ~~59-1, 59-2, and 59-3.~~ All of Units 59 and 59A. ~~(3-20-97)~~(3-20-98)T
- ~~8970.~~ Hunt Areas 60-1, 60-2, and 60-3. All of Unit 60, EXCEPT the Harriman State Park Wildlife Refuge is CLOSED. All of Units 60, 61, and 62A, EXCEPT the Harriman State Park Wildlife Refuge is CLOSED. ~~(3-20-97)~~(3-20-98)T
- ~~71.~~ Hunt Areas 60-2 and 60-3. All of Unit 60, EXCEPT the Harriman State Park Wildlife Refuge is CLOSED. (3-20-98)T
- ~~9072.~~ Hunt Areas 60A-1 and 60A-2. That portion of Unit 60A south of the Dubois-Kilgore Road and west of the Parker-Salem Road (Red Road), and that portion of Unit 63A north of Highway 48 and west of the West Butte Road (3600 East Jefferson County). ~~(10-26-94)~~(3-20-98)T
- ~~9473.~~ Hunt Areas 61-1, 61-2, and 61-3. All of Unit 61. (5-15-95)
- ~~9274.~~ Hunt Area 62. All of Unit 62 and that portion of Unit 65 east of the Poleline-Bates-Cedron Road-Highway 31 Road. (3-21-97)T
- ~~93.~~ Hunt Area 62A-1. All of Unit 62A. ~~(10-26-94)~~
- ~~9475.~~ Hunt Area ~~62A-21.~~ That portion of Unit 62A west of the Henrys Fork of the Snake River and that portion of Unit 60 south of the Microwave Tower Road and east of the powerline to its intersection with Ashton Reservoir. ~~(10-26-94)~~(3-20-98)T
- ~~9576.~~ Hunt Area ~~62A-32.~~ That portion of Unit 62A east of the Henrys Fork of the Snake River. ~~(10-26-94)~~(3-20-98)T
- ~~96.~~ Hunt Area 63-1 and 63-2. That portion of Unit 63 north of State Highway 20 and including that portion of this hunt in Unit 63 within one-half mile inside the north and west boundary of the Idaho National Engineering Laboratory (INEL) which is adjacent to agricultural lands, that portion of Unit 51 south of Deer Creek and Cedar Run Creek, and that portion of Unit 58 south of and including the Kyle Canyon drainage north and west of State Highway 22, including all INEL lands in Units 51 and 58 within this described boundary. ~~(3-21-97)T~~
- ~~97.~~ Hunt Area 63A. That portion of Unit 63A north of Highway 48 and east of the West Butte Road (3600 East Jefferson County). ~~(3-20-97)~~
- ~~9877.~~ Hunt Area 64. All of Unit 64 and that portion of Unit 65 west of the Poleline-Bates-Cedron Road-Highway 31 Road. ~~(3-21-97)T~~(3-20-98)T
- ~~9978.~~ Hunt Areas 66-1 and 66-2. All of Unit 66, and that portion of Unit 69 north and east of the Gray's Lake-Long Valley-Bone-Iona Road. (10-26-94)
- ~~40079.~~ Hunt Areas ~~66A-1, and 66A-2, and 66A-3.~~ All of Units 66A and 76. ~~(10-26-94)~~(3-20-98)T
- ~~40480.~~ Hunt Areas ~~67-1, 67-2, and 67-3.~~ All of Unit 67 and 64. ~~(3-20-97)~~(3-20-98)T
- ~~81.~~ Hunt Area 67-2 and 67-3. All of Unit 67. (3-20-98)T

- ~~102.~~ Hunt Areas ~~68-1 and 68-2~~. All of Unit ~~68~~ and that portion of Unit ~~63~~ south of Highway ~~20~~ and that portion of Unit ~~52A~~ east of Range ~~25E~~ through the Great Rift. (3-20-97)
- ~~103~~82. Hunt Areas ~~69-1 and 69-2~~. That portion of Unit ~~69~~ south and west of the Gray's Lake-Long Valley-Bone-Iona Road. (3-21-97)T
- ~~104~~83. Hunt Areas ~~70-1, 70-2, and 70-3~~. All of Units ~~70, 71, 72, 73, 73A, and 74~~. (3-20-97)(3-20-98)T
- ~~105.~~ Hunt Area ~~70-2~~. All of Unit ~~70~~ and that portion within the following boundary: Beginning at Jensen Pass Road on the West Daniels Road, then west along the Jensen Pass Road to the Arbon Valley Highway, then north on the Arbon Valley Highway to Pauline, then northeast on the Mink Creek Road to the Rattlesnake Garden Gap Road, then east on the Virginia Road to the Dairy Creek Sheep Creek Road at Hawkins Reservoir, then southwest on the Dairy Creek Sheep Creek Road to the West Daniels Road, then south on the West Daniels Road to the point of beginning. (3-20-97)
106. Hunt Areas ~~71-1 and 71-2~~. All of Unit ~~71~~. (3-20-97)
- ~~107.~~ Hunt Area ~~72-1~~. That portion of Unit ~~72~~ north of the Meadowville-Ten Mile Pass-Bancroft Road. (3-21-97)T
- ~~108.~~ Hunt Areas ~~72-2 and 72-3~~. All of Unit ~~72~~. (3-21-97)T
- ~~109.~~ Hunt Area ~~73-1~~. All of Unit ~~73~~. (3-21-97)T
- ~~110.~~ Hunt Areas ~~73-2, and 73-4~~. That portion of Unit ~~73~~ within the following boundary: Beginning on Interstate 15 at the Utah border, then north on Interstate 15 to U.S. 91 near Virginia, then southeast on U.S. 91 to the Idaho-Utah state line, then west on the state line to Interstate 15, the point of beginning. (3-21-97)T
- ~~111.~~ Hunt Areas ~~73-3 and 73-5~~. That portion of Unit ~~73~~ within the following boundary: Beginning at Jensen Pass Road on the West Daniels Road, then west along the Jensen Pass Road to the Arbon Valley Highway, then north on the Arbon Valley Highway to Pauline, then northeast on the Mink Creek Road to the Rattlesnake Garden Gap Road, then east on the Virginia Road to the Dairy Creek Sheep Creek Road at Hawkins Reservoir, then southwest on the Dairy Creek Sheep Creek Road to the West Daniels Road, then south on the West Daniels Road to the point of beginning. (3-21-97)T
- ~~112.~~ Hunt Areas ~~74-1 and 74-2~~. All of Unit ~~74~~ south of U.S. Highway ~~30~~. (5-15-95)
- ~~113~~84. Hunt Areas ~~75-1 and 75-2~~. All of Units ~~75, 77, and 78~~. (10-26-94)(3-20-98)T
- ~~114.~~ Hunt Area ~~75-3~~. All of Units ~~75, 77, and 78~~. (5-15-95)
- ~~115.~~ Hunt Areas ~~76-1 and 76-4~~. That portion of Unit ~~76~~ within the following boundary: Beginning at Soda Springs on State Highway ~~34~~, then north to Wayan, then south along the Chippy Creek Lanes Creek Diamond Creek Road to Timber Creek Road, then northeast along Timber Creek-Smokey Canyon-Stump Creek Road to the Idaho-Wyoming state line, then south along the state line to the Crow Creek Road, then southwest along Crow Creek-Wells Canyon Georgetown Canyon Road to U.S. ~~30~~, then north along U.S. ~~30~~ to Soda Springs, the point of beginning. (3-21-97)T
- ~~116.~~ Hunt Areas ~~76-2 and 76-5~~. That portion of Unit ~~76~~ south of the Georgetown-Wells-Crow Creek Road. (3-21-97)T
- ~~117.~~ Hunt Areas ~~76-3 and 76-6~~. That portion of Unit ~~76~~ within the following boundary: Beginning at the Idaho-Wyoming state line at the Stump Creek Road, then west along the Stump Creek-Smokey Canyon-Timber Creek Road to the Diamond Creek Road, then north along the Diamond Creek-Lanes Creek Road to State Highway ~~34~~ at Wayan, then east along State Highway ~~34~~ to the Idaho-Wyoming state line, then south along the state line to the Stump Creek Road, the point of beginning. (3-21-97)T

~~1185.~~ Hunt Area ~~76-71~~. That portion of Unit 66A within the Miller and Newwander Creek drainages, the Jackknife Creek drainage east of the mouth of Squaw Creek, and east of the Cabin Creek-Haderlie Ridge Trail (Forest Service Trail 619), and that portion of Unit 76 within the following boundary: Beginning at the intersection of State Highway 34 and the Idaho-Wyoming border, then west approximately four miles to the mouth of the South Fork of Tincup Creek and Forest Service Trail 014, then south up Trail 014 to the Stump Creek Road, then south and east along Stump Creek Road to the Idaho-Wyoming border, then north along the border to the junction of State Highway 34, the point of beginning. ~~(3-21-97)T(3-20-98)T~~

~~119.~~ Hunt Areas ~~77-1 and 77-2~~. All of Unit 77. (10-26-94)

~~120.~~ Hunt Areas ~~78-1 and 78-2~~. All of Unit 78. (10-26-94)

(BREAK IN CONTINUITY OF SECTIONS)

703. CONTROLLED HUNT AREA DESCRIPTIONS - ANTELOPE.

~~01.~~ Hunt Area ~~21A~~. All of Unit 21A. (10-26-94)

~~021.~~ Hunt Areas 29-1. That portion of Unit 29 downstream from and including the Hayden Creek drainage on the west side of the Lemhi River and those drainages on the east side of the main Salmon River upstream from the mouth of the Lemhi River to, but excluding, the Poison Creek drainage. (3-20-97)

~~032.~~ Hunt Areas 29-2. That portion of Unit 29 upstream from, but excluding, the Hayden Creek drainage on the west side of the Lemhi River. (3-20-97)

~~043.~~ Hunt Area 30. All of Unit 30. (3-21-97)T

~~054.~~ Hunt Area 30A. All of Unit 30A. (3-21-97)T

~~065.~~ Hunt Area 36A-1. That portion of Unit 36A west of the East Fork of the Salmon River. (10-26-94)

~~076.~~ Hunt Area 36A-2. That portion of Unit 36A east of the East Fork of the Salmon River. (10-26-94)

~~08.~~ Hunt Area ~~36A-3~~. That portion of Unit 36A north of the Spar Canyon Road within the Warm Springs Creek drainage and north from and including the Bradbury Gulch drainage within the Salmon River drainage. (10-26-94)

~~097.~~ Hunt Areas 36B. All of Unit 36B, and that portion of Unit 28 upstream from and including the Iron Creek drainage. (3-20-97)

~~108.~~ Hunt Areas ~~37-1 and 37-3~~. That portion of Unit 37 south of the Doublespring Pass-Goldburg Road. ~~(10-26-94)(3-20-98)T~~

~~1109.~~ Hunt Areas ~~37-2 and 37-4~~. That portion of Unit 37 north of the Doublespring Pass-Goldburg Road. ~~(10-26-94)(3-20-98)T~~

~~120.~~ Hunt Area 37A-1. That portion of Unit 37A east of the (Little) Morgan Creek Road and the north fork of (Little) Morgan Creek. (10-26-94)

~~131.~~ Hunt Area 37A-2. That portion of Unit 37A west of the (Little) Morgan Creek Road and the north fork of (Little) Morgan Creek, and that portion of Unit 29 in the Poison Creek drainage. (10-26-94)

~~142.~~ Hunt Area 39. All of Unit 39. (3-20-97)

153. Hunt Area 40. All of Unit 40. (10-26-94)
164. Hunt Area 41. That portion of Unit 41 east of State Highway 51. (10-26-94)
175. Hunt Area 42. That portion of Unit 41 west of State Highway 51 and all of Unit 42. (10-26-94)
186. Hunt Area 44. All of Unit 44 and that portion of Unit 45 within the Camas Creek drainage. (10-26-94)
197. Hunt Areas 46-1 and 46-2. All of Unit 46. (10-26-94)
2018. Hunt Area 47. All of Unit 47. (10-26-94)
219. Hunt Area 49. All of Unit 49 and that portion of Unit 50 in the Copper Creek and Cottonwood Creek drainages west of the Craters of the Moon National Monument. (3-21-97)T
220. Hunt Area 50-1. That portion of Unit 50 north of Antelope Creek and west of U.S. 93. (10-26-94)
231. Hunt Area 50-2. That portion of Unit 50 southeast of Antelope and Pass Creeks but EXCLUDING the Copper Creek and Cottonwood Creek drainages west of Craters of the Moon National Monument. (10-26-94)
242. Hunt Area 50-3. That portion of Unit 50 north of Pass Creek and east of U.S. 93. (10-26-94)
253. Hunt Area 51-1. That portion of Unit 51 north of Badger Creek Road and north of the Wet Creek-Pass Creek Road. (10-26-94)
264. Hunt Areas 51-2 and 51-3. That portion of Unit 51 south of Badger Creek Road and south of the Wet Creek-Pass Creek Road and that portion of Unit 63 within Butte County including that portion of this hunt area within one-half (1/2) mile inside the ~~of the north and west~~ boundary of the Idaho National Engineering and Environmental Laboratory (INEEL) adjacent to agricultural lands. ~~(3-21-97)T~~(3-20-98)T
275. Hunt Area 53. All of Unit 53. (10-26-94)
286. Hunt Area 54. All of Unit 54. (3-13-96)
297. Hunt Area 57. All of Unit 57 and that portion of Unit 56 west of Interstate 84. (3-13-96)T
3028. Hunt Area 58. All of Unit 58 outside the Idaho National Engineering and Environmental Laboratory (INEEL) boundary. ~~(3-20-96)~~(3-20-98)T
3429. Hunt Area 59. All of Units 59 and 59A. (3-20-96)
320. Hunt Area 60A. All of Units 60 and 60A, and that portion of Unit 61 west of Hotel Creek. (3-20-96)
331. Hunt Area 61. That portion of Unit 61 east of Hotel Creek. (10-26-94)
342. Hunt Area 63-1. That portion of Unit 63 south of State Highway 33 and including that portion of this hunt area within one-half (1/2) mile inside the east boundary of the Idaho National Engineering and Environmental Laboratory (INEEL) and which is adjacent to agricultural lands. ~~(10-26-94)~~(3-20-98)T
353. Hunt Area 63-2. That portion of Unit 63 north of State Highway 33, and including that portion of this hunt area within one-half (1/2) mile inside the ~~east~~ boundary of the Idaho National Engineering and Environmental Laboratory (INEEL) and which is adjacent to agricultural lands, EXCLUDING the Camas National Wildlife Refuge which is CLOSED. ~~(10-26-94)~~(3-20-98)T
364. Hunt Area 68. All of Unit 68. (10-26-94)

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.15 - RULES GOVERNING THE USE OF DOGS
DOCKET NO. 13-0115-9801
NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective March 30, 1998.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 36-104(b).

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1997.

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

DESCRIPTIVE SUMMARY: The following is the is a nontechnical explanation of the substance and purpose of the proposed rule-making:

Public concerns on the use of hound-hunting permits. Address the requirements for a hound-hunting permit.

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

Confers a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact John Beecham at 208-334-2920.

Anyone may submit written comments regarding this proposed rule-making. All written comments must be directed to the undersigned and must be delivered on or before May 27, 1998.

DATED this 25th day of March 1998.

W. Dallas Burkhalter
Deputy Attorney General
Idaho Department of Fish and Game
600 South Walnut
PO Box 25
Boise, ID 83707
208-334-3715/FAX: 208-334-3148

TEXT OF DOCKET NO. 13-0115-9801

000. -- 0909. (RESERVED).

010. DEFINITIONS.

01. Immediate Family Member. Immediate family member is defined exclusively as the parents, spouse, children, and grandchildren of the Hound Hunting Permit holder, whether by blood or marriage. Immediate family members must be identified by affidavit on an approved form by the Hound Hunting Permit holder, and listed

on the Hound Hunter Permit.

(3-20-98)T

02. Licensed Outfitter. Licensed outfitter means the holder of an appropriate outfitter's license issued by the Idaho Outfitters and Guides Licensing Board pursuant to Sections 36-2101, et seq., Idaho Code. (3-20-98)T

03. Licensed Guide. As defined in Idaho Code, Section 36-2102(c), any natural person who is employed by a licensed outfitter to furnish personal services for the conduct of outdoor activities directly related to the conduct of activities for which the employing outfitter is licensed. (3-20-98)T

011. -- 099. (RESERVED).

100. USE OF HUNTING DOGS.

Dogs may be used to hunt or pursue ONLY the following wildlife, ONLY under the conditions listed, and ONLY if not prohibited by current rules: (7-1-93)

01. Upland Game Animals, and Upland Game Birds, and Migratory Game Birds. To train on or hunt upland game animals, and game birds, and migratory game birds. (7-1-93)(3-20-98)T

02. Taking With Conditions. To take black bear, mountain lion, bobcat, ~~lynx~~, fox and raccoon, unprotected and predatory wildlife provided that the following conditions are met: (7-1-93)(3-20-98)T

a. There is an open take season in the area to be hunted. (7-1-93)

b. Use of dogs is allowed during the take season in the area to be hunted. (7-1-93)

c. No firearm season for deer or elk is open in the area to be hunted (EXCLUDING muzzleloader hunts and EXCLUDING controlled hunts during September and from November 25 to December 31). (7-1-93)

d. The following persons must have a valid Hound Hunters Permit in possession when dogs are being run in the field used to hunt. (10-26-94)(3-20-98)T

i. Anyone who owns pursuit dogs. All participants in the hunt who are twelve (12) years old or older are required to have a valid Idaho hunting license and Hound Hunter Permit. Any clients of licensed outfitters when accompanied by that permitted outfitter or his licensed guide, or immediate family members accompanied by a permit holder that are listed by name on the permit holder's Hound Hunter Permit are exempted from having to have a separate Hound Hunting Permit. (10-26-94)(3-20-98)T

ii. Anyone having control of dogs owned by another person. (10-26-94)

03. To Pursue With Conditions. To hunt or pursue black bear, mountain lion, bobcat, ~~lynx~~, and raccoon provided that the following conditions are met: (7-1-93)(3-20-98)T

a. There is an open dog training season in the area to be hunted. (7-1-93)

b. No firearm season (EXCLUDING muzzleloader hunts and EXCLUDING controlled hunts during September and from November 25 to December 31) for deer or elk is open in the area to be hunted. (7-1-93)

c. The following persons must have a valid Hound Hunter's Permit in possession when dogs are being run in the field used to hunt or pursue black bear, mountain lion, bobcat, fox, or raccoon and unprotected and predatory wildlife: (10-26-94)(3-20-98)T

i. Anyone who owns pursuit dogs. All participants in the hunt who are twelve (12) years old or older are required to have a valid Idaho hunting license and Hound Hunter Permit. Any clients of licensed outfitters when accompanied by that permitted outfitter or his licensed guide, or immediate family members accompanied by a permit holder that are listed on the permit holder's Hound Hunter Permit are exempted from having a separate Hound Hunter Permit. (10-26-94)(3-20-98)T

- ii. ~~Anyone having control of dogs owned by another person.~~ (10-26-94)

(BREAK IN CONTINUITY OF SECTIONS)

200. HOUND HUNTER'S PERMIT.

01. Use of Hound Hunter's Permits. (7-1-93)(3-20-98)T

a. The following persons must have a valid Hound Hunter's Permit in possession when dogs are being ~~run in the field~~ used to hunt or pursue black bear, mountain lion, bobcat, fox, and raccoon, and unprotected and predatory wildlife: (10-26-94)(3-20-98)T

i. ~~Anyone who owns pursuit dogs. All participants in the hunt who are twelve (12) years old or older are required to have a valid Idaho hunting license and Hound Hunter Permit. Any clients of licensed outfitters when accompanied by that permitted outfitter or his licensed guide, or immediate family members accompanied by a permit holder that are listed on the permit holder's Hound Hunter Permit are exempted from having a separate Hound Hunter Permit. Resident hunters who wish to list exempted family members on their Hound Hunter Permit must sign an affidavit certifying that the names listed on his/her Hound Hunter Permit are immediate family members as defined in this rule. A maximum of four (4) family members may be listed on any single Hound Hunter Permit.~~ (10-26-94)(3-20-98)T

- ii. ~~Anyone having control of dogs owned by another person.~~ (10-26-94)

b. Permits are not transferable EXCEPT, an outfitter licensed pursuant to the authority vested in the Outfitters and Guides Board, Sections 36-2101, et seq., Idaho Code, may convey the authority of ~~transfer~~ his Hound Hunter's Permit to a nonresident licensed guide operating for him. A nonresident guide will be deemed to be in compliance with this requirement if the guide has a copy of the above-referenced Hound Hunter's Permit in his possession. (7-1-93)(3-20-98)T

- c. Hound Hunter Permits are valid from January 1 through December 31 of each year. (7-1-93)

02. ~~Nonresident Limitation on Hound Hunter's Permits~~ Limitations for Nonresidents. No more than fifty-five (55) nonresident hound hunter's permits will be issued to nonresident hunters who are not licensed outfitters pursuant to the authority vested in the Outfitters and Guides Board, Sections 36-2101, et seq., Idaho Code. A licensed outfitter, who is a nonresident, is exempt from the limitation. ~~Nonresident~~ Licensed outfitters and guides who have obtained a ~~nonresident~~ hound hunter's permit under this exemption ~~may~~ shall not use this for personal hunting. Sales of ~~nonresident~~ Hound Hunter's ~~Permits~~ to the following persons shall not be counted in the quota for nonresidents: (7-3-93)(3-20-98)T

a. Unqualified Residents. Persons who have moved into Idaho and by notarized affidavit show proof of their intent to become bona fide Idaho residents but are not yet qualified to purchase a resident license. (7-1-93)

b. Designated Buyers. ~~Nonresident hound hunter's permit buyers who return their nonresident hound hunter's permit and a notarized affidavit stating that the permit buyer has not hunted or pursued may designate another nonresident to purchase an additional permit. If the original buyer does not make a designation and has retained an outfitter, the outfitter may make the designation. The designated buyer must pay the regular fee for the replacement permit. If no designation is made by either the original buyer or the outfitter, the Department may sell the replacement tag on a first-come, first-served basis.~~ (7-1-93)

e. ~~Successful nonresident black bear controlled hunt applicants who have not received a nonresident hound hunter's permit as of the date of the controlled hunt drawing.~~ (7-1-93)

03. Eligibility -- Residents. A resident ~~Hound Hunter's~~ Permit may be obtained by a holder of a resident hunting license by ~~presenting a valid Idaho resident hunting license to a Department office or Conservation~~

~~Officer~~ paying the appropriate fee at a license vendor. Resident hunters who wish to list exempted immediate family members on their Hound Hunter Permit must sign an affidavit certifying that the names listed on his/her Hound Hunter Permit are immediate family members as defined by this rule. ~~(7-1-93)(3-20-98)T~~

04. Eligibility -- Nonresidents. (7-1-93)

a. Applications for ~~nonresident hHound hHunter's pPermits~~ shall be made on a form prescribed by the Department and must be received at the Headquarters Office of the Idaho Department of Fish and Game or postmarked not later than December 1 of the year preceding the year in which the permit is to be valid. ~~(7-1-93)(3-20-98)T~~

b. Any application which is unreadable, ~~has incomplete or incorrect hunting license numbers,~~ or which lacks the required information will be declared void and will not be entered in the drawing. All applications will be considered final. They may not be resubmitted after correction. ~~(7-1-93)(3-20-98)T~~

c. Applicants must comply with the following requirements: (7-1-93)

i. No person may submit more than one (1) application for a ~~nonresident hHound hHunter's pPermit~~. ~~(7-1-93)(3-20-98)T~~

ii. ~~No gGroup~~ applications will be accepted. A group application for a Hound Hunter Permit is defined as two (2) hunters applying for two (2) permits on the same application form. Nonresidents who wish to list immediate family members on their permit must sign an affidavit certifying that the names listed on his/her Hound Hunter Permit are immediate family members as defined in this rule. ~~(7-1-93)(3-20-98)T~~

iii. No applications will be accepted from residents of states or provinces that do not allow Idaho residents reciprocal opportunity to pursue game animals or furbearers with hounds, if such seasons exist. (7-1-93)

d. ~~Nonresident hHound hHunter's pPermits~~ that remain unissued after the drawing may be issued by the Department on a first-come, first-served basis at the Regional offices during normal business hours on or after December 10. ~~(7-1-93)(3-20-98)T~~

05. Invalidation of Permit. In the event a permit is issued based on erroneous or fraudulent information, the permit is invalid and CANNOT be used. ~~The Department will notify the permittee that the permit is invalid. Any permit issued on the basis of fraudulent information is subject to the provisions of Title 36, Idaho Code, and commission rules promulgated thereto, apply.~~ ~~(7-1-93)(3-20-98)T~~

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.00.00 - OPPORTUNITY TO COMMENT ON STRATEGIC PLAN
DOCKET NO. 16-0000-9801
NOTICE OF OPPORTUNITY TO COMMENT ON STRATEGIC PLAN

OPPORTUNITY TO COMMENT ON STRATEGIC PLAN:

The Department of Health and Welfare has been developing a Strategic plan for the years 1999 through 2002 for several months. Input has been solicited during the past year from Department staff as well as key stakeholders through a series of forums to which key stakeholders were invited. That process has resulted in a "final draft" of the plan. We are now seeking comments regarding the final draft from the public at large.

The final draft is available for viewing from May 1, 1998 through May 15, 1998 on the Department's Web page, which can be accessed starting May 1, 1998 at:

<http://www.state.id.us/dhw>

Printed copies are available on request by writing James C. Wilson, Deputy Director, Department of Health and Welfare at P.O. Box 83720, Boise, Idaho 83720-0036. Comments will be accepted through May 15, 1998. Comments in writing may be sent to the above address, or e-mailed to: wilsonj2@dhw.state.id.us.

DATED this 5th day of March, 1998.

Sherri Kovach
Administrative Procedures Coordinator
DHW - Division of Legal Services
450 West State Street, 10th Floor
P.O. Box 83720
Boise, Idaho 83720-0036
(208) 334-5564 phone
(208) 334-5548 fax

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.01.01 - RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

DOCKET NO. 16-0101-9702

NOTICE OF PROPOSED RULE

AUTHORITY: In compliance with Idaho Code Section 67-5221(1), notice is hereby given that this agency has proposed rulemaking. The action is authorized by Idaho Code Sections 39-105 and 39-107. In addition, this rulemaking is mandated by the United States Environmental Protection Agency (EPA) pursuant to 61 Fed. Reg. 68,384-68,404 (December 27, 1996) (codified at 40 CFR Part 63 Subpart B).

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

Thursday, June 11, 1998, 7 p.m.
Division of Environmental Quality Conference Center
1410 N. Hilton, Boise, Idaho

The hearing site will be accessible to the physically disabled. Interpreters for persons with hearing impairments and brailled or taped information for persons with visual impairments can be provided upon five days' notice. For arrangements, contact the undersigned at (208)373-0418.

DESCRIPTIVE SUMMARY: This rulemaking has been undertaken to adopt and implement the federal program established under Sections 112(g) and 112(j) of the Clean Air Act. The purpose of the rule will be to provide for Idaho to establish Maximum Achievable Control Technology (MACT) standards for new major sources that emit hazardous air pollutants (HAP) in the event that: 1) a source begins construction or reconstruction before EPA is scheduled to develop a MACT for that source category; or 2) a source in a source category for which EPA is required to develop a MACT but is over 18 months behind schedule in developing the MACT for that source category. Sections 112(g) and 112(j) of the Clean Air Act require that states be able to develop equivalent emission limits by permit. This will be implemented through Idaho's Part 70 (Title V) Permit Program. The rule will affect new or reconstructed major sources that emit HAP. A major source for HAP is a source that emits 10 tons/year of any single HAP or 25 tons/year in the aggregate of HAP.

The text of the rule is based on a consensus recommendation resulting from the negotiated rulemaking process. The negotiation was open to the public. Participants in the negotiation included industry representatives. The Notice of Negotiated Rulemaking was published in the Idaho Administrative Bulletin, Volume 97-5, May 7, 1997, page 36.

In February 1998, the Board of Health and Welfare adopted this rule as a temporary rule with an effective date of April 15, 1998. The temporary rule was published in the Idaho Administrative Bulletin, Volume 98-4, April 4, 1998, pages 3 and 4. With this publication, the Department of Health and Welfare, Division of Environmental Quality is initiating proposed rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning the proposed rulemaking, contact Tim Teater at (208) 373-0502.

SUBMISSION OF WRITTEN COMMENTS: Anyone may submit written comments regarding this proposed rule. All written comments must be received by the undersigned on or before June 12, 1998.

Dated this 6th day of May, 1998.

Paula Junae Saul
Environmental Quality Section
Attorney General's Office
1410 N. Hilton
Boise, Idaho 83706-1255
Fax No. (208)373-0481

IDAPA 16
TITLE 01
Chapter 01

RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

Pursuant to Section 67-5221(1) this docket is being published as a Proposed Rule.

This docket has been previously published as a Temporary Rule.
The temporary effective date is April 15, 1998.

The original text was published in the Idaho
Administrative Bulletin, Volume 98-04, April 1, 1998,
pages 3 and 4.

TEXT OF DOCKET NO. 16-0101-9702

214. EMISSIONS LIMITATION FOR NEW AND RECONSTRUCTED MAJOR SOURCES OF HAZARDOUS AIR POLLUTANTS.

01. Definitions for Section 214. The definitions of the terms immediately below apply only to this section. Unless specifically defined otherwise immediately below, all terms in this section shall have the meanings provided in Sections 006 and 007 of these rules. ()

a. "Construct a Major Source" has the meaning provided in 40 CFR Parts 63.40 through 63.44 as incorporated by reference in these rules at Section 107. ()

b. "Major Source" has the meaning provided in Section 7412(a) of the Clean Air Act and the meaning provided in 40 CFR Parts 63.40 through 63.44 as incorporated by reference in these rules at Section 107. ()

c. "Maximum Achievable Control Technology (MACT)" means an emission standard applicable to major sources of hazardous air pollutants that requires the maximum degree of reduction in emissions deemed achievable for either new or existing sources. "Maximum Achievable Control Technology (MACT)" has the meaning provided in 40 CFR Parts 63.40 through 63.44 as incorporated by reference in these rules at Section 107. ()

d. "New Source" means a stationary source, the construction of which is commenced after proposal of a federal MACT or the effective date of this subsection, whichever is earlier. ()

e. "Reconstruct a Major Source" has the meaning provided in 40 CFR Parts 63.40 through 63.44 as incorporated by reference in these rules at Section 107. ()

02. Federal MACT. Any person who proposes to construct or reconstruct a major source of hazardous air pollutants (HAP) after an applicable emissions standard has been proposed by EPA pursuant to Section 7412(d), Section 7412(n), or Section 7429 of the Clean Air Act shall comply with the requirements and emission standard for new sources when promulgated by EPA. ()

03. State MACT. Any person who proposes to construct or reconstruct a major source of HAP before MACT requirements applicable to that source have been proposed by EPA and after the effective date of this rule shall comply with new and reconstructed source MACT requirements as determined by the Director. The Director shall make this determination on a case by case basis in accordance with the guidance in 40 CFR Parts 63.40 through 63.44

as incorporated by reference in these rules at Section 107. ()

04. Compliance Schedule. The owner or operator of the proposed major source of HAP must demonstrate to the Department that the source will achieve the required emissions limitation prior to commencing operation. ()

2145. -- 219. (RESERVED).

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.01.02 - WATER QUALITY STANDARDS AND WASTEWATER TREATMENT REQUIREMENTS

DOCKET NO. 16-0102-9802

NOTICE OF PROPOSED RULE

AUTHORITY: In compliance with Idaho Code Section and 67-5221(1), notice is hereby given that this agency has proposed rulemaking. The action is authorized by Idaho Code Sections 39-105, 39-107, and 39-3601 et seq.

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

Tuesday, May 19, 1998
7 p.m. - Question/Answer Workshop
8 p.m. - Public Hearing
Kellogg Middle School Library
800 Bunker Avenue, Kellogg, Idaho

The hearing site will be accessible to the physically disabled. Interpreters for persons with hearing impairments and brailled or taped information for persons with visual impairments can be provided upon five days' notice. For arrangements, contact the undersigned at (208) 373-0418.

DESCRIPTIVE SUMMARY: The purpose of this rule is to set forth in the water quality standards site-specific criteria for three metals, cadmium, lead and zinc, in the South Fork Coeur d'Alene River Basin. These site-specific criteria were developed according to rules of the Department of Health and Welfare, Division of Environmental Quality (Department) and EPA guidelines on the resident species approach. The resident species approach uses laboratory bioassays conducted with resident species and site water to develop proposed criteria that are protective of the aquatic biota currently residing or likely to reside in the South Fork Coeur d'Alene River and its tributaries. The toxicity testing and site-specific criteria development were performed by EVS Environment Consultants, Inc. of Seattle. The site-specific criteria will be used in the development of the total maximum daily load (TMDL) and associated allocations for the South Fork Coeur d'Alene River Basin. The waters of the South Fork Coeur d'Alene River from its headwaters to its mouth (confluence with North Fork Coeur d'Alene River) and all tributaries will have site-specific aquatic life metals criteria as follows:

Cadmium. The acute criterion shall be 0.47 ug/l and the chronic criterion shall be 0.47 ug/l, both expressed as dissolved concentrations.

Lead. The acute criterion shall be 245 ug/l and the chronic criterion shall be 118 ug/l, both expressed as dissolved concentrations.

Zinc. The acute criterion shall be 163 ug/l and the chronic criterion shall be 163 ug/l, both expressed as dissolved concentrations.

In February 1998, the Board of Health and Welfare adopted this rule as a temporary rule with an effective date of March 1, 1998. The temporary rule was published in the Idaho Administrative Bulletin, Volume 98-4, April 4, 1998, pages 7 and 8. With this publication, the Department is initiating proposed rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning the proposed rulemaking, contact Susan Burke at (208) 373-0502 or Geoff Harvey at (208) 769-1448.

SUBMISSION OF WRITTEN COMMENTS: Anyone may submit written comments regarding this proposed rule. All written comments must be received by the undersigned on or before June 22, 1998.

Dated this 6th day of May, 1998.

Paula Junae Saul
Environmental Quality Section
Attorney General's Office

1410 N. Hilton
Boise, Idaho 83706-1255
Fax No. (208)373-0481

IDAPA 16
TITLE 01
Chapter 02

WATER QUALITY STANDARDS AND WASTEWATER TREATMENT REQUIREMENTS

Pursuant to Section 67-5221(1), Idaho Code,
this docket is being published as a Proposed Rule.

This docket has been previously published as a Temporary Rule.
The temporary effective date is March 1, 1998.

The original text was published in the Idaho
Administrative Bulletin, Volume 98-04, April 1, 1998,
pages 7 and 8.

TEXT OF DOCKET NO. 16-0102-9802

281. --298. (RESERVED).

282. SOUTH FORK COEUR D'ALENE RIVER AND ALL TRIBUTARY WATERS - PB-130S, PB-140S, PB-121S, PB-142S, PB-143S, PB-145S, PB-146S, PB-147S, PB-148S, UNDESIGNATED TRIBUTARIES - SITE-SPECIFIC CRITERIA FOR METALS.

The waters of the South Fork Coeur d'Alene River from its headwaters to its mouth (confluence with North Fork Coeur d'Alene River) and all tributaries will have site-specific aquatic life metals criteria as follows: ()

01. Cadmium. The acute criterion shall be forty-seven one hundredths (0.47) ug/l and the chronic criterion shall be forty-seven one hundredths (0.47) ug/l, both expressed as dissolved concentrations. ()

02. Lead. The acute criterion shall be two hundred forty-five (245) ug/l and the chronic criterion shall be one hundred eighteen (118) ug/l, both expressed as dissolved concentrations. ()

03. Zinc. The acute criterion shall be one hundred sixty-three (163) ug/l and the chronic criterion shall be one hundred sixty-three (163) ug/l, both expressed as dissolved concentrations. ()

283. -- 298. (RESERVED).

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.01.08 - IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS
DOCKET NO. 16-0108-9801
NOTICE OF NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Idaho Code Section 67-5220 and IDAPA 04.11.01.810 to .815, notice is hereby given that this agency intends to promulgate a rule and desires public participation in an informal, negotiated rulemaking process prior to the initiation of formal rulemaking procedures by the agency. The negotiated rulemaking action is authorized by Idaho Code Section 39-105. The formal rulemaking action is authorized by Chapter 1, Title 39, Idaho Code and Chapter 21, Title 37, Idaho Code. Idaho Code Section 39-105(3)(e) contains explicit authorization for capacity development. In addition, this rulemaking is required by Section 1420(a) of the federal Safe Drinking Water Act. Failure to comply with this provision will result in losing 20% of the state's annual Drinking Water Revolving Loan Fund capitalization grant from the federal government for the years 1999 to 2003 and possibly beyond, if Congress continues the appropriations. This amounts to 1.5 to 2.0 million dollars per year over that period.

DESCRIPTIVE SUMMARY: The proposed rule will add a requirement that new community and non-transient non-community public drinking water systems provide evidence of financial, technical, and managerial capacity at the time they apply for approval of their plans and specifications. Overall criteria for evaluating water system capacity will be provided in the rule. The water system will not be allowed to commence operations until the capacity requirements have been met. This requirement will apply to developers of rural subdivisions and business interests who are proposing to construct facilities such as factories, day care centers, and residential trailer parks that are not served by an existing public water system.

For information regarding meeting dates and involvement opportunities and to receive a preliminary draft of the rule, contact Tom John at (208)373-0502. The Department of Health and Welfare, Division of Environmental Quality (DEQ) also intends to actively solicit participation from key interest groups. A citizen's advisory committee has been convened to advise the agency on water system capacity issues. Interested persons may also participate in the negotiated rulemaking process by submitting written comments as provided below.

The goal of the negotiated rulemaking process will be to develop by consensus the text of a recommended rule. If a consensus is reached, a draft of the rule, incorporating the consensus and any other appropriate information, recommendations, or materials, will be transmitted to DEQ for consideration and use in the formal rulemaking process. If a consensus is unable to be achieved on particular issues, the negotiated rulemaking process may result in a report specifying those areas on which consensus was and was not reached, together with arguments for and against positions advocated by various participants. At the conclusion of the negotiated rulemaking process, DEQ intends to commence formal rulemaking with the publication of a proposed rule, using and taking into consideration the results of the negotiated rulemaking process.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning the negotiated rulemaking, contact Tom John at (208)373-0502.

SUBMISSION OF WRITTEN COMMENTS: Anyone may submit written comments regarding this proposal to initiate negotiated rulemaking. All written comments must be received by the undersigned on or before May 27, 1998.

Dated this 6th day of May, 1998.

Paula Junae Saul
Environmental Quality Section
Attorney General's Office
1410 N. Hilton
Boise, Idaho 83706-1255
Fax No. (208)373-0481

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.01.10 - ENVIRONMENTAL AUDIT PROTECTION RULES
DOCKET NO. 16-0110-9801
NOTICE OF PROPOSED RULE

AUTHORITY: In compliance with Sections 67-5221(1), Idaho Code, notice is hereby given that this agency has proposed rulemaking. The action is authorized by Idaho Code Sections 39-105, 39-107, and 39-4405. In this rulemaking, the Idaho Department of Health and Welfare, Division of Environmental Quality (DEQ) proposes to repeal the Environmental Audit Protection Rules, IDAPA 16.01.10, as described in the descriptive summary below.

PUBLIC HEARING SCHEDULE: No hearings have been scheduled. Pursuant to Section 67-5222(2), Idaho Code, a public hearing will be held if requested in writing by twenty-five (25) persons, a political subdivision, or an agency. Written requests for hearing must be received by the undersigned on or before May 20, 1998. If no such written request is received, a public hearing will not be held.

DESCRIPTIVE SUMMARY: In 1995 the Idaho Legislature enacted the Idaho Environmental Audit Protection Act (EAPA), prohibiting state environmental agencies from disclosing, or under certain circumstances compelling disclosure of, a qualifying environmental audit, and providing for limited immunity for violations of state environmental law identified in an audit. As directed by the EAPA, the Board of Health and Welfare adopted DEQ's Environmental Audit Protection Rules. Under a sunset clause, the EAPA became null and void on December 31, 1997. Because there is no longer underlying statutory authority for the rules, this rulemaking action proposes the repeal of DEQ's Environmental Audit Protection Rules.

Negotiated rulemaking was not conducted because the nature of this rulemaking does not lend itself to the negotiated rulemaking process.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the proposed rulemaking, contact Tim Teater at (208) 373-0502.

SUBMISSION OF WRITTEN COMMENTS: Anyone can submit written comments regarding this proposed rule. All written comments must be received by the undersigned on or before May 27, 1998.

DATED this 6th day of May, 1998.

Paula Junae Saul
Environmental Quality Section
Attorney General's Office
1410 N. Hilton
Boise, Idaho 83706-1255
Fax No. (208)373-0481

THIS RULE IS BEING REPEALED IN ITS ENTIRETY.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.01 - RULES GOVERNING MEDICAID FOR FAMILIES AND CHILDREN
DOCKET NO. 16-0301-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective July 1, 1997, October 1, 1997, November 19, 1997, and July 1, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Section(s) 56-209(b), Idaho Code.

PUBLIC HEARING SCHEDULE: Pursuant to Section 67-5222(2), Idaho Code, public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1998.

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

DESCRIPTIVE SUMMARY: Adds medical coverage for low income, uninsured children under the age of nineteen (19) whose gross family income does not exceed one hundred and sixty percent (160%) of the federal Poverty guideline for the household size effective, October 1, 1997 through June 30, 1998, and one hundred and fifty percent (150%) of the Federal Poverty Guideline for the household size effective July 1, 1998.

Income and resources of a legal non-citizen's sponsor and the sponsor's spouse are counted in determining eligibility.

The Adoption and Safe Families Act of 1997 requires States to provide medical coverage to children with special needs.

Adds Medicaid overpayments and recovery.

TEMPORARY RULE JUSTIFICATION: Temporary rules have been adopted in accordance with Section 67-5226, Idaho Code and are necessary in order to comply with governing law to confer a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary or proposed rule, contact Patti Campbell, Bureau Chief, at 334-5819.

Anyone can submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked on or before May 27, 1998.

DATED this 6th day of May, 1998.

Sherri Kovach
Administrative Procedures Coordinator
DHW - Division of Legal Services
450 West State Street, 10th Floor
P.O. Box 83720
Boise, Idaho 83720-0036
(208) 334-5564 phone, (208) 334-5548 fax

TEXT OF DOCKET NO. 16-0301-9801

005. ABBREVIATIONS.

Abbreviations applicable to IDAPA 16.03.01 are listed in Subsections 005.01 through 005.33. (7-1-97)T

01. AFDC. Aid to Families with Dependent Children, the cash assistance program for families and children in effect through June 30, 1997. (7-1-97)T
02. AG. Office of the Attorney General, Health and Welfare Division. (7-1-97)T
03. AIM. The Department's Advanced Information Management system for Medicaid. (7-1-97)T
04. ASVI. Alien Status Verification Index. (7-1-97)T
05. BCSS. Bureau of Child Support Services. (7-1-97)T
06. CHIP. Child Health Insurance Program. (10-1-97)T
- ~~07.~~ DHW. Department of Health and Welfare. (7-1-97)T
- ~~078.~~ ~~DOEL.~~ Department of ~~Employment~~ Labor. (~~7-1-97~~)T(10-1-97)T
- ~~082.~~ DVR. Department of Vocational Rehabilitation. (7-1-97)T
- ~~0910.~~ EE. Eligibility Examiner. (7-1-97)T
- ~~101.~~ EITC. Earned Income Tax Credit. (7-1-97)T
- ~~142.~~ EPICS. The DHW Eligibility Programs Integrated Computer System. (7-1-97)T
- ~~123.~~ EPSDT. Early and Periodic Screening, Diagnosis, and Treatment. (7-1-97)T
- ~~134.~~ FmHA. The Farmer's Home Administration of the U.S. Department of Agriculture. (7-1-97)T
- ~~145.~~ FPG. Federal Poverty Guideline. (7-1-97)T
- ~~156.~~ HUD. The U.S. Department of Housing and Urban Development. (7-1-97)T
- ~~167.~~ ICF/MR. Intermediate Care Facility/Mentally Retarded. (7-1-97)T
- ~~178.~~ ICSES. The Idaho Child Support Enforcement System. (7-1-97)T
- ~~189.~~ IEVS. Income and Eligibility Verification System. (7-1-97)T
- ~~1920.~~ INA. Immigration and Naturalization Act. (7-1-97)T
- ~~201.~~ IRS. Internal Revenue Service. (7-1-97)T
- ~~242.~~ MA. Medicaid (Medical Assistance). (7-1-97)T
- ~~223.~~ PRWORA. Personal Responsibility Work Opportunity Reconciliation Act of 1996. (7-1-97)T
- ~~234.~~ PWE. Principal Wage Earned. (7-1-97)T
- ~~245.~~ RSDI. Retirement, Survivors, and Disability Insurance. (7-1-97)T

- ~~256~~. SAVE. Systematic Alien Verification for Entitlement. (7-1-97)T
- ~~267~~. SRS. Self Reliance Specialist. (7-1-97)T
- ~~278~~. SSA. Social Security Administration. (7-1-97)T
- ~~289~~. SSI. Supplemental Security Income. (7-1-97)T
- ~~2930~~. SSN. Social Security Number. (7-1-97)T
- ~~301~~. TAFI. Temporary Assistance for Families in Idaho. (7-1-97)T
- ~~342~~. TPL. Third Party Liability (7-1-97)T
- ~~323~~. UIB. Unemployment Insurance Benefits. (7-1-97)T
- ~~334~~. VA. Veterans Administration. (7-1-97)T
- ~~345~~. VRS. Vocational Rehabilitation Services, Department of Education. (7-1-97)T

006. FEDERAL LAWS.

Federal and public laws applicable to IDAPA 16, Title 03, Chapter 01 are listed in Subsections 006.01 through 006.16. (7-1-97)T

01. Alaska Native Claim Settlement Act. This Federal Law is contained in Title 43 of the U.S. Code. (7-1-97)T
02. Adoptions and Safe Families Act of 1997. (11-19-7)T
- ~~023~~. Child Nutrition Act of 1966. This Federal Law is contained in Title 42 of U.S. Code. (7-1-97)T
- ~~034~~. Domestic Volunteer Service Act of 1973. This Federal Law is contained in Titles 5 and 42 of the U.S. Code. (7-1-97)T
- ~~045~~. Higher Education Amendments of 1968. This Federal Law is contained in Titles 12 and 20 of the U.S. Code. (7-1-97)T
- ~~056~~. Housing Act of 1949. This Federal Law is contained in Titles 12 and 42 of the U.S. Code. (7-1-97)T
- ~~067~~. Housing and Urban Development Act of 1965. This Federal Law is contained in Titles 12, 15, 20, 38, 40, 42, and 49 of the U.S. Code. (7-1-97)T
- ~~078~~. Immigration and Nationality Act. This Federal Law is contained in Titles 8, 18, 22, 31, 49, and 50 of the U.S. Code. (7-1-97)T
- ~~089~~. Manpower Development and Training Act of 1962 as Amended by the Manpower Act of 1965. This Federal Law is contained in Title 42 of the U.S. Code. (7-1-97)T
- ~~0910~~. National Housing Act. This Federal Law is contained in Titles 10, 12, 15, 41, 48, 49, and 50 of the U.S. Code. (7-1-97)T
- ~~101~~. National School Lunch Act. This Federal Law is contained in Title 42 of the U.S. Code. (7-1-97)T
- ~~142~~. Older Americans Act of 1965. This Federal Law is contained in Title 42 of the U.S. Code. (7-1-97)T

~~123.~~ Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This Federal Law is contained in Public Law 104-193. (7-1-97)T

~~134.~~ Rehabilitation Act of 1973. This Federal Law is contained in Title 29 of the U.S. Code. (7-1-97)T

~~145.~~ Tax Reduction Act of 1975, as amended by the Tax Reduction and Simplification Act of 1977. This Federal Law is contained in Titles 5, 15, 26, and 42 of the U.S. Code. (7-1-97)T

~~156.~~ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. This Federal Law is contained in Title 42 of the U.S. Code. (7-1-97)T

~~167.~~ United States Housing Act of 1937, as amended by Public Law 92-213. This Federal Law is contained in Title 42 of the U.S. Code. (7-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

206. ~~NON-QUALIFIED NON-CITIZENS SPONSOR DEEMING.~~

~~Individuals not listed in Section 203 are non-qualified non-citizens. These individuals were either admitted for a temporary period of time or were never lawfully admitted. Non-qualified non-citizens can include undocumented aliens, lawful temporary residents, foreign students, and visitors for business or pleasure. Non-qualified non-citizens, if otherwise eligible, can get services for an emergency condition. Income and resources of a legal non-citizen's sponsor and the sponsor's spouse are counted in determining eligibility.~~ (7-1-97)T(8-22-97)T

207. SPONSOR RESPONSIBILITY.

Section 213 of the Immigration and Naturalization Act requires that a sponsor signing Form I-864, Affidavit of Support, must reimburse the Department for Medicaid benefits to a sponsored legal noncitizen. (12-19-97)T

~~2078.~~ -- 214. (RESERVED).

(BREAK IN CONTINUITY OF SECTIONS)

217. ASSIGNMENT OF RIGHTS TO MEDICAL SUPPORT AND THIRD PARTY LIABILITY.

By operation of Section 56-203B and Section 56-209b(3), Idaho Code, medical support rights are assigned to the Department by signature on the Medicaid application. The participant's signature is acknowledgment that he understands his rights are assigned and he must cooperate to establish paternity and to secure medical support from any liable third party. The cooperation requirement may be waived if the participant proves he has good cause for not cooperating. Good cause for not cooperating is a situation in which cooperation would not be in the best interest of the participant. Good cause can include situations of rape, incest, or domestic violence that can be proven.

(7-1-97)T(7-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

221. REPORTING REQUIREMENTS.

Changes in family circumstances must be reported to the Department and the change verified. ~~A reasonable opportunity to report is allowed.~~ Participants have ten (10) days, from the date the change is known, to report. Report of changes may be made verbally or in writing, through personal contact, telephone or mail. ~~A change can be reported on the Department's change report form.~~ Reporting requirements are acknowledged when the participant signs the application form. (7-1-97)T(10-1-97)T

222. TYPES OF CHANGES THAT MUST BE REPORTED.

Changes in circumstances the participant must report are listed in Subsections 221.01 through 221.12. (7-1-97)T

01. Name or Address. A name change for any family member must be reported. A change of address or location must be reported. (7-1-97)T

02. Household Composition. Changes in family composition or the number of people living with the family, must be reported. (7-1-97)T

03. Marital Status. Marriages or divorces of any family member must be reported. (7-1-97)T

04. Earned Income. Earned income changes for all family members must be reported when the employer, or source of income, changes, when there is a change in hourly rate or salary, or when there is a change between part-time and full-time work. When families receive Medicaid because of the unemployment of a parent, changes in the number of hours worked must be reported. (7-1-97)T

05. Unearned Income. Changes in the amount or source of unearned income must be reported for all family members. (7-1-97)T

06. Support Income. Changes in the amount of support paid or a change in the ordered amount must be reported for all family members. (7-1-97)T

07. Resources. Changes in resources must be reported. This includes receiving money or goods of worth from any source. (7-1-97)T

08. Vehicles. Changes in the number or type of vehicles must be reported. (7-1-97)T

09. New Social Security Number. A Social Security Number (SSN) that is newly assigned must be reported. (7-1-97)T

10. Citizenship Status. Changes in citizenship and changes in the status of non-citizens must be reported. (7-1-97)T

11. Disability. A family member who becomes disabled or is no longer disabled ~~is a change in circumstances and~~ must be reported. (7-1-97)T(10-1-97)T

12. Dependent Care Costs. Changes in the amount of dependent care costs must be reported. (7-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

224. PARTICIPANT FAILS TO REPORT EARNED INCOME.

When a change in earned income is not reported, or is not timely reported, the earned income disregards are not allowed in the financial determination. ~~Good cause for not reporting exists if the unreported income is less than five dollars (\$5).~~ (7-1-97)T(7-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

311. RESOURCE DEFINITION.

Resources are liquid assets, vehicles, ~~settlements, tax refunds, proceeds from the sale of a resource, cash value of life insurance~~ and real property with a cash value upon disposition. Resources are available when the participant has the legal right to dispose of the resource and can do so in a reasonable length of time. (7-1-97)T(7-1-98)T

312. LIQUID ASSETS.

Liquid assets include such things as cash, bank accounts, proceeds from the sale of a resource, cash value of life insurance, stocks, bonds, mutual funds, promissory notes, mortgages, tax refunds, settlement of damage claims, trust funds, and other financial instruments that can be converted into cash. ~~(7-1-97)F(7-1-98)T~~

(BREAK IN CONTINUITY OF SECTIONS)

315. BANK ACCOUNTS.

Money deposited to a bank account by the participant is a countable resource. Income not spent in the month received is counted as a resource the next month. ~~(7-1-97)F(7-1-98)T~~

(BREAK IN CONTINUITY OF SECTIONS)

354. JOB TRAINING PARTNERSHIP ACT (JTPA) INCOME.

Incentive income from the JTPA program is earned income. JTPA allowances are excluded if provided for specific goods and services. JTPA income, paid to a minor child, is disregarded for six (6) consecutive calendar months. A minor child's unearned JTPA income is excluded with no time limits. ~~(7-1-97)F(7-1-98)T~~

(BREAK IN CONTINUITY OF SECTIONS)

357. EARNED INCOME DISREGARDS.

Earned income disregards are subtracted from monthly earnings. The disregards may be a standard disregard, thirty dollars (\$30) plus one-third (1/3) disregard, and the dependent care disregard. Disregards are subtracted in that order. ~~(7-1-97)F(7-1-98)T~~

(BREAK IN CONTINUITY OF SECTIONS)

361. DEPENDENT CARE DISREGARD.

A dependent care disregard is subtracted from earnings for dependents requiring care because of employment related reasons. Dependents can be either children or an incapacitated spouse. To allow the disregard for an adult, the incapacity must be obvious or the family must provide medical proof that adult care is necessary. The amount disregarded is the anticipated cost of care or the maximum care allowance, whichever is less. Maximum dependent care allowances are listed in Subsections 361.01 and 362~~1~~.02. ~~(7-1-97)F(7-1-98)T~~

01. Dependents Two (2) Years of Age or Older. Dependents, two (2) years of age or older has up to one hundred seventy-five dollars (\$175) disregarded when the caretaker relative works full-time, eighty (80) or more hours in a month. When the caretaker relative works part-time, less than eighty (80) hours in a month, up to one hundred fifteen dollars (\$115) is disregarded. (7-1-97)T

02. Dependents Under Two (2) Years of Age. Dependents under two (2) years of age have up to two hundred dollars (\$200) disregarded when the caretaker relative works full-time, eighty (80) or more hours per month. When the caretaker relative works part-time, less than eighty (80) hours in a month, up to one hundred thirty-five dollars (\$135) is disregarded. (7-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

380. RETIREMENT ACCOUNT WITHDRAWALS.

Monthly withdrawals from retirement accounts are unearned income. Principal withdrawn in one (1) lump sum is a resource. Interest from a retirement account withdrawn in one lump sum is unearned income. ~~(7-1-97)T~~(7-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

416. TRANSITIONAL MEDICAID (TM).

Low Income Families with Children are eligible for Transitional Medicaid (TM) if the family income exceeds limits because the caretaker relative's hours of employment increase, income from employment increased, or the thirty dollars (\$30) plus one-third (1/3) or the thirty dollar (\$30) disregard expired. Medicaid must have been received in three (3) of the six (6) months before the month the family become ineligible. Eligible families get TM for up to twelve (12) months. An initial six (6) month period and an additional six (6) month period is available when the conditions listed in Subsections 416.01 through 416.03~~2~~ are met. TM ends when all eligible children have left the home or the applicable time periods have expired. ~~(7-1-97)T~~(10-1-97)T

01. Reporting Requirement for TM. Families getting TM must complete and sign three (3) quarterly reports in the Transitional Medicaid periods. Monthly earnings and child care expenses must be declared and proof of earnings and child care expenses must be provided. The additional six (6) month is authorized when the first completed quarterly report is received. (7-1-97)T

02. Income Tests for TM. Families must meet two (2) income tests during the twelve (12) month period. The one hundred eighty-five percent (185%) income test must be passed at the end of the sixth month and again when the final quarterly report is received. The caretaker must have earnings each month. (7-1-97)T

~~03. Ending Transitional Medicaid. TM is ended when all eligible children have left the home.~~ ~~(7-1-97)T~~

(BREAK IN CONTINUITY OF SECTIONS)

501. LOW INCOME CHILD.

A child may be Medicaid eligible if non-financial criteria and financial criteria is met. The child's birth date must be after September 30, 1983. The child's age determines the percentage of FPG used as an income limit and is listed in Subsections 501.01 and 501.02. (7-1-97)T

01. Child Under Age Six (6). Family Income must not exceed one hundred thirty-three percent (133%) of the Federal Poverty Guideline for the family size. If the child is receiving Medicaid inpatient services when he turns six (6), eligibility continues through the month his inpatient stay ends. ~~(7-1-97)T~~(7-1-98)T

02. Child Age Six (6) and Over. Family Income must not exceed one hundred percent (100%) of the Federal Poverty Guidelines for the family size. If the child is receiving Medicaid inpatient services when he turns six (6) or nineteen (19), eligibility continues through the month his inpatient stay ends. ~~(7-1-97)T~~(7-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

505. CHILD HEALTH INSURANCE PROGRAM (CHIP).

The 1997 Balanced Budget Reconciliation Act provides medical coverage for low income children. The children

- must meet the conditions in Subsections 505.01 through 07: (10/1/97)T
01. Under Age Nineteen (19). The child must be under the age of nineteen (19). (10/1/97)T
 02. No Health Insurance. The child must not have creditable health insurance coverage. (10/1/97)T
 03. No Medicaid Eligibility. The child must not be eligible for other Medicaid programs. (10/1/97)T
 04. Income Limit October 1, 1997 through June 30, 1998. For the period October 1, 1997 through June 30, 1998 family income must not exceed one hundred and sixty percent (160%) of the Federal Poverty Guidelines for the household size. (10/1/97)T
 05. Income Limit July 1, 1998 and After. For the period beginning July 1, 1998 and after, the family income must not exceed and one hundred fifty percent (150%) of the Federal Poverty Guidelines for the household size. (10/1/97)T
 06. Intent to Qualify. A family must not remove a child from a creditable health insurance plan with the intent to qualify. (10/1/97)T
 07. Other Eligibility Criteria. All other eligibility criteria as defined for poverty level, low income children. (10/1/97)T
- 5056. -- 599. (RESERVED).**

(BREAK IN CONTINUITY OF SECTIONS)

706. THE ADOPTIONS AND SAFE FAMILIES ACT.

The Adoptions and Safe Families Act of 1997 provides health insurance coverage for any child with special needs if they meet the conditions in Subsections 706.01 and 706.02: (11-01-97)T

01. Adoption Assistance Agreement. The child has an adoption assistance agreement; and (11-19-97)T
02. Special Needs. The State has determined that due to the child's special needs for medical, mental health or rehabilitative care the child cannot be placed with adoptive parents without medical assistance. (11-19-97)T

7067. -- 9799. (RESERVED).

800. OVERPAYMENTS.

Medicaid overpayments occur when a participant receives Medicaid services during a month, but is ineligible for Medicaid. (7-1-97)T

801. RECOVERY OF OVERPAYMENTS.

All Medicaid overpayments are subject to recovery. Medicaid overpayments are recovered by direct payment. (7-1-97)T

01. Notice of Overpayment. The participant must be informed of the Medicaid overpayment. (7-1-97)T
02. Notice of Recovery. The participant must be informed when his Medicaid overpayment is fully recovered. (7-1-97)T

802. -- 999. (RESERVED).

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.04 - RULES GOVERNING THE FOOD STAMP PROGRAM IN IDAHO
DOCKET NO. 16-0304-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective April 1, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Section(s) 56-202(b) and 39-106(l), Idaho Code.

PUBLIC HEARING SCHEDULE: Pursuant to Section 67-5222(2), Idaho Code, public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1998.

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

DESCRIPTIVE SUMMARY: This docket removes references to mail issuance for Food Stamps.

This docket will modify the sponsor deeming rules to accommodate the change in implementation date of the new sponsor affidavit.

This docket adds language to the work requirement for able-bodied adults clarifying that the three year period begins December 1, 1996

TEMPORARY RULE JUSTIFICATION: Temporary rules have been adopted in accordance with Section 67-5226, Idaho Code and are necessary in order to comply with deadlines in amendments to governing law or federal programs and to confer a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary or proposed rule, contact Patti Campbell at (208) 334-5819.

Anyone can submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked on or before May 27, 1998.

DATED this 6th day of May, 1998.

Sherri Kovach
Administrative Procedures Coordinator
DHW - Division of Legal Services
450 West State Street, 10th Floor
P.O. Box 83720
Boise, Idaho 83720-0036
(208) 334-5564 phone, (208) 334-5548 fax

TEXT OF DOCKET NO. 16-0304-9801

002. DEFINITIONS.

For the Food Stamp Program, the following definitions apply:

(6-1-94)

01. Administrative Error Claim. A claim resulting from an overissuance caused by the Department's action or failure to act. (6-1-94)
02. Applicant. A person applying for Food Stamps. (6-1-94)
03. Application for Participation. The application form filed by the head of the household or authorized representative. (6-1-94)
04. Authorized Representative. A person designated by the household to act on behalf of the household to apply for or get and use Food Stamps. Authorized representatives include private nonprofit organizations or institutions conducting a drug addiction or alcoholic treatment and rehabilitation center acting for center residents. Authorized representatives include group living arrangement centers acting for center residents. Authorized representatives include battered women's and children's shelters acting for the shelters' residents. Homeless meal providers may not be authorized representatives for homeless Food Stamp recipients. (6-1-94)
05. Battered Women and Children's Shelter. A shelter for battered women and children which is a public or private nonprofit residential facility. If the facility serves others, a portion of the facility must be set aside on a long-term basis to serve only battered women and children. (6-1-94)
06. Boarder. Any person or group to whom a household, other than a commercial boarding house, furnishes meals and lodging in exchange for an amount equal to or greater than the thrifty food plan. Children, parents and spouses in a household must not be treated as boarders. (6-1-94)
07. Boarding House. A licensed commercial enterprise offering meals and lodging for payment to make a profit. (6-1-94)
08. Categorical Eligibility. If all household members are authorized to get TAFI, AABD and/or SSI, the household is categorically eligible. Categorically eligible households are exempt from resource, gross and net income eligibility standards. (7-1-97)T
09. Certification Determination. Actions necessary to determine household eligibility including interviews, verification, approval, denial, field investigation, analysis and corrective action necessary to insure prompt, efficient and correct certifications. (6-1-94)
10. Claim Determination. The action taken by the Department establishing the household's liability for repayment when an overissuance of Food Stamps occurs. (6-1-94)
11. Client. A person entitled to or receiving Food Stamps. (6-1-94)
12. Coupon. Any coupon, stamp, access device, or certificate issued pursuant to the Food Stamp Program for the purchase of food. (9-1-97)T
13. Coupon Allotment. The total dollar amount of Food Stamps allowed the household during the full or prorated month. (6-1-94)
14. Department. The Idaho Department of Health and Welfare. (6-1-94)
15. Disqualified Household Members. Individuals required to be excluded from participation in the Food Stamp program are Disqualified Household Members. These include: (6-1-94)
 - a. Ineligible legal noncitizen who do not meet the citizenship or eligible legal noncitizen requirements. (4-1-97)T
 - b. Individuals awaiting proof of citizenship when citizenship is questionable. (6-1-94)
 - c. Individuals disqualified for failure or refusal to provide a Social Security Number (SSN). (6-1-94)

- d. Individuals disqualified for Intentional Program Violation (IPV). (6-1-94)
 - e. Individuals disqualified for receiving three (3) months of Food Stamps in a three (3) year period in which they did not meet the work requirement for able-bodied adults without dependent children. (9-22-96)T
 - f. Individuals disqualified as a fugitive felon or probation or parole violator. (9-22-96)T
 - g. Individuals disqualified for a voluntary quit or reduction of hours of work to less than thirty (30) hours per week. (9-22-96)T
 - h. Individuals disqualified for failure to cooperate in establishing paternity and obtaining support for a child under eighteen (18). (7-1-97)T
 - i. Individuals disqualified for a conviction of a felony which has as an element, the use, possession or distribution of a controlled substance. (7-1-97)T
16. Documentation. The method used to record information establishing eligibility. The information must sufficiently explain the action taken and the proof and how it was used. (6-1-94)
17. Drug Addiction or Alcoholic Treatment Program. Any drug addiction or alcoholic treatment rehabilitation program conducted by a private nonprofit organization or institution or a publicly operated community mental health center under Part B of Title XXIX of the Public Health Service Act (42 USC 300 et seq.). Indian reservation based centers may qualify if FCS requirements are met and the program is funded by the National Institute on Alcohol Abuse under Public Law 91-616 or was transferred to Indian Health Service funding. (4-1-97)T
18. EBT Handbook. Idaho Department of Health and Welfare Rules, IDAPA 16.03.20, "Rules Governing Electronic Benefit Transfer (EBT) of Public Assistance and Food Stamps." (9-1-97)T
19. Electronic Benefit Transfer. A method of issuing Food Stamps to an eligible household. (9-1-97)T
20. Eligible Foods. Any food or food product for human consumption excluding alcohol, tobacco, and hot foods and hot food products ready for immediate consumption. Eligible foods include: (6-1-94)
- a. Garden seeds and plants to grow food for human consumption. (6-1-94)
 - b. Meals prepared for the elderly at a communal dining facility. (6-1-94)
 - c. Meals prepared and delivered by an authorized meal delivery service. (6-1-94)
 - d. Meals served to a narcotics addict or alcoholic who participate and reside in a rehabilitation center program. (6-1-94)
 - e. Meals prepared and served by an authorized group living center to blind or disabled residents who receive benefits under Titles I, II or X, XIV, XVI of the Social Security Act. (6-1-94)
 - f. Meals prepared and served at a shelter for battered women and children to eligible residents. (6-1-94)
 - g. Meals prepared and served by an authorized public or private nonprofit establishment to homeless Food Stamp participants. (6-1-94)
21. Eligible Household. A household living in a project area and meeting the eligibility criteria in these rules. (6-1-94)
22. Emancipated Minor. A person, age fourteen (14) but under age eighteen (18), who has been married or whose circumstances show the parent and child relationship has been renounced such as a child in the military service. (6-1-94)

23. Enumeration. The requirement that each household member provide the Department either their Social Security Number (SSN) or proof that they have applied. (6-1-94)
24. Exempt. A household member who is not required to register for or participate in the JSAP program is exempt. A household member who is not required to register for work is exempt. (6-1-94)
25. Federal Fiscal Year. The Federal fiscal year (FFY) is from October 1 to September 30. (6-1-94)
26. Food Assistance. The Department's Food Stamp Program or Food Distribution Program. (6-1-94)
27. General Assistance. Cash or other aid, excluding in-kind assistance, financed by Federal, state or local government and provided to cover living expenses or other basic needs. This cash or other aid is intended to promote the health and well-being of recipients. (6-1-94)
28. Group Living Arrangement. A public or private nonprofit residential setting serving no more than sixteen (16) residents. The residents are blind or disabled and receiving benefits under Title II or XVI of the Social Security Act, certified by the Department under regulations issued under Section 1616(e) of the Social Security Act, or under standards determined by the Secretary of USDA to be comparable to Section 1616(e) of the Social Security Act. (6-1-94)
29. Homeless Person. A person: (6-1-94)
- a. Who has no fixed or regular nighttime residence. (6-1-94)
- b. Whose primary nighttime residence is a temporary accommodation for not more than ninety (90) days in the home of another individual or household. (9-22-96)T
- c. Whose primary nighttime residence is a temporary residence in a supervised public or private shelter providing temporary residence for homeless persons. (6-1-94)
- d. Whose primary nighttime residence is a temporary residence in an institution which provides temporary residence for people who are being transferred to another institution. (6-1-94)
- e. Whose primary nighttime residence is a temporary residence in a public or private place which is not designed or customarily used as sleeping quarters for people. (6-1-94)
30. Homeless Meal Provider. A public or private nonprofit establishment or a profit making restaurant which provides meals to homeless people. The establishment or restaurant must be approved by the Department and authorized as a retail food store by FCS. (7-1-97)T
31. Identification Card. The card identifying the bearer as eligible to get and use Food Stamps. (6-1-94)
32. Inadvertent Household Error Claim (IHE). A claim resulting from an overissuance, caused by the household's misunderstanding or unintended error. A household error claim pending an intentional program violation decision. (6-1-94)
33. Income and Eligibility Verification System (IEVS). A system of information acquisition and exchange for income and eligibility verification which meets Section 1137 of the Social Security Act requirements. (6-1-94)
34. Indian General Assistance. The general assistance program administered by the Bureau of Indian Affairs. (6-1-94)
35. Institution of Higher Education. Any institution which normally requires a high school diploma or equivalency certificate for enrollment. These institutions include colleges, universities, and business, vocational, technical, or trade schools at the post-high school level. (7-1-97)

36. Institution of Post Secondary. Educational institutions normally requiring a high school diploma or equivalency certificate for enrollment, or admits persons beyond the age of compulsory school attendance. The institution must be legally authorized by the state and provide a program of training to prepare students for gainful employment. (6-1-94)
37. Nonexempt. A household member who must register for and participate in the JSAP program. A household member who must register for work. (6-1-94)
38. Nonprofit Meal Delivery Service. A political subdivision or a private nonprofit organization, which prepares and delivers meals, authorized to accept Food Stamps. (6-1-94)
39. Overissuance. The amount Food Stamps issued exceeds the Food Stamps a household was eligible to receive. (6-1-94)
40. Parental Control. Parental control means that an adult household member has a minor in the household. The minor is dependent financially or otherwise on the adult. Minors, emancipated through marriage, are not under parental control. Minors living with children of their own are not under parental control. (3-1-97)T
41. Participation. Participation means a person or household was certified for the Food Stamp Program and is getting Food Stamps. (6-1-94)
- ~~42. Period of Coupons Intended Use. The month Food Stamps are issued. When issued after the twentieth (20th), the period of intended use is from the twenty-first (21st) to the last day of the next month. (9-1-97)T~~
43. Program. The Food Stamp Program created under the Food Stamp Act and administered in Idaho by the Department. (6-1-94)
44. Project Area. The state of Idaho has been approved as one project area by the Department of Agriculture. (6-1-94)
45. Public Assistance. Public assistance means Old-Age Assistance (OAA), Temporary Assistance for Families in Idaho (TAFI), Aid to the Blind (AB) and Aid to the Disabled (AD). (7-1-97)T
46. Retail Food Store. A retail food store, for Food Stamp purposes means: (6-1-94)
- a. An establishment, or recognized department of an establishment, or a house-to-house food trade route, whose food sales volume is more than fifty percent (50%) staple food items for home preparation and consumption. (6-1-94)
 - b. Public or private communal dining facilities and meal delivery services. (6-1-94)
 - c. Private nonprofit drug addict or alcohol treatment and rehabilitation programs. (6-1-94)
 - d. Public or private nonprofit group living arrangements. (6-1-94)
 - e. Public or private nonprofit shelters for battered women and children. (6-1-94)
 - f. Private nonprofit cooperative food purchasing ventures, including those whose members pay for food prior to the receipt of the food. (6-1-94)
 - g. A farmers' market. (6-1-94)
 - h. An approved public or private nonprofit establishment which feeds homeless persons. The establishment must be approved by FCS. (7-1-97)T
47. Spouse. Persons who are: (6-1-94)

- a. Ceremonially married under applicable state law; or (6-1-94)
- b. Living together, free to marry and holding themselves out as man and wife. (6-1-94)
- 487. State. Any of the fifty (50) States, the District of Columbia, Puerto Rico, Guam, the Northern Mariana Islands and the Virgin Islands of the United States. (6-1-94)
- 498. State Agency. The Idaho Department of Health and Welfare. (6-1-94)
- 5049. Student. An individual between the ages of eighteen (18) and fifty (50), physically and mentally fit, and enrolled at least half-time in an institution of higher education. (6-1-94)
- 540. Supplemental Security Income (SSI). Monthly cash payments under Title XVI of the Social Security Act. Payments include state or Federally administered supplements, such as AABD payments in Idaho. (6-1-94)
- 521. Verification. The proof obtained to establish the accuracy of information and the household's eligibility. (6-1-94)

(BREAK IN CONTINUITY OF SECTIONS)

156. TIME LIMITS FOR EXPEDITED FOOD STAMPS.

Time limits for acting on expedited Food Stamp applications are listed below: (6-1-94)

- 01. Seven (7) Day Limit for Food Stamps. For households entitled to expedited service, the Department will provide Food Stamps to the household within seven (7) days of the application date. (9-22-96)T
- 02. Seven (7) Days After Discovery. If not discovered at initial screening, the Department will provide expedited services to an expedite eligible household within seven (7) days. Seven (7) days begins the day after the Department finds the household is entitled to expedited service. (9-22-96)T
- 03. Seven (7) Days for Waived Interview. The Department will provide expedited services within seven (7) days for households entitled to an office interview waiver. Seven (7) days is counted from the application date. If a telephone interview is conducted, the AFA must be mailed to the household for signature. The mailing time must not be included in the seven (7) days. Mailing time includes the days the AFA is in the mail to and from the household. Mailing time includes the days the AFA is at the household pending signature and mailing. (9-22-96)T
- 04. Treatment Centers. For residents of drug addiction or alcoholic treatment centers, ~~an ATP or Food Stamps~~ must be provided within seven (7) days of the application date. ~~(9-22-96)T~~(4-1-98)T
- 05. Shelter Residents. For residents of shelters for battered women and children, Food Stamps must be provided within seven (7) days of the application date. (9-22-96)T

(BREAK IN CONTINUITY OF SECTIONS)

206. PROOF OF PROPER IMMIGRATION STATUS.

Immigration status is proved by INS. INS will compare the evidence to their Alien Status Verification Index (ASVI) to verify the immigration status of the legal noncitizen. (4-1-97)T

- 01. Proof of Immigration Status. Legal noncitizens must present proof of immigration status for each legal noncitizen member. ~~Acceptable proof includes but is not limited to documents listed below: (4-1-97)T~~(4-1-98)T

- a. ~~Form AR-3A. Alien Registration Receipt Card (Form AR-3A).~~ (6-1-94)
- b. ~~Court order. A court order states deportation is withheld under Section 243(h) of the Immigration and Nationality Act.~~ (6-1-94)
- e. ~~Passport. A passport booklet for lawful permanent resident legal noncitizen with stamp stating, "Processed for I-551 Temporary Evidence of Lawful Admission for Permanent Residence."~~ (4-1-97)T
- d. ~~SSA Aged, Blind, or Disabled, with I-688 card. Person is proven aged, blind or disabled by the Social Security Administration, and an I-688 card is marked with Section 245(a) of the Immigration and Nationality Act.~~ (6-1-94)
- e. ~~Form I-94. Arrival-Departure record (Form I-94) marked with: Section 203(a)(7), if issued prior to April 1, 1980, Section 207, 208, 212(d)(5), or 243(h) of the Immigration and Nationality Act, Refugee, parolee, paroled, or asylum, Lawfully admitted for permanent residence or paroled for humanitarian reasons.~~ (6-1-94)
- f. ~~Form I-151. Alien Registration Receipt Card (Form I-151).~~ (6-1-94)
- g. ~~Form I-181. Memorandum of Creation of Record of Lawful Permanent Residence (Form I-181).~~ (6-1-94)
- h. ~~Form I-327. Re-entry Permit (Form I-327).~~ (6-1-94)
- i. ~~Form I-551. Resident Alien Card (Form I-551). Conditional Resident Alien Card (Form I-551).~~ (6-1-94)
- j. ~~Form I-571. Refugee Travel Document (Form I-571).~~ (6-1-94)
- k. ~~I-688. Temporary Resident Card (Form I-688).~~ (6-1-94)
- l. ~~I-688A. Employment Authorization Card (Form I-688A).~~ (6-1-94)
- m. ~~Form I-689. Fee Receipt (Form I-689).~~ (6-1-94)

02. Time Limits for Providing Legal Noncitizen Documents. Allow legal noncitizens ten (10) days to provide legal noncitizen status documents. The ten (10) day period starts the date legal noncitizen status documents are requested. If the ten (10) day period ends before the thirtieth day after application, do not certify the household until it provides the documents. If the ten (10) day period ends beyond the thirtieth day after application, do not delay benefits for the remaining household members, if the household is otherwise eligible. Provide benefits no later than the thirtieth day. If the legal noncitizen status documents are not provided by the end of ten (10) days, the legal noncitizen member must be classified as an ineligible legal noncitizen. (4-1-97)T

03. Failure to Provide Legal Noncitizen Documents. If a household says it is unable or unwilling to provide legal noncitizen status documents for a legal noncitizen household member, the legal noncitizen member must be classified as an ineligible legal noncitizen. (4-1-97)T

04. Proof of Immigration Status. The documents provided by the household for members identified as legal noncitizens are submitted to INS for proof. The proof is completed by use of SAVE. Primary and secondary methods of proof are described below: (4-1-97)T

a. Primary proof. Primary proof is telephone access to the INS files. This method uses the Alien Status Verification Index (ASVI). The Alien indicator (A) plus the seven (7) or eight (8) numbers shown on the original document is used to access the ASVI file. (6-1-94)

b. Secondary proof. Secondary proof is sending photo copies of the original immigration documents and a Document Verification Request Form (G-845) to INS for proof. Secondary proof is used if: ~~The legal noncitizen~~

is a Special Agriculture Worker (SAW). any of the conditions in Subsections 206.04.b.i. through 206.04.b.v. apply:

- ~~(4-1-97)T~~(4-1-98)T
- i. Primary proof instructs the Department to "Institute Secondary Verification". ~~(4-1-97)T~~(4-1-98)T
 - ii. No record is found through the primary proof system. ~~(4-1-97)T~~(4-1-98)T
 - iii. The Department has accepted non-INS documents determined to be reasonable evidence of legal noncitizen immigration status. ~~(4-1-97)T~~(4-1-98)T
 - iv. The Department has determined documents presented by the legal noncitizen are questionable. ~~(4-1-97)T~~(4-1-98)T
 - v. An Alien (A) Number is not on an INS document. Information in the record is not consistent and more proof is needed. ~~(4-1-97)T~~(4-1-98)T
05. Secondary Proof Requirement. ~~A person is not considered an ineligible legal noncitizen based only on primary proof.~~ If primary proof fails to verify the legal noncitizen's eligible legal noncitizen status, the secondary proof procedure must be completed, before the Department ~~can deny~~ denies Food Stamps based solely on legal noncitizen status. ~~(4-1-97)T~~(4-1-98)T
06. Legal Noncitizen Status Not Proved. A legal noncitizen whose status is not proved by INS must be considered an ineligible legal noncitizen. ~~(4-1-97)T~~(4-1-98)T
07. Documentation Provided Late. If the legal noncitizen later provides documentation of legal noncitizen status, and other household members get Food Stamps, act on the information by submitting it to INS for proof. Once the eligible legal noncitizen status is verified add the legal noncitizen. Add the legal noncitizen the month after the ~~client participant~~ participant provides documentation of legal noncitizen status to the Department, not the month after INS verifies the status. If the Food Stamp case is not open, the legal noncitizen must re-apply. ~~(4-1-97)T~~(4-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

230. JSAP PROGRAM COMPONENTS.

Before placement in a JSAP component, participants must negotiate and sign a JSAP agreement. Participants must register for work with the Department of Labor. Subsections 230.01 through 230.03 list JSAP program components.

~~(1-1-98)T~~(4-1-98)T

01. Job Search. ~~Participants must register for work with the Department of Labor, and actively search for employment. During the first two (2) months after Food Stamp approval, p~~Participants must complete the equivalent of at least twelve (12) twenty-four (24) hours of job search each in a two (2) month period. ~~After the first two (2) months, job search activity will be negotiated with the participant.~~ Job search activities include job readiness activities. ~~(1-1-98)T~~(4-1-98)T

02. Work Opportunities. Participants are assigned to Work Opportunities placements to learn practical expectations and demands of employment, and improve technical skills. Participants are not employed by the placement site. Participants are required to engage in Work Opportunities, up to the number of hours determined by dividing the monthly Food Stamp allotment by the Federal minimum wage. ~~(1-1-98)T~~(4-1-98)T

03. Skills Training. Participants are assigned to skills training to improve basic skills and employability. Skills training includes, but is not limited to, the following: ~~(1-1-98)T~~(4-1-98)T

- a. High School Education. High School or equivalent educational programs. ~~(1-1-98)T~~(4-1-98)T
- b. Remedial Education. Remedial education programs to achieve a basic literacy level. ~~(1-1-98)T~~(4-1-98)T

- c. English Language. Instructional programs in English as a second language. (1-1-98)T
- d. Self Employment. Programs designed to improve the self sufficiency of participants through self-employment. (1-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

254. ABAWD WORK REQUIREMENT.

To participate in the Food Stamp program, persons must meet one (1) of the conditions in Subsections 254.01 through 254.03. Persons not meeting one (1) of the conditions in Section 254 may not participate in the Food Stamp program as a member of any household for more than three (3) full months (consecutive or otherwise) in ~~a the~~ the thirty-six (36) month period beginning December 1, 1996 and ending November 30, 1999. ~~(1-1-96)T~~(4-1-98)T

01. Work for Twenty (20) Hours or More Per Week. The person must work for twenty (20) hours or more per week, averaged monthly. The person must be paid money for the work. (1-1-98)T

02. Participate in JSAP or Another Work Program. ~~The person must participate in and comply with the requirements of the JSAP program.~~ The person must participate in and comply with the requirements of the JSAP program (other than job search or job ~~search training~~ readiness activities), the JTPA program, ~~or a program under Section 236 of the Trade Act of 1974, or another work program recognized by the Department.~~ The person must participate for twenty (20) hours or more per week. ~~(1-1-98)T~~(4-1-98)T

03. Participate in Work Opportunities. The person must participate in and comply with the requirements of a Work Opportunities program. (1-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

401. EARNED INCOME.

Earned income includes, but is not limited to, income listed below (6-1-94)

01. Wages or Salary. Wages and salaries of an employee, advances, tips, commissions, meals, and military pay are earned income. Garnishments from wages are earned income. (6-1-94)

02. Self-Employment Income. Income from self-employment, including capital gains, is earned income. Rental property is a self-employment enterprise. The income is earned if a household member manages the property an average of twenty (20) or more hours per week. Payment from a roomer or boarder is self-employment income. (6-1-94)

03. Training Allowances. Training allowances from programs such as ~~JOBS~~, Work Study, and Vocational Rehabilitation are earned income. ~~(6-1-94)~~(4-1-98)T

04. Payments Under Title I. Payments under Title I, such as VISTA and University Year for Action under P.L. 93-113 are earned income. (6-1-94)

05. On-the-Job Training Programs. JTPA income includes monies paid by JTPA or the employer. Income from JTPA on-the-job training programs is earned income, unless paid to a household member under age nineteen (19). The household member under age nineteen (19) must be under the control of another household member. (6-1-94)

(BREAK IN CONTINUITY OF SECTIONS)

406. INCOME EXCLUDED BY FEDERAL LAW.

Income listed below is excluded by Federal law when computing Food Stamp eligibility: (6-1-94)

01. P.L. 91-646. Reimbursements under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970. (6-1-94)
02. P.L. 92-203. Funds from the Alaska Native Claims Settlement Act. (6-1-94)
03. P.L. 93-113 RSVP. Payments under Title I and Title II, "Retired Senior Volunteer Program" (RSVP), the Foster Grandparents Program and the Domestic Volunteer Services Act of 1973. (6-1-94)
04. P.L. 93-134 as amended by P.L. 103-66. Effective January 1, 1994, up to two thousand dollars (\$2,000) per calendar year of payments derived from interest of individual Indians in trust or restricted lands. (6-1-94)
05. P.L. 93-288, P.L. 100-707 Disaster Relief. Payments from Disaster Relief and Emergency Assistance Disaster Relief Act. (6-1-94)
06. P.L. 93-531. Relocation assistance to Navajo and Hopi tribal members. (6-1-94)
07. P.L. 94-114. The submarginal lands held in trust by the U.S. for certain Indian tribal members. (6-1-94)
08. P.L. 94-189. Funds from the Sac and Fox Indian Claims Agreement. (6-1-94)
09. P.L. 94-540. Funds to the Grand River Band of Ottawa Indians. (6-1-94)
10. P.L. 95-433. Funds to the Confederated Tribes and Bands of the Yakima Indian Nation and the Apache Tribe of the Mescalero Reservation from the Indian Claims Commission. (6-1-94)
11. P.L. 96-420. Funds to the Passamaquoddy Tribe and Penobscot Nation funds paid under the Maine Indian Claims Settlement Act of 1980. (6-1-94)
12. P.L. 97-300 JTPA. All earned and unearned income received from the Job Training Partnership Act (JTPA) of 1982, except for earned income received from taking part in on-the-job training programs. (6-1-94)
13. P.L. 97-365 & P.L. 98-64. Up to two thousand dollars (\$2,000) of any per capita payment, and any purchases made with such payment, from funds held in trust by the Secretary of the Interior. (6-1-94)
14. P.L. 97-403. Funds to the Turtle Mountain Band of Chippewas, Arizona. (6-1-94)
15. P.L. 97-408. Funds to the Blackfeet, Gros Ventre, and Assiniboine Tribes, Montana. Funds to the Papago Tribe, Arizona. (6-1-94)
16. P.L. 98-123. Funds to the Red Lake Band of Chippewa Indians. (6-1-94)
17. P.L. 98-500. Funds from the Old Age Assistance Claims Settlement Act, provided to heirs of deceased Indians, except for per capita shares over two thousand dollars (\$2,000). (6-1-94)
18. P.L. 99-264. Funds to the White Earth Band of Chippewa Indians, Minnesota. (6-1-94)
19. P.L. 99-346. Funds to the Saginaw Chippewa Indian Tribe, Michigan. (6-1-94)
20. P.L. 100-175. Effective October 1, 1987, payments received by persons age 55 and older under Title

- V, "Senior Community Service Employment Program." (6-1-94)
21. P.L. 100-435 WIC. Benefits from the Women, Infants, and Children (WIC) Program. (6-1-94)
22. P.L. 100-435. Payments or reimbursements for work related or child care expenses made under an employment, education, or training program under Title IV-A of the Social Security Act after September 19, 1988. (6-1-94)
23. P.L. 100-435. Payments made to a JSAP participant for work, training, or education-related expenses or for dependent care. (6-1-94)
24. P.L. 101-41. Funds to the Puyallup Tribe of Indians, Washington. (6-1-94)
25. P.L. 101-277. Payments to the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Miccosukee Tribe of Florida, and the Independent Seminole Indians of Florida. (6-1-94)
26. P.L. 101-426. Payments made under the Radiation Exposure Compensation Act. (6-1-94)
27. P.L. 101-508. At-risk child care payments. (6-1-94)
28. P.L. 101-610 and P.L. 103-82. Allowances, earnings and payments to persons participating in programs under the National and Community Services Act. The exclusion applies to all payments made under the AmeriCorps Program, ~~except earnings to individuals participating in an on-the-job training program equivalent to those under Section 204(5), Title II, of the Job Training Partnership Act. Those earnings are counted if the person is nineteen (19) years or older, or under nineteen (19) but not under parental control.~~ (8-1-94)(4-1-98)T
29. P.L. 102-237. Amounts needed for attainment of a Plan for Achieving Self-Support (PASS) under Title XVI of the Social Security Act. (6-1-94)
30. P.L. 102-325. Educational income authorized under the BIA student assistance programs and under Title IV of the Higher Education Amendments of 1992. (6-1-94)
31. P.L. 103-286. Effective 08-01-94, payments made to victims of Nazi persecution. (1-1-95)
32. P.L. 103-436. Payments to the Confederated Tribes of the Colville Reservation for the Grand Coulee Dam Settlement. (7-1-97)
33. P.L. 104-204. Payments to children with spina bifida born to Vietnam veterans. (10-1-97)T
34. Agent Orange Settlement Fund. Product liability payments, made by Aetna Life and Casualty from the Agent Orange Settlement Fund. Any other fund for the settlement of Agent Orange liability litigation. (6-1-94)
35. Civil Liberties Act of 1988. Restitution payments to persons of Japanese ancestry who were evacuated, relocated and interned during World War II as a result of government action. These payments are also excluded when paid to the statutory heirs of deceased internees. (6-1-94)
36. Negative Utility Allowance. Negative utility payments from HUD and FmHA. (8-1-94)
37. Energy Assistance. Payments from Federal energy assistance, including insulation and weatherization payments. (9-22-96)T
38. SSI Payments Under Zebley v. Sullivan Ruling. Retroactive lump sum SSI payments, for childhood disability, paid as a result of the Zebley v. Sullivan ruling. The payments are excluded resources for six (6) months from receipt. (6-1-94)
39. VISTA Payments. Payments under Title I, VISTA, University Year for Action and Urban Crime Prevention Program to volunteers who were receiving Food Stamps or public assistance when they joined the

program. Payments to volunteers who were getting an income exclusion for a VISTA or other Title I allowance before the Food Stamp Act of 1977. Temporary breaks in participation do not alter the exclusion. (6-1-94)

40. Crime Act of 1984 as Amended by P.L. 103-322. Payments from a crime victim compensation program. (10-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

589. IDENTIFICATION (ID) CARDS: (RESERVED).

The Department must issue an Identification Card (HW 0556) to each certified household as proof of program eligibility. The card must be issued to the head of the household. The head of household and any authorized representative must sign the card. ID cards must not be mailed in the same envelope as Food Stamps. Identification Cards conditions are listed below: (6-1-94)

- 01. ID Card Issuance. Identification Cards must be issued: (6-1-94)
 - a. At initial certification. (6-1-94)
 - b. If the card is lost. (6-1-94)
 - e. If the card is mutilated or destroyed. (6-1-94)
 - d. If the authorized representative changes. (6-1-94)
- 02. ID Card Expiration. The ID Card must have an expiration date for households certified for temporary delivered meals. (6-1-94)
- 03. No Designated Representative. The authorized representative line on the ID Card must be voided, if the household does not designate an authorized representative. (6-1-94)
- 04. Special Notations on Cards. Households eligible for and interested in delivered meals must receive an ID card marked with the letter "M" or "CD" if the facility is a communal dining facility. Homeless persons must be issued an ID card marked "CD" in areas where restaurants are authorized to provide meals for them. (6-1-94)
- 05. Use of ID Cards. Upon request, the household or the authorized representative must present the household's ID card to the retail food store or meal service when exchanging food coupons for eligible food. (6-1-94)

(BREAK IN CONTINUITY OF SECTIONS)

611. REPORTING PROCEDURES.

Households must report changes in circumstances within ten (10) days of the date the change becomes known to the household knows of the change. At the initial interview and at recertification, inform the household to report changes. Inform the household of change reporting requirements. Give the household a written explanation of change report information. Explain to the household reporting forms and how to complete them. Explain verification requirements. Tell the household the toll free number to call to get help to complete the report. Provide help to households completing or filing change report forms if adult members are mentally or physically handicapped or lacking in reading or writing skills. If changes occur after the certification interview, but before the Notice of Decision is sent, the household must report changes within ten (10) days of the Notice of Decision date. Changes are counted as reported the day the Field Office gets the report. Changes are counted as reported the day the client has personal or telephone contact with the Field Office. (6-1-94)(4-1-98)T

- 01. Must Not Impose Added Reporting Requirements. The Department must not require additional

household reporting not listed in these rules. (6-1-94)

02. Report Form. The Department must give households a Change Report Form (~~HW-0594 or HW-0586~~) at certification, at recertification, when the household reports a change and when the household requests the form. (~~6-1-94~~)(4-1-98)T

03. Reporting Methods. Changes can be reported by telephone, personal contact, or mail. Changes can be reported by a household member or authorized representative. (6-1-94)

04. Failure to Report. If Food Stamps are overissued because a household fails to report required changes, a Claim Determination (~~HW-0560~~) must be prepared. A person can be disqualified for failure to report a change if he commits an Intentional Program Violation. (~~6-1-94~~)(4-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

612. HOUSEHOLD MUST REPORT CHANGES.

Households must report any changes listed below: (6-1-94)

01. Household Composition. Households must report when a person enters or leaves the Food Stamp household. (7-1-97)

02. Residence. Households must report residence changes and resulting shelter cost changes. (6-1-94)

03. Subsidized Rent. Households must report any change in subsidized rent. (4-1-98)T

034. Unearned Income. Households must report changes in an unearned income source. Households must report changes in unearned gross monthly income of twenty-five dollars (\$25) or more, except changes in TAFI or AABD grants. This includes vendor payments and reimbursements. (7-1-97)T

045. Earned Income. Households must report a change in an earned income source. Households must report a change in hourly rate or salary. Households must report a change from part-time to full-time work or full-time to part-time work. Work of less than thirty (30) hours weekly is part-time work. Thirty (30) or more hours weekly is full-time work. (7-1-94)

056. Vehicles. Households must report any change in the number or type of licensed vehicles. (6-1-94)

067. Resources. Households must report changes in cash on hand, stocks, bonds, savings, and bank accounts combining to reach or exceed two thousand dollars (\$2,000). (6-1-94)

078. Child Support. Households must report changes in legal obligations. Legal obligations include but are not limited to changes in the child support amount or the child reaches an age at which child support is no longer legally obligated. (5-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

630. ADEQUATE NOTICE.

Adequate notice is a written statement telling the household the action the Department is taking. The notice must tell the reasons for the action and the rules supporting the action. The notice must advise the household of the right to a hearing. All notices must be adequate. If Food Stamps are reduced, the household must receive the notice must be mailed by the date the issuance is mailed on or before the first day of the month the action is effective. If Food Stamps are ended, the household must receive the notice must be mailed by the date the issuance would normally be mailed on or before the first day of the month the action is effective. (~~6-1-94~~)(4-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

652. PROCEDURES FOR RESTORING BENEFITS.

Procedures for restoring lost benefits are listed below: (6-1-94)

01. Errors Discovered by the Department. The Department must restore lost benefits to entitled households. Household action is not necessary. Benefits lost twelve (12) months or less before Department discovery must be restored. Benefits lost twelve (12) months or less before the Department was notified must be restored. The household must be notified of: (6-1-94)

- a. Its entitlement. (6-1-94)
- b. The amount of benefits to be restored. (6-1-94)
- c. Offsetting benefits. (6-1-94)
- d. The method of restoration. (6-1-94)
- e. The right to a fair hearing if the household disagrees with the benefit restoration. (6-1-94)

02. Lost Benefits to Persons Disqualified for IPV. Persons disqualified for IPV are entitled to restored benefits if the disqualification is later overturned or reversed. Determine the restored benefit by comparing Food Stamps received with the Food Stamps which would have been received if the member was not disqualified. Benefits must be restored regardless of the elapsed time since the disqualification. Restored benefits may exceed twelve (12) months. (6-1-94)

03. Restoring Benefits to Households Who Have Moved Out of State. If benefits are not restored before the household moves, send a letter to the household authorizing the receiving State to restore lost benefits. The receiving State must accept the authorization and issue the benefits. The letter may be presented by the household or sent to the receiving state. Food Stamps must not be issued to a household residing out of state. To request another State to issue the benefits: (9-1-97)T

a. Write a letter to the household or receiving state's certification office. Explain lost benefits must be restored. Explain lost benefits were not issued before the household's departure. (6-1-94)

b. Mail the letter to the household or the receiving state's Food Stamp office. Keep a copy of the letter in the case record. (6-1-94)

04. Computing the Restored Amount. If the lost benefits were an incorrect issuance to an eligible household, issue the difference between the correct and incorrect allotment: (6-1-94)

a. Issue the difference for the months the household got Food Stamps. (6-1-94)

b. Issue the difference for the months the household did not get Food Stamps, but was eligible. (6-1-94)

c. If the loss was caused by an incorrect delay, calculate the restored benefits for the months benefits were lost. (6-1-94)

d. If the loss was caused by an incorrect denial, prorate benefits from the application date. If an eligible household reapplied on time, and was denied incorrectly, restore lost benefits beginning the month after the first certification expired. (6-1-94)

- e. If the loss was caused by incorrect closure of the Food Stamp case, restore lost benefits beginning the first month benefits were not issued because of the closure. (6-1-94)
- f. The calculation of lost benefits continues until: (6-1-94)
- i. The error causing lost benefits is corrected; or (6-1-94)
- ii. The household is found ineligible for Food Stamps. (6-1-94)
- g. The Department must compute the household's eligibility for each month of loss. If the case file does not document eligibility, inform the household of proof needed to determine eligibility for the lost benefit months. For each month the household cannot provide proof, the household is ineligible. (6-1-94)
- h. If a Food Stamp claim against the household is unpaid or in suspense, the restored benefits must be offset against the claim before benefits are issued. (6-1-94)
- 05. Method of Restoration. The Department must: (6-1-94)
 - a. Issue lost benefits to entitled households, currently eligible or ineligible. (6-1-94)
 - b. Issue lost benefits equal to the amount lost. (6-1-94)
 - c. Issue lost benefits in addition to the current Food Stamps. (6-1-94)
 - ~~d. Honor reasonable requests to restore lost benefits in monthly installments if:~~ (6-1-94)
 - ~~i. The household fears loss or theft of excess Food Stamps~~ (6-1-94)
 - ~~ii. The amount to be restored is more than the household can use in a reasonable period.~~ (6-1-94)
- 06. Changes in Household Composition. When lost Food Stamps are due a household whose membership has changed, lost benefits must be restored to the household containing the majority of individuals who were members at the time of the loss. If the Department cannot locate or determine the household containing the most members, restore lost benefits to the household containing the head of the household at the time of loss. (6-1-94)
- 07. Disputed Benefits. If the Department and the household do not agree on the restoration calculated or with any other Department action to restore benefits: (6-1-94)
 - a. The household has ninety (90) days from the determination date to request a fair hearing. If a hearing is requested, the Department must issue lost benefits pending the fair hearing. If the decision is favorable to the household, lost benefits must be restored under the hearing decision. (6-1-94)
 - b. Do not restore benefits lost more than twelve (12) months prior to the date the Department was initially informed of the loss. (6-1-94)
- 08. Prevent Recurrence. The Department must act to prevent recurrence of errors when caused by the Department. (6-1-94)
- 653. ~~FOOD STAMPS NOT REPLACED.~~**
~~Situations when Food Stamps are not replaced are listed below:~~ (6-1-94)
 - ~~01. Not Replaced. The Department must not issue a replacement to a household that:~~ (6-1-94)
 - ~~a. Reports their Food Stamps were lost after the household got them.~~ (6-1-94)
 - ~~b. Reports their Food Stamps were stolen after the household got them.~~ (6-1-94)

~~02. Registered or Certified Mail. Food Stamps are not replaced when Food Stamps sent by registered or certified mail are signed for by anyone residing with or visiting the household. (6-1-94)~~

654. ~~REPLACEMENT OF ATP OR FOOD STAMPS NOT RECEIVED IN THE MAIL.~~

~~Conditions and procedures for replacing ATP or Food Stamps not received in the mail are listed below: (6-1-94)~~

~~01. ATP or Food Stamps Replaced. The Department will replace the ATP or Food Stamps under the following conditions: (6-1-94)~~

~~a. The ATP or Food Stamps were not received in the mail. (6-1-94)~~

~~b. The ATP or Food Stamps were stolen from the mail. (6-1-94)~~

~~e. The household reports it got a partial allotment of Food Stamps. (6-1-94)~~

~~d. The household must sign a HW 0583, Affidavit for Coupon Books Lost in Mail, Food Destroyed in a Disaster, or ATPs Stolen, Destroyed and Lost in Mail. (6-1-94)~~

~~02. Department Action. The Department must: (6-1-94)~~

~~a. Note the replacement in the case file. (6-1-94)~~

~~b. Provide only two (2) replacements in a six (6) month period. (6-1-94)~~

655. ~~REPLACEMENT OF ATP OR FOOD STAMPS DESTROYED BY DISASTER.~~

~~Conditions and procedures for replacing ATP or Food Stamps destroyed by disaster are listed below: (6-1-94)~~

~~01. ATPs or Food Stamps Destroyed by Disaster. A replacement ATP can be issued, not to exceed one (1) month's issuance, for an ATP or Food Stamps received, but later destroyed in a household disaster, such as fire or flood. The household must receive only a disaster or replacement issuance. If FNS issues a disaster declaration, complete a disaster issuance, instead of a replacement issuance. The household must report the destruction, orally or in writing, within ten (10) calendar days of the incident. (6-1-94)~~

~~a. The household must sign a HW 0583, Affidavit for Coupon Books Lost in Mail, Food Destroyed in a Disaster, or ATPs Stolen, Destroyed and Lost in Mail. (6-1-94)~~

~~b. The Department must verify the disaster. The disaster can be verified by a collateral contact, an agency such as the Fire Department or Red Cross, or by home visit. (6-1-94)~~

~~e. The Department must provide the disaster issuance within ten (10) calendar days after the report of the loss. (6-1-94)~~

~~d. The Department must: (6-1-94)~~

~~i. Note the replacement in the case file. (6-1-94)~~

~~ii. Provide only two (2) replacements in a six (6) month period. (6-1-94)~~

~~02. Food Stamp Replacement Fraud Control. The Department must determine if the request for replacement Food Stamps is fraudulent. Documentation includes: (6-1-94)~~

~~a. A signature match of the transacted ATP and request for replacement. (6-1-94)~~

~~b. The issuing agent's notation of the identification card number on the ATP, unless the identification card was also reported stolen. (6-1-94)~~

~~03. Department Action for Fraud. The Department must deny or delay the replacement if the request is~~

- determined fraudulent. The Department must notify the household: (6-1-94)
- a. Of the right to a fair hearing to contest the denial or delay. (6-1-94)
 - b. The denial or delay is in effect pending the hearing decision. (6-1-94)
 - e. The fair hearing may be combined with an administrative disqualification hearing. (6-1-94)

653. -- 655. (RESERVED).

(BREAK IN CONTINUITY OF SECTIONS)

657. REPLACEMENT OF STOLEN ATP.

Conditions and procedures for replacing stolen ATPs are described below: (6-1-94)

- 01. Replacement of Stolen ATP. An ATP stolen before or after receipt can be replaced when: (6-1-94)
 - a. The household reports orally or in writing within ten (10) calendar days of the theft. (6-1-94)
 - b. The household signs a HW-0583, Affidavit for Coupon Books Lost in Mail, Food Destroyed in a Disaster, or ATPs Stolen, Destroyed and Lost in Mail. (6-1-94)
 - e. The Department determines the request for ATP replacement due to theft is not fraudulent. (6-1-94)
- 02. Stolen ATP Fraud Control. Fraud documentation includes: (6-1-94)
 - a. Determining if the ATP was valid when issued, mailed and that enough delivery time is allowed. (6-1-94)
 - b. A signature match of the transacted ATP and the request for replacement. (6-1-94)
 - e. Issuing agent's notation of the identification number on the ATP unless the household also reported the identification card was stolen. (6-1-94)
 - d. A copy of the police report to certify the theft was reported to the police. (6-1-94)
 - e. Referral to the special investigative unit. (6-1-94)
- 03. Stolen ATP Replacement Limit. The Examiner must document in the case file that a replacement has been provided. The Department must provide a maximum of two (2) replacements in a six (6) month period if the ATP was stolen before or after receipt. (6-1-94)

658. REPLACING FOOD STAMPS DAMAGED IN MANUFACTURE.

The Department must provide a replacement for Food Stamps not properly manufactured. Replace only Food Stamps damaged to the degree that more than three-fifths (3/5) of the coupon is returned. (6-1-94)

659. DEPARTMENT ACTION ON DAMAGED FOOD STAMPS.

Department action on damaged Food Stamps is described below: (6-1-94)

- 01. Department Action on Damaged Food Stamps. The Department must: (6-1-94)
 - a. Void the Food Stamps. (6-1-94)
 - b. Complete an Affidavit of Return or Exchange for Food Coupons (FNS-135). Check the reason for

- exchange under Section 3(b), and enter the total value in Section 4. (6-1-94)
- e. Have the person returning the Food Stamps sign and date the FNS-135. (6-1-94)
 - d. Have the Department employee accepting the return sign and date the FNS-135. (6-1-94)
 - e. When the FNS-135 is completed the Department must: (6-1-94)
 - i. Forward the original, attached to the Food Stamps, to the mail issuance agent the day the Food Stamps are received. (6-1-94)
 - ii. Give the second copy to the person who returned the Food Stamps. (6-1-94)
 - iii. Keep the third copy for the case file. (6-1-94)
 - iv. Authorize replacement using the FNS-135. (6-1-94)
 - v. Advise the household the Food Stamps will be mailed after receipt of the FNS-135. (6-1-94)
 - vi. Record the transaction on the Food Coupon Return or Exchange Log (HW 0587). (6-1-94)
 - 02. Food Coupon Return or Exchange Log. The log must: (6-1-94)
 - a. Be initialed by the employee who mailed the Food Stamps. (6-1-94)
 - b. Be initialed by the employee who witnessed counting and mailing the Food Stamps. (6-1-94)
 - e. Be annotated under the section entitled "Reason Returned." Enter, "Mutilated—returned for exchange." (6-1-94)
 - d. Be mailed to the issuance agent at the end of each month. (6-1-94)
 - e. Set no limit on the number of replacements. (6-1-94)

660. ~~REPLACING FOOD STAMPS REPORTED MISSING FROM ISSUANCE.~~

If a household reports receipt of only a portion of the coupon books it is entitled to, the Department must: (6-1-94)

- 01. ~~Improper Authorization. Determine if the shortage was due to an improper authorization. If so, restore lost benefits.~~ (6-1-94)
- 02. ~~Mail Damage. Determine, through supporting evidence, if the shortage was due to mail damage, before delivery.~~ (6-1-94)
- 03. ~~Mail Issuance Inventory Discrepancy. Determine if the shortage was due to a mail issuance inventory discrepancy. To determine a discrepancy contact the Policy Development Section. An employee will:~~ (6-1-94)
 - a. ~~Determine if there is an inventory discrepancy.~~ (6-1-94)
 - b. ~~Authorize a replacement to correct the shortage if appropriate. A replacement must be issued regardless of the number of previous replacements issued.~~ (6-1-94)

661. ~~REPLACING FOOD STAMPS NOT RECEIVED IN MAIL.~~

Replacement of Food Stamps not received in mail is described below: (6-1-94)

- 01. ~~Replacement of Food Stamps Not Received in the Mail. Food Stamps not received in the mail can be replaced when:~~ (6-1-94)

- a. The Food Stamps were mailed. (6-1-94)
 - b. The household reports, orally or in writing, the loss within the period of intended use. If the original issuance was after the 20th of the month, the period of intended use is the last day of the next month. (6-1-94)
 - e. The household completes and signs the form (HW 0583), Affidavit for Coupon Books Lost in Mail, Food Destroyed in a Disaster, or ATPs Stolen, Destroyed and Lost in Mail. (6-1-94)
 - d. Enough time has elapsed by allowing at least five (5) calendar days between the date the Food Stamps are deposited with the postal service and replacement authorization. (6-1-94)
 - e. Expedited service benefits must be replaced immediately following a two (2) day delivery time. (6-1-94)
 - f. The household requesting replacement has not been issued a total of two (2) replacements in the previous six (6) months if the ATP or Food Stamps were not received in the mail, the ATP was stolen, or only a partial allotment was received and the partial allotment was not due to a Department error. (6-1-94)
 - g. The postal service verifies the certified mail was not delivered and cannot be located. (6-1-94)
02. Replacement of Mailed Food Stamps Time Limit. If the Food Stamps were sent by regular mail, replacement must be provided within ten (10) calendar days of the household's report. If Food Stamps were issued by certified or registered mail, replacement must be provided within fifteen (15) calendar days of the household's report. Document replacement in the case file. The Department reports all mail losses, at least monthly, to the postal authority. (6-1-94)

662. HANDLING FOOD STAMPS RETURNED TO ISSUING AGENT.

Replacement or Remail of Food Stamps Returned to Issuing Agent. If Food Stamps are returned to the issuing agent the Department must: (6-1-94)

- 01. Non-Delivery Reason. Determine the reason for non-delivery including, but not limited to, incorrect address or recent address change. (6-1-94)
- 02. Remail Food Stamps. Authorize the issuing agent to remail the Food Stamps. (6-1-94)
- 03. Correcting Address. Take other action such as correcting the address. (6-1-94)
- 04. Replacement or Remail. Document replacement, remail, or cancellation in the case file. (6-1-94)

663. ALTERNATE FOOD STAMP DELIVERY.

If the Department determines the household is not getting their Food Stamps through the normal mail issuance system, an alternate method of delivery such as certified mail must be used. An alternate Food Stamp delivery system and the length of time on the system is not subject to the fair hearing process. The Field Office must authorize an alternate method of delivery: (6-1-94)

- 01. High Risk Area. If the household resides in a high-risk area. (6-1-94)
- 02. Non-Delivery Twice in Six (6) Months. The household reports nondelivery twice in a six (6) month period. (6-1-94)
- 03. Replace in Actual Loss. To replace an actual mail loss. (6-1-94)
- 04. Reevaluation. Reevaluate the alternate Food Stamp delivery at each recertification. Return the household to regular mail issuance if the household's circumstances change. (6-1-94)

657. -- 663. (RESERVED).

(BREAK IN CONTINUITY OF SECTIONS)

669. ~~UNUSED FOOD STAMPS RETURNED TO DEPARTMENT.~~ (RESERVED).

Reasons for returning Food Stamps and procedures for handling unused Food Stamps returned to the Department are listed below: (6-1-94)

01. ~~Reasons for Returned Food Stamps. A Food Stamp issuance or portion of an issuance, must be returned to the issuing agent if returned to the Department for one of the following reasons.~~ (6-1-94)

- a. ~~Owner is deceased.~~ (6-1-94)
- b. ~~Allotment is not claimed by the household.~~ (6-1-94)
- c. ~~Owner cannot be identified.~~ (6-1-94)
- d. ~~Owner is known but Food Stamps were replaced.~~ (6-1-94)
- e. ~~Household returned for overissuance repayment.~~ (6-1-94)
- f. ~~Owner returned Food Stamps upon getting duplicate Food Stamps.~~ (6-1-94)
- g. ~~Food Stamps were mutilated or improperly manufactured and returned by a person, other than the recipient.~~ (6-1-94)

02. ~~Procedures for Returned Food Stamps. To process and assure accountability for Food Stamps returned:~~ (6-1-94)

- a. ~~Complete the form Affidavit of Return or Exchange for Food Coupons (FNS-135).~~ (6-1-94)
- b. ~~Count and verify the coupon amount and have two (2) persons, other than the person returning them, witness the count and preparation.~~ (6-1-94)
- c. ~~Write the word "void" on the outside of each booklet and on each coupon.~~ (6-1-94)
- d. ~~Attach the Food Stamps and mail them to the issuing agent on a daily basis.~~ (6-1-94)

03. ~~FNS-135 Completion. When completing the FNS-135, the Department:~~ (6-1-94)

- a. ~~Must not check the overissuances box.~~ (6-1-94)
- b. ~~Must check the box titled "Voluntary Terminations" when the return is due to recipient errors, Department errors or a delay in the mail.~~ (6-1-94)
- c. ~~Enter the total value of each denomination of Food Stamps on line four (4).~~ (6-1-94)
- d. ~~Have the person returning the Food Stamps sign line nine (9).~~ (6-1-94)
- e. ~~Have the two (2) persons verifying the value and witnessing the return sign lines ten (10) and eleven (11).~~ (6-1-94)
- f. ~~Note in the "Remarks" section "partial issuance," when only part of an issue is returned.~~ (6-1-94)

- ~~g-~~ Note in the "Remarks" section if the Food Stamps are an ATP issuance and identify the issuing agent. (6-1-94)
- ~~h-~~ Complete a separate FNS-135 if a person returns more than one (1) issuance. (6-1-94)
- ~~04-~~ FNS-135 Distribution. When the FNS-135 is completed, distribute the copies as follows: (6-1-94)
 - ~~a-~~ Forward the original with attached Food Stamps to the mail issuing agent. (6-1-94)
 - ~~b-~~ Give the second copy to the person who returned the Food Stamps. (6-1-94)
 - ~~e-~~ Keep the third copy for the case file. (6-1-94)
 - ~~d-~~ If the return amount exceeds five hundred dollars (\$500), mail by registered mail. (6-1-94)
 - ~~e-~~ Keep a Food Coupon Return or Exchange Log (HW 0587) of all Food Stamps received and forwarded. (6-1-94)
- ~~05-~~ Food Coupon Return or Exchange Log. The log must be initialed by the employee who mailed the Food Stamps. The log must be initialed by the two (2) employees who witnessed the counting and the mailing. The log must be mailed to the issuing agent at the end of each month. (6-1-94)

(BREAK IN CONTINUITY OF SECTIONS)

709. PENALTIES FOR IPV RECEIPT OF MULTIPLE BENEFITS.

A person found making a fraudulent statement or representation about identity or residence to get multiple benefits is ineligible for Food Stamps for ten (10) years for the first and second offenses and permanently for the third offense.
(9-22-96)T(4-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

719. SUBMITTING AND REPORTING CLAIM PAYMENTS: (RESERVED).

Payments collected must be submitted and recorded using procedures listed below: (6-1-94)

- ~~01-~~ Cash Repayment. Cash collected and receipt copies made by the Department for repayment must be submitted daily to the Department's Bureau of Accounting Services. The Department must make a receipt for cash payments. The Department must date and document each payment. (6-1-94)
- ~~02-~~ Food Stamp Return Repayment. Food Stamps returned as partial or full repayment must be accepted. The Department must: (6-1-94)
 - ~~a-~~ Complete an Affidavit of Return or Exchange for Food Coupons (FNS-135). (6-1-94)
 - ~~b-~~ Void all books and Food Stamps. (6-1-94)
 - ~~e-~~ Forward the Food Stamps to the mail issuance agent. (6-1-94)
 - ~~d-~~ Enter the amount of return on the Food Coupon Return or Exchange Log (HW 0587) and document the repayment in the reason returned column. (6-1-94)
 - ~~e-~~ Enter the amount of return on the Status of Claims Against Households (HW 0561). (6-1-94)

- ~~f. Enter the amount on the person's claim repayment record. (6-1-94)~~
- ~~03. Food Stamp Reduction. When Food Stamp reduction starts, the Department must: (6-1-94)~~
 - ~~a. Enter the beginning date and monthly amount in the household's claim repayment record. (6-1-94)~~
 - ~~b. Enter when Food Stamp reduction ends, either because household benefits end or the claim is repaid in full, in the household's claim repayment record. (6-1-94)~~
 - ~~e. Enter the Food Stamp reduction amount in the recoupment column on the Status of Claims Against Households (HW 0561) report. (6-1-94)~~
 - ~~d. Each region must submit the Status of Claims Against Households (HW 0561) by the fifth of each month, even if no payments were collected. (6-1-94)~~

(BREAK IN CONTINUITY OF SECTIONS)

735. FOOD STAMP HOUSEHOLDS THAT MOVE.

When a Food Stamp household moves, the sending and receiving Field Offices must transfer the case record and change the Food Stamp delivery address. (6-1-94)

01. Responsibilities of Sending Field Office. If a household reports its move, or plan to move, to another area, the sending Field Office must take steps to transfer the case. Duties of the sending Field Office are listed below: (6-1-94)

- a. Record New Address. Record the household's new address in the case record and in EPICS. (6-1-94)
- b. Advise Household. Give the household the address and telephone number of the receiving Field Office. If the request for case record transfer is not received within thirty (30) days of the date the client was told to contact the receiving office, Food Stamps must end. Advise the household to: (6-1-94)
 - i. Contact the new Field Office at once. (6-1-94)
 - ii. Report their new address and living arrangements. (6-1-94)
 - iii. Allow the new Field Office time to authorize and request transfer of the case record. (6-1-94)
 - iv. Contact the new Field Office or the sending Field Office will act to end Food Stamps. (6-1-94)

02. Transfer of Case Record. When the receiving Field Office requests a case file, the sending Field Office must send the file. The sending Field Office must forward the case record to the receiving office within two (2) working days. The case record transfer must include all past and current eligibility and overissuance collection records. (6-1-94)

~~03. Next Food Stamp Benefits. If the household's next Food Stamps will be mailed to its old address, the receiving Field Office must change the address so that Food Stamps will be mailed to the correct address. (6-1-94)~~

~~043. Ending Benefits. If the case record was not requested by the thirtieth (30th) day after the household said they were moving, Food Stamps must be ended. The sending Field Office must send a Notice of Decision to the household's last known address. The sending Field Office must end the household's Food Stamps. (6-1-94)~~

~~054. Responsibilities of Receiving Field Office. When a Field Office learns a household has moved to its~~

area, the receiving Field Office must request the case record within two (2) working days. The receiving office must show the household's new address in the case record. The receiving office must review the household's eligibility and benefit level. The office must review the case not later than thirty (30) days after the household's transfer request.

(6-1-94)

(BREAK IN CONTINUITY OF SECTIONS)

753. SPONSORED LEGAL NONCITIZENS.

Sponsored legal noncitizens are lawfully admitted for permanent United States residence, as defined in Sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act. A sponsor executes an affidavit of support or similar agreement on behalf of legal noncitizen, as a condition of the legal noncitizen's entry or admission into the United States as a permanent resident. Treatment of a sponsor's income and resources is based on the type of affidavit of support the sponsor signed. Types of affidavits of support are listed in Table 753. (4-1-97)T

01. Affidavit Signed Between February 1, 1983 and ~~March 31~~ December 18, 1997. Income and resources of a sponsor who signed this affidavit of support will have some of their income and resources counted for the sponsored legal noncitizens. The income and resources of the sponsor will be deemed for three (3) years after the legal noncitizen is admitted for permanent residence to the U.S. (4-1-97)T(4-1-98)T

02. Affidavit Signed On or After ~~April 1~~ December 19, 1997. A sponsor who signed an affidavit of support after ~~April 1~~ December 19, 1997, pursuant to Section 213A of the Immigration and Nationality Act, will have all of their income and resources counted for the sponsored legal noncitizen. The income and resources of the sponsor will be deemed until the legal noncitizen becomes a naturalized citizen or until he has worked forty (40) qualifying quarters of coverage under Title II of the Social Security Act. A qualifying quarter includes a quarter worked by the legal noncitizen's parent while the legal noncitizen was under eighteen (18) and a quarter worked by the legal noncitizen's spouse during marriage if the legal noncitizen remains married to the spouse or the spouse is deceased. Any quarter after January 1, 1997 in which a legal noncitizen received any Federal means-tested benefit is not counted as a qualifying quarter. (4-1-97)T(4-1-98)T

754. DEEMING INCOME AND RESOURCES TO SPONSORED LEGAL NONCITIZEN.

Income and resources of the sponsor are deemed available to the legal noncitizen. If the sponsor lives with his spouse, the spouse's income and resources are also deemed available to the legal noncitizen. The income and resources are deemed, even if the sponsor and spouse were married after the sponsor signed the sponsorship agreement. The income and resources deemed to the legal noncitizen must be counted toward Food Stamp eligibility and issuance level of the legal noncitizen's household. Subsection 754.01 describes the steps for deeming income from a sponsor who signed an affidavit of support between February 1, 1983 and ~~March 31~~ December 18, 1997. Subsection 754.02 describes the steps for deeming resources from a sponsor who signed an affidavit of support between February 1, 1983 and ~~March 31~~ December 18, 1997. Subsection 754.03 describes the steps for deeming income from a sponsor who signed an affidavit of support on or after ~~April 1~~ December 19, 1997. Subsection 754.04 describes the steps for deeming resources from a sponsor who signed an affidavit of support on or after ~~April 1~~ December 19, 1997.

(4-1-97)T(4-1-98)T

01. Deeming Income From a Sponsor Who Signed an Affidavit of Support Between February 1, 1983 and ~~March 31~~ December 18, 1997. (4-1-97)T(4-1-98)T

a. Step 1. Compute the total monthly income of the sponsor and spouse when the legal noncitizen applies or is recertified. If the legal noncitizen has already reported under TAFI sponsored legal noncitizen rules use the TAFI reported gross income information. (7-1-97)T

b. Step 2. Subtract the earned income deduction from the earned income of the sponsor and spouse. (6-1-94)

c. Step 3. Compute the sponsor's household size. Count the sponsor, the spouse and persons claimed by them as dependents for Federal income tax. (6-1-94)

- d. Step 4. Find the Food Stamp gross monthly income limit for the sponsor's household size. (6-1-94)
- e. Step 5. Subtract the Food Stamp gross monthly income limit for the sponsor's household from the remainder in Step 2. (6-1-94)
- f. Step 6. The income remaining after Step 5 is deemed to the legal noncitizen household. (4-1-97)T
- g. Step 7. The sponsor may actually pay the legal noncitizen more income than deemed in Step 6. Any income the sponsor pays the legal noncitizen, exceeding the income deemed in Step 6, is also counted for Food Stamps. (4-1-97)T
- h. Step 8. If the legal noncitizen can verify his sponsor sponsors other legal noncitizens, divide the deemed income by the number of legal noncitizens applying for or getting Food Stamps. Deem all income and resources to the legal noncitizen until verification is provided. (4-1-97)T
02. Deeming Resources From a Sponsor Who Signed an Affidavit of Support Between February 1, 1983 and ~~March 31~~ December 18, 1997. (~~4-1-97~~)T(4-1-98)T
- a. Step 1. Compute the resources of the sponsor and his spouse. Use the TAFI reported resource information if the legal noncitizen has already reported under TAFI sponsored legal noncitizen rules. (7-1-97)T
- b. Step 2. Subtract two thousand dollars (\$2,000) from the total resources of the sponsor and spouse computed in Step 1. (6-1-94)
- c. Step 3. The resources remaining after Step 2 are deemed to the legal noncitizen household. (4-1-97)T
- d. Step 4. If the legal noncitizen can verify his sponsor sponsors other legal noncitizens, divide the deemed resources by the number of legal noncitizens applying for or getting Food Stamps. Deem all income and resources to the legal noncitizen until verification is provided. (4-1-97)T
03. Deeming Income from a Sponsor Who Signed and Affidavit of Support On or After ~~April 1~~ December 19, 1997. (~~4-1-97~~)T(4-1-98)T
- a. Step 1. Compute the total month income of the sponsor and the spouse if living with the sponsor when the legal noncitizen applies or is recertified. (~~4-1-97~~)T(4-1-98)T
- b. Step 2. Subtract the earned income deduction from the earned income of the sponsor and spouse. (4-1-97)T
- c. Step 3. The income remaining after Step 2 is deemed to the legal noncitizen household. (4-1-97)T
- d. Step 4. The sponsor may actually pay the legal noncitizen more income than deemed in Step 3. Any income the sponsor pays the legal noncitizen exceeding the income deemed in Step 3 is also counted for Food Stamps. (4-1-97)T
- e. Step 5. If the legal noncitizen can verify his sponsor sponsors other legal noncitizens, divide the deemed income by the number of legal noncitizens applying for or getting Food Stamps. Deem all income and resources to the legal noncitizen until verification is provided. (4-1-97)T
04. Deeming Resources from a Sponsor Who Signed an Affidavit of Support On or After ~~April 1~~ December 19, 1997. (~~4-1-97~~)T(4-1-98)T
- a. Step 1. Compute the resources of the sponsor and his spouse if living with the sponsor. (~~4-1-97~~)T(4-1-98)T

- b. Step 2. The resources computed in Step 1 are deemed to the legal noncitizen household. (4-1-97)T
- c. Step 3. If the legal noncitizen can verify his sponsor sponsors other legal noncitizens, divide the deemed resources by the number of legal noncitizens applying for or getting Food Stamps. Deem all income and resources to the legal noncitizen until verification is provided. (4-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

756. SPONSORED LEGAL NONCITIZENS EXEMPT FROM EXCEPTIONS TO SPONSOR DEEMING.

~~A sponsored legal noncitizen is exempt from deeming if the legal noncitizen is a member of the sponsor's Food Stamp household. A sponsored legal noncitizen is exempt from deeming, if the sponsor has a separate Food Stamp household and the legal noncitizen is a member of another Food Stamp household. A sponsored legal noncitizen is exempt from deeming if the legal noncitizen is sponsored by an organization or group. A sponsored legal noncitizen is exempt from deeming if the legal noncitizen is not required to have a sponsor under the Immigration and Nationality Act including but not limited to a refugee, asylee, parolee or Cuban or Haitian entrant. Exceptions to sponsor deeming are listed in Subsections 756.01 through 756.04.~~ (4-1-97)T(4-1-98)T

01. Legal Noncitizen Whose Sponsor Signed an Affidavit of Support Between February 1, 1983 and December 18, 1997. A legal noncitizen whose sponsor signed an affidavit of support between February 1, 1983 and December 18, 1997 is exempt from deeming if: (4-1-98)T

- a. The legal noncitizen is a member of the sponsor's Food Stamp household. (4-1-98)T
- b. The sponsor has a separate Food Stamp household and the legal noncitizen is a member of another Food Stamp household. (4-1-98)T
- c. The legal noncitizen is sponsored by an organization or group. (4-1-98)T
- d. The legal noncitizen is not required to have a sponsor under the Immigration and Nationality Act. This includes a refugee, asylee, deportee, parolee or Cuban or Haitian entrant. (4-1-98)T

02. Legal Noncitizen Whose Sponsor Signed an Affidavit of Support on or after December 19, 1997. A legal noncitizen whose sponsor signed an affidavit of support on or after December 19, 1997 is exempt from deeming if: (4-1-98)T

- a. The legal noncitizen is a member of the sponsor's Food Stamp household. (4-1-98)T
- b. The legal noncitizen is sponsored by an organization or group. (4-1-98)T
- c. The legal noncitizen is not required to have a sponsor under the Immigration and Nationality Act. This includes a refugee, asylee, deportee, parolee or Cuban or Haitian entrant. (4-1-98)T

03. Battered Legal Noncitizen Whose Sponsor Signed an Affidavit of Support on or After December 19, 1997. For sponsor deeming, a battered legal noncitizen includes the noncitizen and the child of the noncitizen. The noncitizen or child must be battered in the U.S. by a spouse, parent, or member of the family in the same household. The noncitizen must not participate in, or acquiesce to, the battering of the child. (4-1-98)T

- a. A battered legal non-citizen whose sponsor signed an affidavit of support on or after December 19, 1997 is exempt from the sponsor deeming requirement for one (1) year, if the need for Food Stamps is connected to the battery and the legal non-citizen no longer lives with the batterer. (4-1-98)T
- b. The exemption from the sponsor deeming requirement can exceed more than one (1) year if the legal non-citizen demonstrates the battery has been recognized in an order of a judge or by the INS and the need for

Food Stamps is connected to the battery.

(4-1-98)T

04. Indigent Legal Noncitizen Whose Sponsor Signed an Affidavit of Support on or After December 19, 1997. A noncitizen is indigent if the Department determines he is unable to obtain food and shelter without receiving Food Stamps. For an indigent noncitizen, the Department counts only the income and resources actually provided by the sponsor and spouse who signed an affidavit of support on or after December 19, 1997. Only actual income and resources are counted for one (1) year after the indigent determination is made.

(4-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

760. OVERISSUANCE DUE TO INCORRECT SPONSOR DATA.

The sponsor who signed an affidavit of support between February 1, 1983 and ~~March 31~~ December 18, 1997 and sponsored legal noncitizen are both liable for repayment of overissuances caused by incorrect sponsor data, unless the sponsor had good cause. Good cause exists unless the sponsor gives false statements or willfully withholds data. The sponsor may have a fair hearing to contest the fault and liability. If the sponsor had good cause or was without fault for incorrect data, the legal noncitizen's household is solely liable for the overissuance repayment. If the sponsor did not have good cause, start a claim against the sponsor, the legal noncitizen's household, or both. Claims may be started against both parties at the same time. Start a claim against the party most likely to repay the claim first. If the first party fails to respond to the demand letter within twenty (20) days, start a claim against the other party. Identify the claim as either an IHE or IPV claim.

~~(4-1-97)T~~(4-1-98)T

761. COLLECTING CLAIMS AGAINST SPONSORS WHO SIGNED AN AFFIDAVIT OF SUPPORT BETWEEN FEBRUARY 1, 1983 AND ~~MARCH 31~~ DECEMBER 18, 1997.

Start collection by sending a demand letter to the sponsor. The demand letter must include the amount owed, the reason for the claim, and the repayment options. The demand letter must tell the sponsor he will not have to repay, if he can show he did not give false statements or withhold information about his circumstances. Collection action may be stopped if documentation is obtained showing the sponsor cannot be located. Collection action may be stopped if the cost of collection exceeds the amount to be recovered. If the sponsor responds to the demand letter, collect a lump sum cash payment if the sponsor can pay the claim at one (1) time. If the sponsor cannot pay by lump sum, negotiate a monthly repayment schedule. Sponsor repayments must be recorded in the case file and identified as either an IHE or IPV claim.

~~(4-1-97)T~~(4-1-98)T

762. COLLECTING CLAIMS AGAINST SPONSORED LEGAL NONCITIZENS.

Collect claims against sponsored legal noncitizens with a sponsor who signed an affidavit of support between February 1, 1983 and ~~March 31~~ December 18, 1997 using procedures listed below. Take action to collect, whether or not the legal noncitizen household currently gets Food Stamps.

~~(4-1-97)T~~(4-1-98)T

01. IHE Determined. An IHE results if information provided about the sponsor or sponsor's spouse was wrong because the household misunderstood or failed to provide data. Start a claim against the legal noncitizen's household.

(4-1-97)T

02. IPV Determined. An IPV results if information provided about the sponsor or sponsor's spouse was incorrect because the household concealed or provided false information. Start a claim against the legal noncitizen's household.

(4-1-97)T

03. IPV Referral. Pursue an IPV if enough evidence exists to show information from the sponsor or the sponsor's spouse was false or concealed through misrepresentation or willful withholding by the legal noncitizen. Handle the claim as an IHE until the IPV decision is made. Start a claim against the legal noncitizen's household.

(4-1-97)T

763. REIMBURSEMENT FOR BENEFITS RECEIVED.

A sponsor who signed an affidavit on or after ~~April 1~~ December 19, 1997 must reimburse the Department for the amount of Food Stamps received by the sponsored legal noncitizen. At the time of application for a sponsored legal noncitizen, the legal noncitizen's sponsor must be notified that he will be required to reimburse the Department for the amount of Food Stamps received by the sponsored legal noncitizen.

~~(4-1-97)T~~(4-1-98)T

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.09 - RULES GOVERNING MEDICAL ASSISTANCE
DOCKET NO. 16-0309-9802
NOTICE OF VACATION OF RULEMAKING

AUTHORITY: In compliance with Section 67-5221, Idaho Code, notice is hereby given that this agency has vacated the rulemaking previously initiated under this docket. The action is authorized pursuant to Section(s) 56-202 (b) and 56-203 (g), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a summary of the reasons for the vacation:

Section 122, along with other Sections in IDAPA 16.03.09, "Rules Governing Medical Assistance," are being amended in Docket No. 16-0309-9804. Additional changes were needed in Section 122 and have been combined with Docket No. 16-0309-9804.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this vacation, contact Cindy Taylor at (208) 334-0631.

DATED this 6th. day of May, 1998.

Sherri Kovach
Administrative Procedures Coordinator
DHW - Division of Legal Services
450 West State Street, 10th Floor
P.O. Box 83720
Boise, Idaho 83720-0036
(208) 334-5564 phone, (208) 334-5548 fax

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.09 - RULES GOVERNING MEDICAL ASSISTANCE
DOCKET NO. 16-0309-9803
NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective April 1, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Section(s) 56-202(b) and 56-203(g), Idaho Code.

PUBLIC HEARING SCHEDULE: Pursuant to Section 67-5222(2), Idaho Code, public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1998.

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

DESCRIPTIVE SUMMARY: These rules change the current method of post-eligibility treatment of income from the institutional personal needs allowance to the community needs standard.

TEMPORARY RULE JUSTIFICATION: Temporary rules have been adopted in accordance with Section 67-5226, Idaho Code and are necessary in order to comply with deadlines in amendments to governing law or federal programs and to confer a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary or proposed rule, contact Lloyd Forbes at (208) 334-5795.

Anyone can submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked on or before May 27, 1998.

DATED this 6th day of May, 1998.

Sherri Kovach
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TEXT OF DOCKET NO. 16-0309-9803

149. CLIENT PARTICIPATION IN THE COST OF WAIVER SERVICES.

A recipient will not be required to participate in the cost of waiver services unless the recipient's entitlement to MA is based on approval for, and receipt of, a waiver service and income limitations contained in IDAPA 16.03.05.634. Income excluded under the provisions of IDAPA 16.03.05.613 and 16.03.05.615 is excluded in determining client participation. (7-1-97)

01. Base Participation. Base participation is income available for client participation after subtracting all allowable deductions, except for the incurred medical expense deduction in Subsection 149.04. Base participation

is calculated by the recipient's Eligibility Examiner. The incurred medical expense deduction is calculated by the RMU or ACCESS unit. (7-1-97)

02. Community Spouse. Except for the recipient's personal needs allowance, base participation for a recipient with a community spouse is calculated under IDAPA 16.03.05.615. The HCBS personal needs allowance for a recipient living independently, in room and board, or in an adult foster care home at the recipient's level of care, is equal to the AABD allowances for the recipient's living arrangement. These allowances are specified in IDAPA 16.03.05, Eligibility for Aid to the Aged, Blind, and Disabled (AABD). A community spouse is the spouse of an HCBS recipient who is not an HCBS recipient and is not institutionalized. ~~(7-1-97)~~(4-1-98)T

03. No Community Spouse. Base participation for a recipient with no community spouse is calculated under IDAPA 16.03.05.613, using the appropriate HCBS personal needs allowance. The HCBS personal needs allowance is equal to the AABD allowances for a recipient living alone in his own home. The HCBS personal needs allowance for a recipient living independently, in room and board, or in an adult foster care home at the recipient's level of care, is equal to the AABD allowances for a the recipient's living arrangement in room and board, or in an adult foster care home at that level of care. These allowances are specified in IDAPA 16.03.05.407, 408, and 410. The HCBS personal needs allowance for the clients receiving Waiver Services for Adult Developmentally Disabled Recipients is three (3) times the federal SSI benefit amount to an individual in his own home. ~~(7-1-97)~~(4-1-98)T

04. Incurred Medical Expenses. Amounts for certain limited medical or remedial services not covered by the Idaho Medicaid Plan and not paid by a third party may be deducted from the base participation amount. The Department must determine whether an individual's incurred expenses for such limited services meet the criteria for deduction. The recipient must report such expenses and provide verification in order for an expense to be considered for deduction. Deductions for necessary medical or remedial expenses approved by the Department will be deducted at application, and changed, as necessary, based on changes reported to the Department by the recipient. (7-1-97)

05. Remainder After Calculation. Any remainder after the calculation in Subsection 149.04 is the maximum participation to be deducted from the recipient's provider payments to offset the cost of personal care services. The participation will be collected from the recipient by the provider agency or independent provider. The provider and the recipient will be notified by the Department of the amount to be collected. (7-1-97)

06. Recalculation of Client Participation. The client participation amount must be recalculated annually at redetermination or whenever a change in income or deductions becomes known to the Department. (7-1-97)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.09 - RULES GOVERNING MEDICAL ASSISTANCE
DOCKET NO. 16-0309-9804

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective January 1, 1997, April 1, 1998 and May 1, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Section(s) 56-202(b) and 56-203(g), Idaho Code.

PUBLIC HEARING SCHEDULE: Pursuant to Section 67-5222(2), Idaho Code, public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1998.

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

DESCRIPTIVE SUMMARY: Changes language in Section 100, 106, 108, 122 and 124 that requires prior authorization of durable medical equipment and supplies, polycarbonate lenses, tinted lenses, hearing aids and prosthetics/orthotics. Adds clarification to and strengthens medical necessity and documentation requirements when prior authorization is not required. Additional changes in Section 122 clarify when the Department will purchase and/or replace lenses for glasses.

TEMPORARY RULE JUSTIFICATION: Temporary rules have been adopted in accordance with Section 67-5226, Idaho Code and are necessary in order to confer a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary or proposed rule, contact Pam Mason at (208) 334-5760.

Anyone can submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked on or before May 27, 1998.

DATED this 6th day of May, 1998.

Sherri Kovach
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TEXT OF DOCKET NO. 16-0309-9804

100. HEALTH CHECK -- EARLY PERIODIC SCREENING, DIAGNOSIS, AND TREATMENT (EPSDT).

Services under Health Check are available to all MA recipients up to and including the month of their twenty-first (21st) birthday. (12-31-91)

01. EPSDT Services. EPSDT services include diagnosis and treatment involving medical care within the scope of MA, as well as dental services, eyeglasses, and hearing aids, and such other necessary health care

described in Section 1905(a) of the Social Security Act, and not included in the Idaho Title XIX State Plan as required to correct or ameliorate defects and physical and mental illness discovered by the screening service. (1-27-91)

- a. The Department will set amount, duration and scope for services provided under EPSDT. (1-27-91)
- b. Needs for services discovered during an EPSDT screening which are outside the coverage provided by the ~~Rules~~ ~~Governing~~ Medical Assistance must be shown to be medically necessary and the least costly means of meeting the recipient's ~~medicaid~~ medical needs to correct or improve the physical or mental illness discovered by the screening and ordered by the physician, nurse practitioner or physicians's assistant. (~~3-22-93~~)(1-1-97)T
- c. The Department will not cover services for cosmetic, convenience or comfort reasons. (1-27-91)
- d. Any service requested which is covered under Title XIX of the Social Security Act that is not identified in these rules specifically as a Medicaid covered service will require preauthorization for medical necessity prior to payment for that service. (8-1-92)
- e. Any service required as a result of an EPSDT screen and which is currently covered under the scope of the Idaho Medicaid program will not be subject to the existing amount, scope, and duration, but will be subject to the authorization requirements of those rules. The additional service must be documented by the attending physician as to why it is medically necessary and that the service requested is the least costly means of meeting the recipient's medical needs. Preauthorization from the Bureau of Medicaid Policy and ~~Reimbursement~~ Operations or its designee will be required prior to payment as specified in the Medical Vendor Provider Handbook. (~~3-22-93~~)(4-1-98)T
- f. Those services that have not been shown or documented by the attending physician to be the least costly means of meeting the recipient's medical needs are the responsibility of the recipient. (8-1-92)

02. Well Child Screens. (8-1-92)

- a. Periodic medical screens should be completed at the following intervals as recommended by the AAP, Committee in Practice and Ambulatory Medicine, September 1987. Physicians and physician extenders will be required to bill using the appropriate Physician's Current Procedural Terminology (CPT) codes, under section "Preventive Medicine Services." EPSDT RN screeners will be required to bill using codes established by the Department, except when the EPSDT RN screener is an employee of a rural health clinic, Indian Health Clinic, or federally qualified health clinic. (7-1-94)
 - i. One (1) screen at or by age one (1) month, two (2) months, three (3) months, four (4) months, six (6) months and nine (9) months. (8-1-92)
 - ii. One (1) screen at or by age twelve (12) months, fifteen (15) months, eighteen (18) months, and twenty-four (24) months. (8-1-92)
 - iii. One (1) screen at or by age three (3) years, age four (4) years and age five (5) years. (8-1-92)
 - iv. One (1) screen at or by age six (6) years, age eight (8) years, age ten (10) years, age twelve (12) years and age fourteen (14) years. (8-1-92)
 - v. One (1) screen at or by age sixteen (16) years, age eighteen (18) years and age twenty (20) years. (8-1-92)
 - vi. One (1) screen at initial program entry, up to the recipient's twenty-first (21st) birthday. (8-1-92)
- b. Interperiodic medical screens are screens that are done at intervals other than those identified in the basic medical periodicity schedule in Subsection 100.02.a., and must be performed by physician or physician extender. Interperiodic screens will be required to be billed using the correct Physician's Current Procedural Terminology (CPT) under section "Evaluation and Management". (8-1-92)

i. Interperiodic screens will be performed when there are indications that it is medically necessary to determine whether a child has a physical or mental illness or condition that may require further assessment, diagnosis, or treatment. (8-1-92)

ii. Interperiodic screening examinations may occur in children who have already been diagnosed with an illness or condition, and there is indication that the illness or condition may have become more severe or changed sufficiently, so that the further examination is medically necessary. (8-1-92)

c. Developmental screening is considered part of every routine initial and periodic examination. If the screening identifies a developmental problem then a developmental assessment will be ordered by the physician and be conducted by qualified professionals. (1-27-91)

d. EPSDT RN screeners will routinely refer all clients to primary care providers. EPSDT clients ages two (2) weeks to two (2) years shall receive at least one (1) of their periodic or inter-periodic screens annually from a physician or physician extender unless otherwise medically indicated. A parent or guardian may choose to waive this requirement. EPSDT RN screeners will refer clients for further evaluation, diagnosis and treatment to appropriate services (e.g. physician, registered dietitian, developmental evaluation, speech, hearing and vision evaluation, blood lead level evaluation). Efforts shall be made to assure that routine screening will not be duplicated for children receiving routine medical care by a physician. (3-22-93)

03. Vision Services. (8-1-92)

a. The Department will provide vision screening services according to the recommended guidelines of the AAP. The screen administered will be an age-appropriate vision screen. The guidelines coincide with certain scheduled medical screens, as specified in Subsection 100.02, the vision screen is considered part of the medical screening service, (i.e. eye chart). (8-1-92)

b. The Department will pay for one (1) eye examination by an ophthalmologist or optometrist during any twelve (12) month period for each eligible recipient to determine the need for glasses to correct or treat refractive error as outlined in Section 122. (8-1-92)

c. Each eligible MA recipient, following a diagnosis of visual defects and a recommendation that eyeglasses are needed for correction of a refractive error, can receive one (1) pair of eyeglasses per year, except in the following circumstances: (11-10-81)

i. In the case of a major visual change, the Department can authorize purchase of a second pair of eyeglasses and can authorize a second eye examination to determine that visual change; or (2-15-86)

ii. The Department may pay for replacement of lost glasses or replacement of broken frames or lenses. New frames will not be purchased if the broken frame can be repaired for less than the cost of new frames if the provider indicates one of these reasons on his claim. If repair costs are greater than the cost of new frames, new frames may be authorized. (2-15-86)

04. Hearing Aids and Services. The Department will provide hearing screening services according to the recommended guidelines of the AAP. (8-1-92)

a. The screen administered will be an age-appropriate hearing screen. The guidelines coincide with certain scheduled medical screens, in accordance with Subsection 100.02, the hearing screen is considered part of the medical screening service. (8-1-92)

b. EPSDT hearing services will pay for audiology services and supplies ordered by a licensed physician and supplied by a physician or certified audiologist, in accordance with Section 108, with the following exceptions: (8-1-92)

i. When binaural aids are requested they ~~may~~ will be authorized if documented to the Department's satisfaction, that the child's ability to learn would be severely restricted. (~~8-1-92~~)(4-1-98)T

ii. When replacement hearing aids are requested, they may be authorized if the requirements in Subsections 108.03.a. through 108.03.d. are met. (8-1-92)

iii. The Department will purchase additional ear molds after the initial six (6) months to one (1) year period if medically necessary. Requests in excess of every six (6) months will require prior authorization and documentation of medical need from either the attending physician or audiologist. (8-1-92)

05. EPSDT Registered Nurse Screener. A registered nurse (RN) who is currently licensed to practice in Idaho, and who meets the following provisions: (3-22-93)

a. Can produce proof of completion of the Medicaid Child Health Assessment training course (or equivalent as approved by Medicaid) that: (3-22-93)

i. Prepares the RN to identify the difference between screening, diagnosis and treatment; and prepares the RN to appropriately screen and differentiate between normal and abnormal findings. (3-22-93)

ii. Includes at least five (5) days didactic instruction in child health assessment, accompanied by a component of supervised clinical practice. (3-22-93)

b. Is employed by a physician, district health department, rural health clinic, Indian Health Clinic, or federally qualified health clinic in order to provide linkage to primary care services. The employers must have a signed Medical Provider Agreement and Provider Number. (3-22-93)

c. Has an established agreement with a physician or nurse practitioner for consultation on an as-needed basis. (3-22-93)

06. Private Duty Nursing Service. Private Duty Nursing Service provided by an Idaho licensed nurse to certain eligible children for whom the need for such service has been identified in an EPSDT screen. Private Duty Nursing is one nurse dedicated to one hundred percent (100%) of his time to the care of one (1) recipient at the time Private Duty Nursing service is given. The nursing needs cannot be services that can be performed by a Certified Nursing Assistant as in Section 146, but must be of such a technical nature that the Idaho Nurse Practice Act, Rules, Regulations, or Policy require the service to be provided by an Idaho Licensed Professional Nurse, (RN) or by an Idaho Licensed Practical Nurse (LPN), and require more individual and continuous care than is available from a visiting nurse (Home Health visit). Private Duty Nursing Service must be authorized by the Bureau of Medicaid Policy and Reimbursement prior to delivery of service. (7-1-94)

a. Services needed must include at least one (1) of the following nursing tasks: (1-27-91)

i. The insertion and maintenance of nasogastric tubes and the monitoring or installation of feeding material; or (7-1-94)

ii. The maintenance of volume ventilators including associated tracheotomy care; or (1-27-91)

iii. Tracheotomy and oral pharyngeal suctioning; or (1-27-91)

iv. Maintenance and monitoring of an IV site and administration of IV fluids and/or nutritional supplements which are to be administered on a continuous, or daily basis. (1-27-91)

v. A licensed nursing assessment of the child's health is required prior to the administration of a non-routine medication. Non-routine medication is medication for which the administration and amount given to a patient is subject to the findings of a licensed nurse's assessment. Non-routine medication necessary for a health assessment must be required more frequently than once per day for unstable chronic conditions. The fragile health and medication status are so complex that a certified nurse's aide could not be instructed to assist with medication according to the rules of the Idaho Board of Nursing. (8-1-92)

b. Private Duty Nursing Services may be provided only in the recipient's personal residence or when normal life activities take the recipient outside of this setting. Examples of normal life activities would be those hours

a recipient would be outside the home setting to attend school or visit their assessment physician. However, if a recipient requests this service only to attend school or other activities outside of the home, but does not need such services in the home, private duty nursing will not be authorized. The following are specifically excluded as personal residences: (8-1-92)

- i. Licensed Nursing Facilities (NF); and (7-1-94)
- ii. Licensed Intermediate Care Facilities for the Mentally Retarded (ICF/MR); and (1-27-91)
- iii. Licensed Residential Care Facilities; and (1-27-91)
- iv. Licensed professional foster homes; and (1-27-91)
- v. Licensed hospitals; and (1-27-91)
- vi. Public or private school. (1-27-91)
- c. Services delivered must be in a written plan of care, and the plan of care must: (1-27-91)
 - i. Include all aspects of the medical, licensed, and personal care services necessary to be performed, including the amount, type, and frequency of such service; and (1-27-91)
 - ii. Must be approved and signed by the attending physician; and (1-27-91)
 - iii. Must be revised and updated as recipient's needs change, but at least quarterly, and must be submitted to the Medicaid Program. (7-1-94)
- d. Physician responsibilities: (1-27-91)
 - i. Provide the Department the necessary medical information in order to establish the recipient's medical eligibility for services based on an EPSDT medical screen. (1-27-91)
 - ii. Order all services to be delivered by the private duty nurse. (1-27-91)
 - iii. Sign and date all orders, and the recipient's care plan. (1-27-91)
 - iv. Update recipient's care plan quarterly, sign and record date of plan approval. (7-1-94)
 - v. Determine if the combination of Private Duty Nursing Services along with other community resources are sufficient to ensure the health or safety of the recipient. If it is determined that the resources are not sufficient to ensure the health and safety of the recipient, notify the family and the Department and assist in placement of the recipient in the appropriate medical facility. (1-27-91)
- e. Nurse responsibilities: (1-27-91)
 - i. Notify the physician immediately of any significant changes in the recipient's physical condition or response to the service delivery. (1-27-91)
 - ii. Notify the Bureau of Medicaid Policy and Reimbursement within forty-eight (48) hours of any changes in the recipient's condition or if the recipient is hospitalized at any time. Failure to submit such notification will result in recoupment of payment for private duty nursing services. (7-1-94)
 - iii. Evaluate changes of condition. (1-27-91)
 - iv. Provide services in accordance with the physician's plan of care. (1-27-91)
 - v. Records are to be maintained in the recipient's home. Failure to maintain such documentation may

- result in the recoupment of funds paid for undocumented services. Records of care must include: (8-1-92)
- (1) The date. (1-27-91)
 - (2) Time of start and end of service delivery. (1-27-91)
 - (3) Comments on client's response to services delivered. (1-27-91)
 - (4) Nursing assessment of recipient's status and any changes in that status per each working shift. (8-1-92)
 - (5) Services provided during each working shift. (8-1-92)
 - vi. In the case of L.P.N. providers, document that oversight of services by an R.N. is in accordance with the Idaho Nurse Practice Act and the Rules and Policies of the Idaho Board of Nursing. (1-27-91)
 - vii. Notify the physician if the combination of Private Duty Nursing Services along with other community resources are not sufficient to ensure the health or safety of the recipient. (1-27-91)
 - f. Case redetermination for Private Duty Nursing: (8-1-92)
 - i. Redetermination will be at least quarterly. Each recipient's medical records will be reviewed by the Bureau of Medicaid Policy and Reimbursement Operations for medical necessity criteria found in Section 100. ~~(7-1-94)~~(4-1-98)T
 - ii. The purpose of redetermination for Private Duty Nursing is to safeguard against unnecessary care and services and to determine that the care being provided is medically necessary and safe and effective in the home setting. (8-1-92)
 - g. Factors assessed for redetermination: (8-1-92)
 - i. That the recipient can and is being maintained in their personal residence and receive safe and effective services through Private Duty Nursing services. (8-1-92)
 - ii. That recipient's receiving Private Duty Nursing services have medical justification and physician's' orders. ~~(8-1-92)~~(4-1-98)T
 - iii. That there is an updated written plan of care, signed by the attending physician. (8-1-92)
 - iv. That the attending physician has determined the number of Private Duty Nursing hours needed to ensure the health and safety of the recipient in his home. (8-1-92)
 - v. That all Private Duty Nursing services are provided according to Subsection 100.05.b. (8-1-92)
 - vi. That the service or services being provided include at least one of the nursing tasks outlined in Subsections 100.05.a.i. through 100.05.a.iv. (8-1-92)
 - h. Provide responsibilities for Private Duty Nursing redetermination: ~~(8-1-92)~~(1-1-97)T
 - i. To submit a current plan of care to the Bureau of Medicaid Policy and Reimbursement Operations at least quarterly or as the recipient's needs change. Failure to submit an updated plan of care to the Bureau prior to the end date of the last authorization will cause payments to cease until completed information is received and evaluated and authorization given for further Private Duty Nursing services. The plan of care must include all requested material outlined in Subsection 100.05.c. ~~(7-1-94)~~(4-1-98)T
 - ii. To inform the Bureau of Medicaid Policy and Reimbursement Operations within ten (10) calendar days of any changes in service needed by the recipient which qualify that recipient for Private Duty Nursing services.

The Bureau must receive notification within ten (10) calendar days. Failure to report these changes in patient status will result in the recoupment of funds paid to the Private Duty Nursing provider. ~~(8-1-92)~~(4-1-98)T

i. Nonmedical transportation, such as to the grocery store, is not reimbursable by the Medicaid Program. Medical transportation of the recipient, such as to a physician's office, is not a covered service under the Private Duty Nursing Program but may be covered under the transportation section of the Medicaid Program. (1-27-91)

07. Nutritional Services. Nutritional services include intensive nutritional education, counseling, and monitoring by a registered dietician or an individual who has a baccalaureate degree granted by a U.S. regionally accredited college or university and has met the academic/professional requirements in dietetics as approved by the American Dietetic Association to assure the patient's proper nutrition. Payment is made at a rate established in accordance with Subsection 060.04. Nutrition services: (12-31-91)

- a. Must be discovered by the screening services and ordered by the physician; and (1-27-91)
- b. Must be medically necessary; and (1-27-91)
- c. Must not be due to obesity; and (1-27-91)
- d. If over two (2) visits per year are needed, must be authorized by the Medicaid Program prior to the delivery of additional visits. (1-27-91)

08. Drugs. Drugs not covered by the Idaho Medicaid Program: (1-27-91)

- a. Must be discovered as being medically necessary by the screening services; and (1-27-91)
- b. Must be ordered by the attending physician; and (1-27-91)
- c. Must be authorized by the Medicaid Program prior to purchase of the drug. (1-27-91)

09. Oxygen and Related Equipment. Oxygen and related equipment are subject to Subsections 107.01.a., 107.01.b., and 107.01.d. and Subsections 107.04 and 107.05 except when discovered during screening services; physician ordered and meet the following requirements: (8-1-92)

a. Oxygen services, PRN or as ordered on less than a continual basis, will be authorized for six (6) months following receipt of medical documentation from the attending physician as to an acute or chronic medical condition which requires oxygen support to maintain respiratory status. Medical documentation will include a diagnosis, oxygen flow rate and concentration and an estimate of the frequency and duration of use. (8-1-92)

b. Portable oxygen systems may be covered to complement a stationary system if the recipient is respirator dependent, or the attending physician documents the need for a portable oxygen system for use in transportation. (1-27-91)

c. Laboratory evidence of hypoxemia is not required. (1-27-91)

(BREAK IN CONTINUITY OF SECTIONS)

106. DURABLE MEDICAL EQUIPMENT AND MEDICAL SUPPLIES.

The Department will purchase or rent when medically necessary cost effective durable medical equipment and medical supplies for recipients residing in community settings including those provided through home health agency plans of care which meet the requirements found in Subsections 105.01 and 105.02. No payment will be made for any recipient's DME or medical supplies that are included in the per diem payment while such an individual is an inpatient in a hospital NF, or ICF/MR. ~~(1-1-98)~~(1-1-98)T

01. Medical Necessity Criteria. DME/medical supplies will be purchased or rented only if ordered in writing (signed and dated) by a physician prior to delivery of equipment or supplies. Date of delivery is considered the date of service. The following information to support the medical necessity of the item(s) shall be included in the physician's order and accompany all requests for prior authorization or be kept on file with the DME provider for items which do not require prior authorization: ~~(1-1-98)T~~(1-1-98)T

a. The recipient's medical diagnosis and prognosis including current information on the medical condition which requires the use of the supplies and/or medical equipment; and (1-1-98)T

b. An estimate of the time period that the medical equipment or supply item will be necessary and frequency of use. As needed (PRN) orders must include the conditions for use and the expected frequency; and (1-1-98)T

c. For medical equipment, a full description of the equipment needed. All modifications or attachments to basic equipment must be supported; and (1-1-98)T

d. For medical supplies, the type and quantity of supplies necessary must be identified; and (11-1-86)

e. The number of months the equipment or supplies will be needed; and (1-1-98)T

f. Additional information may be requested by the Department or its designee for specific equipment and/or supplies such as, but not limited to, wheelchairs, ~~hospital beds, blood glucose monitors or oxygen apnea monitors, oximeters, electric hospital beds.~~ ~~(1-1-98)T~~(4-1-98)T

02. Medical Equipment Program Requirements. All claims for durable medical equipment are subject to the following guidelines: (1-1-98)T

a. Unless specified by the Department, ~~all durable medical equipment must be~~ does not require prior ~~authorized authorization~~ by the Department or its designee, ~~except for the following items, when the cost of these items is less than one hundred dollars (\$100):~~ ~~(1-1-98)T~~(4-1-98)T

i. ~~Walkers, canes and crutches; and~~ (10-31-89)

ii. ~~Grab bars, toilet seat extenders and hand-held showers; and~~ (10-31-89)

iii. ~~Sliding boards and bath benches/chairs; and~~ (10-31-89)

iv. ~~Equipment for the treatment of decubitus ulcers as listed in Subsection 106.02.e.xxiii.~~ (1-1-98)T

b. ~~Unless specified by the Department in the Medical Vendors Handbook, All equipment, excluding those items listed in Subsection 106.02.a. will~~ must be rented except when ~~unless the Department or its designee decides that it would be more cost effective to purchase it. All rentals~~ Rentals require prior authorization by the Department or its designee and are subject to the following guidelines: ~~(1-1-98)T~~(5-1-98)T

i. Rental payments, including intermittent payments, shall automatically be applied to the purchase of the equipment. When rental payments equal the purchase price of the equipment, ownership of the equipment shall pass to the Department. (10-1-91)

ii. The Department may choose to continue to rent certain equipment without purchasing it. Such items include but are not limited to apnea monitors. (1-1-98)T

iii. The total monthly rental cost of a DME item shall not exceed ~~one-twelfth (1/12)~~ one-tenth (1/10) of the total purchase price of the item. ~~A minimum rental rate of fifteen (\$15) per month is allowed on all DME items.~~ ~~(1-1-98)T~~(5-1-98)T

iv. The determination of cost-effectiveness of rental versus purchase will be made by the vendor based

on guidelines specified by the Department in the most current Medical Vendors Handbook. Documentation to support the vendor's decision must be kept on file. (5-1-98)T

c. No reimbursement will be made for the cost of repairs (materials or labor) covered under the manufacturer's warranty. The date of purchase and warranty period must be kept on file by the DME vendor. The following warranty periods are required to be provided on equipment purchased by the Department: (1-1-98)T

i. A power drive wheelchair shall have a minimum one (1) year warranty period; (1-1-98)T

ii. An ultra light wheelchair shall have a lifetime warranty period; (10-22-93)

iii. An active duty lightweight wheelchair shall have a minimum five (5) year warranty period; (1-1-98)T

iv. All other wheelchairs shall have a minimum one (1) year warranty period; (1-1-98)T

v. All electrical components and new or replacement parts shall have a minimum six (6) month warranty period; (1-1-98)T

vi. All other DME not specified above shall have a minimum one (1) year warranty period; (1-1-98)T

vii. If the manufacturer denies the warranty due to user misuse/abuse, that information shall be forwarded to the Department at the time of the request for repair or replacement; (10-1-91)

viii. The monthly rental payment shall include a full service warranty. All routine maintenance, repairs, and replacement of rental equipment is the responsibility of the provider. (10-22-93)

d. Any equipment purchased will remain the property of the Department and return of the equipment to the Department may be required. Recipients who meet one (1) of the following criteria should check with the Department or its designee for instructions on the disposition of the equipment: (1-1-98)T

i. The recipient is no longer eligible for MA; or (11-1-86)

ii. The recipient no longer requires the use of the equipment; or (11-1-86)

iii. The recipient expires. (10-1-91)

e. Covered equipment is limited to the following listed items: (11-1-86)

i. Apnea or cardiac monitors/alarms; and (11-1-86)

ii. Bilirubin lights; and (1-1-98)T

iii. C-PAP machines; and (10-29-92)

iv. Commode chairs and toilet seat extenders; and (11-1-86)

v. Crutches and canes; and (11-1-86)

vi. Electronic bone growth stimulators; and (11-1-86)

vii. Electric or hydraulic patient lift devices designed to transfer a person to and from bed to bathtub, but excluding lift chairs, devices attached to motor vehicles, and wall mounted chairs which lift persons up and down stairs; and (1-1-98)T

viii. Home dialysis equipment; and (1-1-98)T

- ix. Grab bars for the bathroom adjacent to the toilet and/or bathtub; and (11-1-86)
- x. Hand-held showers; and (11-1-86)
- xi. Head gear (protective); and (1-1-98)T
- xii. Hearing aids (see Section 108) for coverage and limitations); and (1-1-98)T
- xiii. Home blood glucose monitoring equipment; and (11-1-86)
- xiv. Hospital beds, mattresses, trapeze bars, and side rails; and (11-1-86)
- xv. Intravenous infusion pumps, insulin infusion pumps, and/or NG tube feeding pumps, IV poles/
stands, intrathecal kits; and (1-1-98)T
- xvi. IPPB machines, hand-held nebulizers, air therapy vests, and manual or electric percussor; and (1-1-98)T
- xvii. Medication organizers; and (1-1-98)T
- xviii. Oxygen concentrators; and (11-1-86)
- xix. Pacemaker monitors; and (11-1-86)
- xx. Respirators, compressors and breathing circuit humidifiers; and (11-1-86)
- xxi. Sliding boards and bath benches/chairs; and (11-1-86)
- xxii. Suction pumps; and (11-1-86)
- xxiii. Sheep skins, foam or gel pads for the treatment of decubitus ulcers; and (1-1-98)T
- xxiv. Traction equipment; and (1-1-98)T
- xxv. Transcutaneous and/or neuromuscular electric nerve stimulators; and (11-1-86)
- xxvi. Walkers; and (11-1-86)
- xxvii. Wheelchairs, manual and electric. (1-1-98)T

03. Coverage Conditions - Equipment. The following medical equipment is subject to the following limitations and additional documentation requirements: (1-1-98)T

a. Wheelchairs. The Department will provide the least costly wheelchair which is appropriate to meet the recipient's medical needs. The Department will authorize the purchase of one (1) wheelchair per recipient not more often than once every five (5) years. Specially designed seating systems for wheelchairs shall not be replaced more often than once every five (5) years. Wheelchairs rental or purchase requires prior authorization by the Department or its designee and shall be authorized in accordance with the following criteria: ~~(1-1-98)T~~(4-1-98)T

i. In addition to the physician's information, each request for a wheelchair must be accompanied by a written evaluation by a physical therapist or an occupational therapist. The evaluation must include documentation of the appropriateness and cost effectiveness of the specific wheelchair and all modifications and/or attachments and its ability to meet the recipient's long-term medical needs; (1-1-98)T

ii. Manual wheelchairs will be authorized based on the recipient's need according to the following criteria: (1-1-98)T

(1) The recipient must be nonambulatory or have severely limited mobility and require a mobility aid to participate in normal daily activities and the alternative would be confinement to a bed or chair; (1-1-98)T

(2) A standard lightweight wheelchair will be authorized if the recipient's condition is such that he cannot propel a standard weight wheelchair; (1-1-98)T

(3) An ultra light weight wheelchair will be authorized if the recipient's conditions are such that he cannot propel a lightweight or standard weight wheelchair. (1-1-98)T

iii. Electric wheelchairs are purchased only if the recipient's medical needs cannot be met by a manual wheelchair. The attending physician must certify that the power drive wheelchair is a safe means of mobility for the recipient and all of the following criteria are met: (1-1-98)T

(1) The recipient is permanently disabled; and (1-1-98)T

(2) The disability is such that, because of severe upper extremity weakness or lack of function, the recipient cannot operate any manual wheelchair. (1-1-98)T

b. Electronic blood glucose testing devices with voice synthesizers must be prior authorized by the Department or its designee and are covered only when the following documentation is submitted and verified by the attending physician: ~~(1-1-98)T~~(4-1-98)T

i. The recipient has been determined to be legally blind and is unable to read a standard glucose monitor (this does not include any correctable vision defects); and (1-1-98)T

ii. The recipient lives alone or has no care giver available during the times when the glucose testing must be done. (1-1-98)T

c. Electronic pain suppression/muscle stimulation devices TENS Units must be prior authorized by the Department or its designee and are purchased only when the effectiveness of such devices is documented by the physician and only after: ~~(1-1-98)T~~(4-1-98)T

i. The pain has been present for a minimum of three (3) months; and (1-1-98)T

ii. Other treatment modalities have been tried and failed (documentation must be submitted with request for prior authorization; and (1-1-98)T

iii. The effectiveness of the device is documented following a maximum of a two (2) month trial rental period; and (1-1-98)T

iv. The physician determines that the recipient is likely to derive significant therapeutic benefit from the continuous use of the device over a long period of time. (1-1-98)T

d. Electric hospital beds must be prior authorized by the Department or its designee and are purchased or rented only when the following is documented by the physician: ~~(1-1-98)T~~(4-1-98)T

i. The recipient's medical condition is such that he is unable to operate a manual hospital bed; and (1-1-98)T

ii. The recipient is unable to change position as needed without assistance; and (1-1-98)T

iii. The recipient resides in an independent living situation where there is no one to provide assistance with a manual bed for the major portion of the day. (10-31-89)

e. Continuous positive airway pressure (C-PAP) machines must be prior authorized by the Department or its designee and are purchased or rented only in the following circumstances: ~~(10-29-92)~~(4-1-98)T

i. The physician certifies that the recipient's diagnosis is obstructive sleep apnea, which is supported by a sleep study; and (1-1-98)T

ii. There is documentation that the recipient's oxygen saturations improve with the use of the machine or respiratory events can be controlled with use of this machine. The machine may be rented for three (3) to six (6) months to determine its effectiveness. (1-1-98)T

f. Bilevel positive airway pressure (BiPAP) machines must be prior authorized by the Department or its designee and are purchased or rented only in the following circumstances: ~~(10-22-93)~~(4-1-98)T

i. A C-PAP machine has been proven ineffective in treating obstructive sleep apnea; and/or (10-22-93)

ii. The C-PAP machine has proven ineffective during titration; and/or (1-1-98)T

iii. Used in place of a ventilator. (10-22-93)

04. Medical Supply Program Requirements. All claims for medical supply items are subject to the following requirements: (1-1-98)T

a. The Department may purchase a one (1) month supply monthly of necessary medical supplies for the treatment or amelioration of a medical condition identified by the attending physician, ~~in an amount not to exceed one hundred dollars (\$100) per month without prior authorization. Any combination of one (1) month's worth of supplies greater than one hundred dollars (\$100) may require prior authorization by the Department or its designee. The prior authorization period will be established by the Department or its designee.~~ (1-1-98)T(4-1-98)T

b. Each request for prior authorization must include all information required in Subsection 106.01. (1-1-98)T

c. Covered supplies are limited to the following: (11-1-86)

and i. Catheter supplies including catheters, drainage tubes, collection bags, and other incidental supplies; (11-1-86)

ii. Cervical collars; and (11-1-86)

iii. Colostomy and/or urostomy supplies; and (11-1-86)

iv. Disposable supplies necessary to operate Department approved medical equipment such as suction catheters, syringes, saline solution, etc.; and (11-1-86)

v. Dressings and bandages to treat wounds, burns, or provide support to a body part; and (11-1-86)

vi. Fluids for irrigation; and (11-1-86)

vii. Incontinence supplies (See Subsection 106.05.b. for limitations); and (1-1-98)T

viii. Injectable supplies including normal saline and Heparin but excluding all other prescription drug items; and (10-31-89)

ix. Blood glucose or urine glucose checking/monitoring materials (tablets, tapes, strips, etc.), automatic injectors; and (1-1-98)T

x. Therapeutic drug level home monitoring kits. (10-31-89)

xi. Oral, enteral, or parenteral nutritional products (See Subsection 106.05.a. for limitations and

additional documentation requirements). (1-1-98)T

05. Coverage Conditions - Supplies. The following medical supply items are subject to the following limitations and additional documentation requirements: (1-1-98)T

a. Nutritional products. ~~All nutritional products of any amount must be prior authorized by the Department or its designee.~~ Nutritional products will be purchased only under the following circumstances: ~~(1-1-98)T~~(4-1-98)T

i. A nutritional plan shall be developed and be on file with the ~~Department or its designee~~ provider and shall include appropriate nutritional history, the recipient's current height, weight, age and medical diagnosis. For recipients under the age of twenty-one (21), a growth chart including weight/height percentile ~~shall~~ must be included; ~~(1-1-98)T~~(4-1-98)T

ii. The plan shall include goals for either weight maintenance and/or weight gain and shall outline steps to be taken to decrease the recipient's dependence on continuing use of nutritional supplements; (10-1-91)

iii. Documentation of evaluation and updating of the nutritional plan and assessment by a physician ~~periodically as determined by the Department as needed but at least annually.~~ ~~(10-22-93)~~(4-1-98)T

b. Incontinent supplies. Incontinent supplies are covered for persons over four (4) years of age only and do not require prior authorization unless ~~the cost is in excess of one hundred dollars (\$100) per month or the recipient needs supplies in excess of the following limitations:~~ ~~(1-1-98)T~~(4-1-98)T

i. Diapers are restricted in number to two hundred forty (240) per month. If the physician documents that additional ~~briefs~~ diapers are medically necessary, the Department or its designee may authorize additional amounts on an individual basis. ~~(1-1-98)T~~(1-1-98)T

ii. Disposable underpads are restricted to one hundred fifty (150) per month. (10-22-93)

iii. Pullups are only allowed when ~~prior authorized and when~~ it is documented by the physician that the recipient is participating in a toilet training program. ~~(1-1-98)T~~(4-1-98)T

06. Program Abuse. The use or provision of DME/medical supply items to an individual other than the recipient for which such items were ordered is prohibited. The provision of DME/medical supply items that is not supported by required medical necessity documentation is prohibited and subject to recoupment. Violators are subject to penalties for program fraud and/or abuse which will be enforced by the Department. The Department shall have no obligation to repair or replace any piece of durable medical equipment that has been damaged, defaced, lost or destroyed as a result of neglect, abuse, or misuse of the equipment. Recipients suspected of the same shall be reported to the SUR/S committee. ~~(10-22-93)~~(4-1-98)T

07. Billing Procedures. The Department will provide billing instructions to providers of DME/medical supplies. When prior authorization by the Department or its designee is required, the authorization number must be included on the claim form. (1-1-98)T

08. Fees and Upper Limits. The Department will reimburse according to Subsection 060.04 Individual Provider Fees. (12-31-91)

09. Date of Service. Unless specifically authorized by the Department or its designee the date of services for durable medical equipment and supplies is the date of delivery of the equipment and/or supply(s). The date of service cannot be prior to the vendor receiving all medical necessity documentation. ~~(1-1-98)T~~(4-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

108. AUDIOLOGY SERVICES.

The Department will pay for audiometric services and supplies in accordance with the following guidelines and limitations: (10-1-91)

01. Audiology Examinations. When specifically ordered by a physician, all recipients are eligible for audiometric examination and testing once in each calendar year. Basic audiometric testing by certified audiologists and/or licensed physicians will be covered without prior approval. (10-1-91)

02. Additional Testing. Any hearing testing beyond the basic comprehensive audiometry and impedance testing must be ordered in writing before the testing is done and kept on file by the provider. A copy of the physician's order must be attached to the claim for payment. (10-1-91)(4-1-98)T

03. Hearing Aids. The Department will cover the purchase of one (1) hearing aid per recipient per lifetime with the following requirements and limitations: (10-1-91)(4-1-98)T

a. ~~All hearing aid purchases require prior authorization from the Department or its designee.~~ (4-1-98)T

~~ba.~~ The following information ~~shall be included with the request for preauthorization~~ must be documented and kept on file with the provider: the recipient's diagnosis, prognosis, the results of the basic comprehensive audiometric exam which includes pure tone, air and bone conduction, speech reception threshold, most comfortable loudness, discrimination and impedance testing, the brand name and model type needed. However, the Department will allow medical doctors to forego the impedance test based on their documented judgement. (7-1-97)(4-1-98)T

~~eb.~~ Covered services included with the purchase of the hearing aid include proper fitting and refitting of the ear mold and/or aid during the first year, instructions related to the aid's use, and extended insurance coverage for two (2) years. (10-22-93)

~~ec.~~ The following services may be covered in addition to the purchase of the hearing aid ~~without prior authorization:~~ batteries purchased on a monthly basis, follow-up testing, necessary repairs resulting from normal use after the second year and the refitting of the hearing aid or additional ear molds no more often than forty-eight (48) months from the last fitting. (7-1-97)(4-1-98)T

~~ed.~~ Lost, misplaced, stolen or destroyed hearing aids shall be the responsibility of the recipient. The Department shall have no responsibility for the replacement of any hearing aid. In addition, the Department shall have no responsibility for the repair of hearing aids that have been damaged as a result of neglect, abuse or use of the aid in a manner for which it was not intended. (7-1-97)

04. Payment Procedures. The following procedures shall be followed when billing the Department: (10-1-91)

a. The Department will only pay the hearing aid provider for an eligible Medicaid recipient if a properly completed claim is submitted to the Department within the one (1) year billing limitation. (10-22-93)

b. Payment will be based upon the Department's fee schedule (See Subsections 060.04 and 060.05). (12-31-91)

05. Limitations. The following limitations shall apply to audiometric services and supplies: (10-1-91)

a. Hearing aid selection is restricted to the ~~type and model which the Bureau has prior approved~~ most cost-effective type and model which meets the recipient's medical needs. (10-22-93)(4-1-98)T

b. Follow-up services are included in the purchase of the hearing aid for the first two (2) years including, but not limited to, repair, servicing and refitting of ear molds. (7-1-97)

c. Providers are required to maintain warranty and insurance information on file on each hearing aid

purchased from them by the Department and are responsible for exercising the use of the warranty or insurance during the first year following the purchase of the hearing aid. (7-1-97)

d. Providers shall not bill recipients for charges in excess of the fees allowed by the Department for materials and services. (7-1-97)

e. Audiology services will be a benefit for EPSDT eligible recipients under the age of twenty-one (21) (See Section 100). (12-31-91)

(BREAK IN CONTINUITY OF SECTIONS)

122. VISION SERVICES.

The Department will pay for vision services and supplies in accordance with the guidelines and limitations listed below. All eyeglass frames and lenses provided to Medicaid recipients and paid for by the Medicaid Program will be purchased from the supplier designated by the Department. See Section 100 for additional guidelines for recipients under the age of twenty one (21). (7-1-97)(4-4-98)T

01. Eye Examinations. The Department will pay participating physicians and optometrists for one (1) eye examination during any twelve (12) month period for each eligible recipient to determine the need for glasses to correct a refractive error. Each eligible MA recipient, following a diagnosis of visual defects and a recommendation that eyeglasses are needed for correction of a refractive error, can receive eyeglasses within Department guidelines (See Section 100). (12-31-91)(1-1-97)T

02. Lenses. Lenses, single vision or bifocal, will be ~~provided~~ purchased by the Department not more often than once every four (4) years except when there is documentation of a major visual change as defined by the Department, that the correction need is equal to or greater than plus or minus one-half (.50) diopters. (10-29-92)(1-1-97)T

a. Polycarbonate lenses will be purchased only when there is clear documented evidence that the thickness of the plastic lenses precludes their use (prescriptions above plus or minus two (2) diopters of correction) ~~and requires prior authorization by the Department or its designee.~~ Documentation must be kept on file by both the examining and supplying providers. (1-1-98)T(4-1-98)T

b. Scratch resistant coating is required for all plastic and polycarbonate lenses. (1-1-97)T

c. Payment for tinted lenses will only be made when there is a diagnosis of albinism or in the case of other extreme medical conditions as defined by the Department ~~as defined in the Medical Vendor Provider Handbook. Prior authorization is required by the Department or its designee.~~ Documentation must be kept on file by both the examining and supplying providers. (1-1-98)T(4-1-98)T

d. Contact lenses will be covered only with documentation that an extreme myopic condition requiring a correction equal to or greater than minus four (-4) diopters, cataract surgery, keratoconus, or other extreme conditions as defined by the Department that preclude the use of conventional lenses. Prior authorization is required by the Department or its designee. (1-1-98)T

03. Replacement Lenses. Replacement lenses ~~shall~~ will be purchased ~~prior to the four (4) year limitation~~ only with documentation of a major visual change as defined by the Department in the Medical Vendors Provider Handbook. (1-1-98)T(1-1-97)T

04. Frames. Frames will be purchased according to the following guidelines: (1-1-98)T

a. One (1) set of frames will be purchased by the Department not more often than once every four (4) years for eligible recipients; (10-1-91)

b. Except when it is documented by the physician that there has been a major change in visual acuity that cannot be accommodated in lenses that will fit in the existing frames, new frames also may be authorized. (10-22-93)

05. Glasses. Replacement of broken, lost, or missing glasses shall be the responsibility of the recipient. (1-1-97)T

06. Payment for Non Covered Services. A Medicaid Provider may receive payment from a Medicaid recipient for vision services that are either not covered by the Idaho Medicaid State Plan, or include special features or characteristics that are desired by the recipient but are not medically necessary. Non covered items include Trifocal lenses, Progressive lenses, photo gray, and tint. (1-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

124. PROSTHETIC AND ORTHOTIC SERVICES.

The Medical Assistance Program will purchase and/or repair medically necessary prosthetic and orthotic devices and related services which artificially replace a missing portion of the body or support a weak or deformed portion of the body within the limitations established by the Department. (10-1-91)

01. Required Physician Orders. Prosthetic and orthotic devices and services will be paid for only if prescribed by a physician ~~and prior authorized by the Department or its designee.~~ The following information must be included in the physicians order and ~~shall be provided with the physician's orders~~ must be kept on file by the provider: ~~(1-1-98)T~~(4-1-98)T

a. A full description of the services requested; and (10-1-91)

b. Number of months the equipment will be needed and the recipient's prognosis; and (10-1-91)

c. The recipient's medical diagnosis and the condition which requires the use of the prosthetic and/or orthotic services, supplies, equipment and/or modifications; and (10-1-91)

d. All modifications to the prosthetic or orthotic device must be supported by the attending physician's description on the prescription; and (10-1-91)

~~e. Requests lacking the required information shall be denied and returned to the applicant.~~ (10-1-91)

02. Program Requirements. The following program requirements will be applicable for all prosthetic and orthotic devices or services ~~authorized~~ purchased by the Department ~~or its designee:~~ ~~(1-1-98)T~~(4-1-98)T

a. A temporary lower limb prosthesis shall be ~~authorized~~ purchased when documented by the attending physician that it is in the best interest of the recipient's rehabilitation to have a temporary lower limb prosthesis prior to a permanent limb prosthesis. A new permanent limb prosthesis shall only be requested after the residual limb size is considered stable; ~~(1-1-98)T~~(1-1-98)T

b. A request for a replacement prosthesis or orthotic device must be justified to be the least costly alternative as opposed to repairing or modifying the current prosthesis or orthotic device; (10-1-91)

c. All prosthetic and orthotic devices that require fitting shall be provided by an individual who is certified or registered by the American Board for Certification in Orthotics and/or Prosthetics; (10-1-91)

d. All equipment that is purchased must be new at the time of purchase. Modification to existing prosthetic and/or orthotic equipment will be covered by the Department; (10-1-91)

e. Prosthetic limbs purchased by the Department shall be guaranteed to fit properly for three (3)

months from the date of service; therefore, any modifications, adjustments, or replacements within the three (3) months are the responsibility of the provider that supplied the item at no additional cost to the Department or the recipient; (10-1-91)

~~f. Prosthetic and/or orthotic equipment actually supplied to the recipient shall be the equipment approved by the Department or its designee;~~ (1-1-98)T

~~g.~~ Not more than ninety (90) days shall elapse between the time the attending physician orders the equipment and the preauthorization request is presented to the Department or its designee for consideration; (1-1-98)T

~~h.~~ A reusable prosthetic or orthotic device purchased by the Department will remain the property of the Department and return of the device to the Department may be required when: (10-1-91)

i. The recipient no longer requires the use of the device; or (10-1-91)

ii. The recipient expires. (10-1-91)

03. Program Limitations. The following limitations shall apply to all prosthetic and orthotic services and equipment: (10-1-91)

a. No replacement will be allowed for prosthetic or orthotic devices within sixty (60) months of the date of purchase except in cases where there is clear documentation that there has been major physical change to the residual limb, and ordered by the attending physician; (10-1-91)

b. Refitting, repairs or additional parts shall be limited to once per calendar year for all prosthetics and/or orthotics unless it has been documented that a major medical change has occurred to the limb, and ordered by the attending physician; (10-1-91)

c. All refitting, repairs or alterations require preauthorization based on medical justification by the recipient's attending physician; (10-1-91)

d. Prosthetic and orthotic devices provided for cosmetic or convenience purposes shall not be covered by the Department. (1-1-98)T

e. Electronically powered or enhanced prosthetic devices are not covered by the program; (10-1-91)

f. The Department or its designee will only authorize corrective shoes or modification to an existing shoe owned by the recipient when they are attached to an orthosis or prosthesis or when specially constructed to provide for a totally or partially missing foot; (1-1-98)T

g. Shoes and accessories such as mismatch shoes, comfort shoes following surgery, shoes to support an overweight individual, or shoes used as bandage following foot surgery, arch supports, foot pads, metatarsal head appliances or foot supports are not covered under the program; and (10-1-91)

h. Corsets are not a benefit of the program nor are canvas braces with plastic or metal bones. However, special braces enabling a patient to ambulate will be covered when the attending physician documents that the only other method of treatment for this condition would be application of a cast. (10-1-91)

04. Billing Procedures. The Department will provide billing instruction to providers of prosthetic or orthotic services. ~~The preauthorization number must be included on the claim form when submitted.~~ (1-1-98)T(1-1-98)T

05. Fees and Upper Limits. The Department will reimburse according to Subsection 060.04. (12-31-91)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.10 - RULES GOVERNING MEDICAID PROVIDER REIMBURSEMENT IN IDAHO

DOCKET NO. 16-0310-9801

NOTICE OF PROPOSED RULES

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has proposed rulemaking. The action is authorized pursuant to Section(s) 56-202(b), 56-203(g) and 56-203(i), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1998.

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

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance of the proposed rules:

Section 701.01 is revised to clarify the limitations that may be imposed to specify the Medicare screening guidelines for FQHC staff productivity.

Section 701.03 is added to specify the Medicare limit on the reimbursable costs per encounter.

References to the performance of interim settlements in section 706.01 are deleted to eliminate the requirement.

These rules have already been adopted as temporary rules and were printed in the Idaho Administrative Bulletin, Volume 98-2, February 4, 1998, pages 105 through 107. The temporary Rules are effective February 4, 1998.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning these proposed rules, contact Beldon Ragsdale at, (208) 334-5795.

Anyone can submit written comments regarding these rules. All written comments and data concerning the rule must be directed to the undersigned and delivered on or before May 27, 1998.

DATED this 6th Day of May, 1998.

Sherri Kovach
Administrative Procedures Coordinator
DHW - Legal Services Division
450 West State Street - 10th Floor
P.O. Box 83720
Boise, Idaho 83720-0036
(208) 334-5564 phone; (208) 334-5548 fax

IDAPA 16
TITLE 03
Chapter 10

RULES GOVERNING MEDICAID PROVIDER REIMBURSEMENT IN IDAHO

Pursuant to Section 67-5221(1), Idaho Code, this docket is being published as a Proposed Rule.

This docket was previously published as a Temporary Rule.

The temporary effective date is February 4, 1998.

The original text was published in the Idaho
Administrative Bulletin, Volume 98-02, February 4, 1998,
pages 105 through 107.

TEXT OF DOCKET NO. 16-0310-9801

701. REIMBURSEMENT - GENERAL.

The aggregate reimbursement for all covered services and supplies provided by an FQHC shall be equal to, no less than, and shall not exceed, one hundred percent (100%) of the reasonable costs related to patient care allowed under 42 CFR 413, and as appropriately clarified by the Secretary of Health and Human Services for Medicare principles of cost reimbursement. (4-1-90)(____)

01. ~~Screening Guidelines. The Department may establish or adopt screening guidelines to identify costs in situations where costs should not be allowed without reasonable justification by the FQHC to the Department of FQHC Staff Productivity. Payments for FQHC services will be subject to an evaluation of the reasonableness of the FQHC health care staff's productivity level, which will be determined by the following screening guidelines, not to exceed the maximum payment per encounter pursuant to Subsection 701.03. The allowable cost per encounter is calculated as the greater number of the actual total encounters, or the expected total encounters as defined in Subsections 701.01.a. through 701.01.c. below:~~ (4-1-90)(____)

a. ~~A least four thousand two hundred (4,200) visits per year per full time equivalent physician employed by the FQHC; and~~ (____)

b. ~~At least two thousand one hundred (2,100) encounters per year per full time physician assistant or nurse practitioner employed by the FQHC; or~~ (____)

c. ~~If staffing levels consist of various combinations of physicians, nurse practitioners, physician assistants, a combined screening approach may be used. For example, if a FQHC has three (3) physicians and one (1) nurse practitioner, calculate the screening guidelines as follows: $3 \times 4,200 = 12,600$ plus $1 \times 2,100 = 2,100$ for a total of fourteen thousand seven hundred (14,700) visits.~~ (____)

d. ~~If the Medicare Intermediary waives or adjusts the total number of encounters determined under the productivity guidelines for a specific fiscal period, the Department may also waive or adjust the productivity guidelines.~~ (____)

e. ~~A full time equivalent for purposes of this Section is two thousand eighty (2,080) hours per year, and/or forty (40) hours per week for fifty-two (52) weeks.~~ (____)

02. ~~Offset, Reclassified or Excluded Costs. The costs of the specific following items and services are to be offset, reclassified, or excluded from Medicaid reasonable costs:~~ (4-1-90)

a. ~~Excessive and unreasonable costs which violate the prudent buyer concept are excluded from total costs; and~~ (4-1-90)

b. ~~Medicaid payments for presumptive eligibility screenings provided in Idaho Department of Health and Welfare Rules, IDAPA 16.03.09, Section 102, "Rules Governing Medical Assistance," shall be offset against the appropriate cost centers at cost settlement; and~~ (12-31-91)

c. Special services related to pregnancy provided in Idaho Department of Health and Welfare Rules, IDAPA 16.03.09, Section 101, "Rules Governing Medical Assistance," with the exception of nutritional education and dietary monitoring and counseling as authorized in Idaho Department of Health and Welfare Rules, IDAPA 16.03.09, Subsection 101.06, "Rules Governing Medical Assistance," will be included as encounters in cost report statistics and for cost settlement; (12-31-91)

i. Other ambulatory services not included in the definition of an encounter defined by Idaho Department of Health and Welfare Rules, IDAPA 16.03.09, Subsection 144.02, "Rules Governing Medical Assistance", shall be reimbursed at one hundred percent (100%) of reasonable costs; (12-31-91)

ii. EPSDT screenings and the incidental services are a patient encounter. Services and items specifically not included in the Idaho Title XIX state plan but authorized as EPSDT services through Section 6403 of OBRA 1989 may be reimbursed on a fee for service basis or reported as other ambulatory services for cost settlement; (4-1-90)

iii. EPSDT services not outside the scope of Medicaid shall be reimbursed at one hundred percent (100%) of reasonable costs for MA recipients up to and including the month of their twenty first (21st) birthday. Limits upon the number or scope of services for EPSDT recipients are not waived for a FQHC provider. (4-1-90)

03. Maximum Payment Per Encounter. The cost per encounter will not exceed the Medicare payment level. The FQHC reimbursement methodology includes one (1) urban and one (1) rural payment limit that is determined annually for the Medicare program by the Health Care Financing Administration. ()

(BREAK IN CONTINUITY OF SECTIONS)

706. COST SETTLEMENTS.

The Department shall issue ~~interim and~~ final cost settlements based on the Medicaid cost report issued by the Department. (4-1-90)()

~~01. Unaudited Cost Report. Within sixty (60) days of receipt of a FQHC provider's unaudited cost report, the Department shall review the cost report submitted, notwithstanding any appropriate adjustments the Department may make, in order to issue a tentative settlement to reimburse the FQHC for any underpayment of recover any overpayment for the fiscal period to be settled. (4-1-90)~~

~~02. Audited Cost Report. Within thirty (30) days after each provider's audited cost report is finalized by the Department's agent, the Department shall reimburse a FQHC for any underpayments or recover any overpayments made for the fiscal period represented in the audited report. (4-1-90)()~~

IDAPA 27 – IDAHO BOARD OF PHARMACY
27.01.01 - RULES GOVERNING THE IDAHO BOARD OF PHARMACY
DOCKET NO. 27-0101-9701
NOTICE OF FINAL RULE

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted final rules. The action is authorized pursuant to Section 54-1717, Idaho Code.

DESCRIPTIVE SUMMARY:

Pursuant to HCR 35, Sections 162, 165, and 251 of Docket No. 27-0101-9701, were rejected during the Legislative rules review process. The text of these affected Sections will revert back to the text of the rule as it existed prior to this rule-making.

The Idaho Board of Pharmacy will promulgate new rules under Docket No. 27-0101-9801 that is being published in this Volume of the Administrative Bulletin immediately following this Notice.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Richard Markuson at (208) 334-2356.

DATED this 24th day of March, 1998.

Richard K. Markuson
Director
Idaho Board of Pharmacy
280 N. 8th St., Ste. 204
Boise, ID 83702

IDAPA 27 - IDAHO BOARD OF PHARMACY
27.01.01 - RULES GOVERNING THE IDAHO BOARD OF PHARMACY
DOCKET NO. 27-0101-9801

NOTICE OF TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: These temporary rules are effective May 6, 1998.

AUTHORITY: In compliance with Section 67-5221(1) and 67-5226, Idaho Code notice is hereby given that this agency has adopted temporary rules, and proposed regular rule-making procedures have been initiated. The action is authorized pursuant to Section 54-1717, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1998.

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

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of the supporting reasons for temporary rule-making: These rules were presented to the legislature during the 1998 session as part of the Board's pending rules in Docket No. 27-0101-9701. Due to concerns raised regarding Sections 162, 165, and 251, these three Sections were rejected with a recommendation from the House and Senate that the Board negotiate revisions with interested parties and promulgate new rules as temporary rules.

The proposed changes to rule 165 will authorize the practice of pharmacotherapy between pharmacists and prescribing practitioners. The amendments to rule 251 will change all references of "supportive personnel" to "pharmacy technicians" and will require technicians to wear name tags.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate to protect the public health, safety or welfare, and to confer a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this temporary and proposed rule, contact Richard Markuson at (208) 334-2356.

Anyone may submit written comments regarding this temporary and proposed rule-making. All written comments must be directed to the undersigned and must be delivered on or before May 27, 1998.

DATED this 24th day of March, 1998.

Richard K. Markuson, Director
Idaho Board of Pharmacy
280 N. 8th St., Ste. 204
Boise, ID 83702

TEXT OF DOCKET NO. 27-0101-9801

164. --175. (RESERVED).

165. PHARMACOTHERAPY.

Collaborative practice between pharmacists and prescribing practitioners is allowed as provided in this rule.

(5-6-98)T

01. Definitions. (5-6-98)T
- a. Agreement. Means a written and signed agreement between a pharmacist or group of pharmacists and a prescribing practitioner or group of prescribing practitioners that provides for collaborative practice for the purpose of drug therapy management of patients. (5-6-98)T
- b. Collaborative practice. Means a practice in which the prescribing practitioner makes a diagnosis, maintains ongoing supervision of patient care and refers the patient to a pharmacist, who may initiate and modify drug therapy management within the protocol established by the prescribing practitioner and the pharmacist. (5-6-98)T
- c. Drug therapy management. Means the review of drug therapy regimen(s) of patients by a pharmacist for the purpose of evaluating and rendering advice to the prescribing practitioner regarding adjustment of the regimen. "Drug therapy management" includes: (5-6-98)T
- i. Implementing, modifying, and managing drug therapy according to the terms of the agreement; (5-6-98)T
- ii. Collecting and reviewing patient drug histories; (5-6-98)T
- iii. Obtaining and checking vital signs, including pulse, temperature, blood pressure, and respiration;
and (5-6-98)T
- iv. Ordering and evaluating the results of laboratory tests directly relating to drug therapy, when performed in accordance with approved protocols applicable to the practice setting. (5-6-98)T
- d. Prescribing practitioner. Means a practitioner in active practice duly authorized and recognized by law in Idaho to prescribe legend drugs and controlled substances. (5-6-98)T
- e. Pharmacist's scope of practice. Means those duties and limitations of duties placed upon a pharmacist by the collaborating practitioner, the Board, and applicable law, and includes the limitations implied by the specialty practiced by the collaborating practitioner. (5-6-98)T
02. Agreement. A pharmacist planning to engage in collaborative practice shall have on file at his or her place of practice a written agreement. The agreement may allow the pharmacist, within the pharmacist's scope of practice, to conduct a drug therapy management which must be approved by a prescribing practitioner. The collaboration that the prescribing practitioner agrees to conduct with the pharmacist must be within the scope of the prescribing practitioner's current practice. (5-6-98)T
03. Contents. The agreement shall include: (5-6-98)T
- a. A statement identifying the prescribing practitioners and the pharmacists who are a party to the agreement; (5-6-98)T
- b. A statement of the types of drug therapy management decisions that the pharmacist is allowed to make, which may include: (5-6-98)T
- i. A detailed statement of the types of diseases, drugs, or drug categories involved, and the type of drug therapy management allowed in each case; (5-6-98)T
- ii. A detailed statement of the methods, procedures, decision criteria, and plan the pharmacist is to follow when conducting drug therapy management; and (5-6-98)T
- iii. A statement of the activities the pharmacist is to follow in the course of conducting drug therapy management, including documentation of decisions made and a plan or appropriate mechanism for communication, feedback, and reporting to the prescribing practitioner concerning specific decisions made. In addition to the

agreement, documentation shall occur in the prescribing practitioners patient medical chart and may occur on the prescription record, patient profile, a separate log book, or in some other appropriate system; (5-6-98)T

c. A method for the prescribing practitioner to monitor compliance with the agreement and clinical outcomes where drug therapy management by the pharmacist has occurred and to intercede where necessary; (5-6-98)T

d. A provision that allows the prescribing practitioner to override the agreement whenever he or she deems it necessary or appropriate; and (5-6-98)T

e. The agreement must be coupled with specific orders from the prescribing practitioner to apply such agreement as drug therapy management to any particular patient. The order must constitute a valid drug order or a valid prescription and contain all information necessary to conform to such requirements. (5-6-98)T

04. Review. At a minimum, the written agreement shall be reviewed and renewed, and if necessary, revised every year. (5-6-98)T

(BREAK IN CONTINUITY OF SECTIONS)

251. ~~SUPPORTIVE PERSONNEL~~ PHARMACY TECHNICIANS.

01. Definition. ~~Supportive Personnel~~ Pharmacy Technician means an individual who is trained according to the written standards of the employer to perform routine functions that do not require the use of professional judgment in connection with the preparing, compounding, distribution or dispensing of medications. Such written standards shall be available to the Board and its designated personnel for inspection and/or approval. (7-1-93)(5-6-98)T

02. Responsibilities. Only a registered pharmacist may do any of the following: (7-1-93)

a. Receive a new prescription order verbally from a prescriber or other person authorized by law. (7-1-93)

b. Perform evaluations and interpretations of a prescription and any needed clarifications prior to filling. (7-1-93)

c. Consult with the prescriber concerning any necessary clarification regarding a patient and his prescription. (7-1-93)

d. Interpret any clinical data in a patient's medication record system (e.g., drug usage, refill frequency, drug interactions, etc.) (7-1-93)

e. Perform professional consultation with any prescriber, nurse or other health care professional. (7-1-93)

f. Supervise the packaging of drugs and check the completed procedure and product. (7-1-93)

g. Issue the new prescription to the patient or his agent with consultation. (7-1-93)

~~h. Affix the label to the finished Rx container (excluding parenteral products for institutions and home care providers).~~ (7-1-93)

ih. Be responsible for all activities of ~~supportive personnel~~ pharmacy technicians to insure that all such activities are performed completely, safely and without risk or harm to patients. (7-1-93)(5-6-98)T

03. Supervision. Where a non-pharmacist performs one or more functions in the dispensing process, a pharmacist shall be responsible for the filled prescription including, but not limited to the following: (7-1-93)

a. Verifying drug selection, strength, dosage form and labeling against the prescription and the contents of stock container. (7-1-93)

b. Verifying selection of the proper prescription container. (7-1-93)

04. Employee Ratio. The ratio of pharmacists to pharmacy ~~supportive personnel technician~~ shall be as follows: not less than one (1) pharmacist for every two (2) pharmacy technicians in any practice setting. (7-1-93)(5-6-98)T

~~a. Not less than one (1) pharmacist for each support person in preparation of medication or other materials dispensed to persons not within a health care facility. (7-1-93)~~

~~b. Not more than two (2) support persons for each pharmacist in preparation of medications or materials used by patients in a health care facility. (7-1-93)~~

~~e. Not more than two (2) support persons for each pharmacist in any combination of situations as stated in Subsection 251.04.a. and Subsection 251.04.b. (7-1-93)~~

05. Responsibility. (7-1-93)

a. The pharmacist-in-charge is responsible, legally and professionally, for the control of all drugs issued or dispensed in the pharmacy where he practices and the conduct of ~~all supportive personnel pharmacy technicians.~~ (7-1-93)(5-6-98)T

b. The Board of Pharmacy may initiate criminal proceedings against ~~supportive personnel pharmacy technicians~~ who perform such tasks or functions that require the expertise and service of a pharmacist. Such persons may be charged with practicing pharmacy without a license in violation of Section 54-1726, Idaho Code. (7-1-93)(5-6-98)T

c. A violation of the rules on ~~supportive personnel pharmacy technicians~~ by a pharmacist is unprofessional conduct, and is grounds for revocation or suspension of the pharmacist's license and/or the pharmacy registration issued under Sections 54-1722, 54-1723, 54-1724 or 54-1729, Idaho Code. (7-1-93)(5-6-98)T

06. Identification. (5-6-98)T

a. All pharmacy technicians working in community pharmacies and performing routine functions in connection with preparing, compounding, distribution or dispensing of medications must be identified by a name badge designating that person as a pharmacy technician. The name badge must measure no less than one (1) inch by three (3) inches and must contain the individual's printed name directly above the title of pharmacy technician. The identification badge must be clearly visible at all times. Pharmacy technicians working in an institutional setting may be exempt from the above requirement only if the institution requires a specific badge of identification to be worn by the pharmacy technician. (5-6-98)T

b. All pharmacy technicians must identify themselves as a pharmacy technician on any phone calls initiated or received by them while performing pharmacy functions. (5-6-98)T

IDAPA 37 - DEPARTMENT OF WATER RESOURCES

37.03.14 - TRANSFERS

DOCKET NO. 37-0314-9801

NOTICE OF NEGOTIATED RULE-MAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rule-making procedures. This action is authorized pursuant to Section 42-1805(8), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the purpose and substance of the negotiated rule-making and the principal issues involved:

The Department of Water Resources (IDWR) plans to develop and establish rules to govern IDWR's review and approval of proposed changes to existing water rights including changes to the point of diversion, place of use, nature of use and season of use of a right. The rule making is responsive to the public need for IDWR to expeditiously review and evaluate proposed changes to existing water rights. Moratoriums on new appropriations of water have resulted in the filing of many applications to change elements of existing water rights.

IDWR expects to develop rules through negotiation with water users, water user organizations and their representatives.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the negotiated rule making, contact L. Glen Saxton at (208) 327-7900.

Anyone may submit written comment regarding this negotiated rule making.

DATED this 18th day of March, 1998.

Karl J. Dreher, Director
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706
Fax No. (208) 327-7866

IDAPA 44 - OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR

44.01.01 - RULES OF THE ADMINISTRATIVE RULES COORDINATOR

DOCKET NO. 44-0101-9801

NOTICE OF TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: These temporary rules are effective May 1, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules, and proposed regular rule-making procedures have been initiated. The action is authorized pursuant to Sections 67-5203, 67-5204, and 67-5205, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1997.

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

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

The Administrative Bulletin Publication Schedule, IDAPA 44.01.01, Section 601, must be updated annually through rule-making. The Bulletin Publication Schedule is published monthly as part of the preface of the Idaho Administrative Bulletin. The Office of Administrative Rules has found that as a cost-saving measure and, because of the frequency of publication of this schedule, the schedule itself is being removed from the rule and is being replaced by language that makes the Bulletin publication schedule the official schedule for agency filing deadlines. Other changes include the purchase of individual copies of the Administrative Code, IDAPA 44.01.01.052; changes in the publication of the Administrative Code to include temporary rules, IDAPA 44.01.01.700; and minor changes have been made to the publication schedule for the Administrative Code, IDAPA 44.01.01.701.

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

The rule is confers a benefit to the public and state agencies.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: Cost per volume of Administrative Code complies with the provisions of Section 67-5205(2), Idaho Code.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Dennis Stevenson or Karen Gustafson at (208) 334-3577.

Anyone may submit written comments regarding this proposed rule-making. All written comments must be directed to the undersigned and must be delivered on or before May 27, 1998.

DATED this 30th day of March, 1998.

Rick Thompson
Administrative Rules Coordinator
Department of Administration
650 W. State St.
Boise, ID 83720-0004
Phone: (208) 334-3577
Fax: (208) 334-2395

TEXT OF DOCKET NO. 44-0101-9801

052. COSTS OF DOCUMENTS.

The coordinator is authorized to charge for copies of all APA-related documents. (7-1-93)

01. Cost of Individual Rule Chapters. The prices to be charged for chapters of rules or portions thereof shall not exceed the larger of five dollars (\$5), or ten cents (\$.10) per page. (7-1-97)

02. Cost of Certified Rules. Certified rules shall be provided without charge and shall include an affidavit of certification, notarized by the coordinator, and a copy of specific rules in effect on a specific date after July 1, 1993. (7-1-97)

03. Cost of the ~~1996~~ Administrative Bulletin. The prices to be charged for twelve (12) individually bound volumes of the Bulletin in the form of an annual subscription shall not exceed three hundred dollars (\$300) per year. The price for monthly issues shall not exceed the larger of thirty dollars (\$30) per volume or ten cents (\$.10) per page, plus sales tax, if applicable. (~~7-1-97~~)(5-1-98)T

04. Cost of the ~~1996~~ Administrative Code. The prices to be charged for ~~nine (9) individually bound volumes a set~~ of the Administrative Code in the form of an annual subscription shall not exceed three hundred and fifty dollars (\$350) plus sales tax, if applicable, per year. Individual copies of the Administrative Code may be purchased but are subject to availability. The cost per volume shall not exceed seventy-five dollars (\$75). (~~7-1-97~~)(5-1-98)T

05. Free Distribution of Hard-Copy Documents. In accordance with Section 67-5205(2), Idaho Code, the coordinator shall distribute copies free of charge as follows: (7-1-97)

a. One (1) to each county clerk for the use of the county law library. (7-1-93)

b. One (1) each to the senate and the house of representatives. (7-1-93)

c. One (1) to the attorney general. (7-1-93)

d. One (1) to the legislative council. (7-1-93)

e. One (1) each to the state universities and colleges, and one (1) to each community college. (7-1-93)

f. One (1) to the state law library. (7-1-93)

g. One (1) to the state library. (7-1-93)

h. One (1) each to the following state depository libraries: Boise Public Library, East Bonner County Library, Idaho Falls Public Library, Lewiston City Library, Pocatello Library, Albertson College Library, Ricks College Library, Northwest Nazarene College Library and Twin Falls Public Library. (9-7-94)

06. Other Free Documents. The coordinator may distribute free copies for official use and may provide for the free reciprocal exchange of publications between this state and other states and foreign jurisdictions. (7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

601. IDAHO ADMINISTRATIVE BULLETIN PUBLICATION SCHEDULE.

Agencies shall file documents designated for publication in the bulletin with the ~~coordinator~~ Office of Administrative Rules. Documents must be submitted no later than 5:00 p.m. on the filing date which is published in the "Bulletin

Publication Schedule" in the preface of the Idaho Administrative Bulletin. A copy of the "Bulletin Publication Schedule" may be obtained by contacting the Office of Administrative Rules. (6-7-94)(5-1-98)T

01. Time. The documents must be submitted no later than 5:00 p.m. on the filing date ~~provided in Subsection 601.02~~ as published in the "Bulletin Publication Schedule" in the preface of the Idaho Administrative Bulletin. (7-1-97)(5-1-98)T

02. Date of Submission. Documents shall be submitted ~~as follows:~~ by the closing date for agency filing as published in the "Bulletin Publication Schedule" in the preface of the Idaho Administrative Bulletin. All documents filed after the closing date shall be published at the discretion of the Office of Administrative Rules with the permission of the Administrative Rules Coordinator.

Bulletin Publication Schedule	
Rules Due From Agency:	Publication in Bulletin By:
December 27, 1995	February 7, 1996
January 24, 1996	March 6, 1996
February 21, 1996	April 3, 1996
March 20, 1996	May 1, 1996
April 24, 1996	June 5, 1996
May 22, 1996	July 3, 1996
June 26, 1996	August 7, 1996
July 24, 1996	September 4, 1996
August 21, 1996	October 2, 1996
September 25, 1996	November 6, 1996
October 23, 1996	December 4, 1996
November 27, 1996	January 1, 1997
December 24, 1996	February 5, 1997
January 22, 1997	March 5, 1997
February 19, 1997	April 2, 1997
March 26, 1997	May 7, 1997
April 23, 1997	June 4, 1997
May 21, 1997	July 2, 1997
June 25, 1997	August 6, 1997
July 23, 1997	September 3, 1997
August 20, 1997	October 1, 1997
September 24, 1997	November 5, 1997
October 22, 1997	December 3, 1997
November 19, 1997	January 7, 1998

(7-1-97)(5-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

700. IDAHO ADMINISTRATIVE CODE.

The coordinator shall publish a compilation of all final agency rules in the code. No negotiated, proposed, or pending rules shall be included in the code. ~~At the discretion of the Coordinator, temporary rules, may that meet the requirements of Section 67-5226, Idaho Code, and that are in effect at the time of publication, shall~~ be included in the Administrative Code. (7-1-97)(5-1-98)T

701. IDAHO ADMINISTRATIVE CODE PUBLICATION SCHEDULE.

All documents filed as final rules under in accordance with Sections 67-5224(5), 67-5224(6), and 67-5224(7), Idaho Code, prior to July 1 of each year, and IDAPA 44.01.01, shall be published in the Administrative Code. Other documents required for publication in the administrative code shall be received by the coordinator or the Office of Administrative Rules no later than June 1 of each year. ~~Temporary rules may also be included in the Administrative Code for purposes of viewing all relevant and effective rules.~~ (7-1-97)(5-1-98)T

IDAPA 48 - DEPARTMENT OF COMMERCE
48.01.03 - RULES GOVERNING IDAHO REGIONAL TRAVEL
AND CONVENTION GRANT PROGRAM

DOCKET NO. 48-0103-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective July 1, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules, and proposed regular rule-making procedures have been initiated. The action is authorized pursuant to Chapter 216, Laws of 1981, the Idaho Travel and Convention Industry Bill, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 20, 1998.

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

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

Regional Travel and Convention Program grantees must utilize a bid process for purchases or services over \$2,500.

Informal bids are required for projects between \$1,500 and \$2,500 by contacting three registered vendors.

When procuring equipment the same policies and procedures for the Bid process will be followed.

Rental costs exceeding \$2,500 will not be exempt from the travel grant program's bid process.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons: Conferring a benefit.

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Idaho Department of Commerce, ReNea Nelson (208) 334-2470.

Anyone may submit written comments regarding this temporary and proposed rule-making. All written comments must be directed to the undersigned and must be delivered on or before May 27, 1998.

DATED this 25th day of March, 1998.

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TEXT OF DOCKET NO. 48-0103-9801

150. REGIONAL/LOCAL/SPECIAL INTEREST PROMOTION.

The applicant must establish that the plan will attract more visitors to the region and keep them in the region longer. All plans must identify Idaho and market various attractions and events throughout the region. Regional applications must be a true region-wide promotion, i.e. it must promote the planning region as defined in the legislation. The following items are eligible projects: (2-22-93)

01. Advertising. Ranked Primary. Priority will be given to advertising that is image and/or targets specific attractions or events within the region and ties to the state advertising plan. Markets, concepts, attractions and events will be defined in the application. If developed as a co-op, pre-approval is required by the Department of Commerce. Applicant must state in the application: (7-1-97)T

a. Objective and placement of advertising. (2-22-93)

b. Geographic target audience. (2-22-93)

c. Demographic target audience. (2-22-93)

d. Fulfillment plans. (2-22-93)

02. Hospitality. Ranked Primary. Hospitality training will be an allowable item under the grant program. A detailed plan for the training must be included in the application. (2-22-93)

03. Convention Promotion. Ranked Primary. Trade shows (to be approved prior to the application process) and convention advertising. Concept and placement must be submitted with application. (2-22-93)

04. Site Visits/Familiarization Tours (FAMS). Ranked Primary. Tour Operators, Travel Writers, Convention Planners, Winters Sports Clubs and Airline Sales People are groups that can be invited for site visits and FAMS. Grant funds can be used for in-state transportation, fuel expenses, rental vans, motorcoaches, invitations, baggage tags, information folders and miscellaneous snacks, such as coffee, soda pop, and candy bars. Airfare for FAM participants, up to fifty percent (50%) of the total cost, and lodging at fifty percent (50%) of the state rate will be eligible with prior ITC staff approval. Grant funds cannot be used to pay for alcoholic beverages, and attractions. Familiarization tours will be allowed twenty dollars (\$20) per day, per participant for meals. Partial reimbursement, per state guidelines, will be made if participant is not being hosted on the FAM tour a complete day. FAMS must be coordinated and approved in writing by the Department of Commerce. (7-1-97)T

05. Fulfillment. Ranked Primary. Includes expenses directly related to implementing ITC funded plan. Eligible costs are for shipping, stuffing, sorting, envelopes, postage, long distance phone calls and watts line. (Only one (1) 1-800 line per Region, and it must be centrally located and made available for use within the Region for travel and convention promotion). A distribution plan must be outlined in the application and expenses must be properly documented before reimbursement will be made. (7-1-97)T

06. Travel and Trade Shows. Ranked Primary. Specific shows and the number of attendees per show shall be approved prior to the application process. The applicant must identify in the application whether or not a portable display booth is available and what literature will be distributed at the show. (2-22-93)

07. Slide Shows/Videos. Ranked Tertiary. Applicant must state in the application the purpose of the slide show/video, how it will be used to promote the area, and how the slide show/video ties in with the applicant's overall marketing. (2-22-93)

08. Marketing Research. Ranked Primary. To allow marketing research in conjunction with the statewide marketing and research efforts. (2-22-93)

09. Capital Outlay. Ranked Secondary. Equipment with a useful life of more than one (1) year, costing one hundred fifty dollars (\$150) or more per unit. No more than one (1) piece of any like equipment per Region. (7-1-97)T

a. Subject to the obligations and conditions set forth in this section, title to equipment acquired under a grant will vest upon acquisition with the grantee. (2-22-93)

b. Useful Life. The useful life of all equipment acquired through the travel grant program is five (5) years. (2-22-93)

c. Use. (2-22-93)

i. Equipment shall be used by the grantee in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the ITC. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by the ITC. (2-22-93)

ii. The grantee shall also make equipment available for use on other projects or programs currently or previously supported by the ITC, providing such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use shall be given to other programs or projects supported by the ITC. (2-22-93)

iii. The grantee may not use equipment acquired with grant funds to provide services for a fee. (2-22-93)

iv. When acquiring replacement equipment, the grantee may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property; or, the proceeds will be reinvested into the grantee's current grant program, subject to the approval of the ITC. Sale proceeds are not cash match. (2-22-93)

d. Management Requirements. Capital outlay purchased with grant funds must be accounted for on the property record supplied by the ITC. When the property is initially purchased, the grantee will provide all the required information on the property record. Send the original to the Department of Commerce and keep a copy for your files. The property is tracked through its useful life. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part with grant funds, until disposition takes place will, as a minimum, meet the following requirements: (2-22-93)

i. Property records maintained must include a description of the property; a serial number or other identification number; the acquisition date and cost of the property; the location, use and condition of the property; and any ultimate disposition information including the date of disposal and sale price of the property. (2-22-93)

ii. The grantee will conduct an annual physical inventory of the property and the results will be reported to the ITC for reconciliation with the property records. This report will accompany the final narrative progress report, and must be received before final ITC reimbursement, to the grantee, is made. The ITC will conduct a physical inventory of the property at least once every two (2) years. (2-22-93)

iii. A control system must be developed to ensure adequate safeguards to prevent loss, damage or theft of the property. (2-22-93)

iv. Adequate maintenance procedures must be developed to keep the property in good condition. (2-22-93)

e. Disposition. Disposition of equipment purchased with ITC funds will be made as follows: (7-1-97)T

i. Items of equipment which have exceeded their useful life may be retained, sold or otherwise disposed of. It is recommended the sale proceeds be used to acquire like equipment or enhance the grantee's current

grant program. Sale proceeds are not cash match. (2-22-93)

ii. Items of equipment which have not exceeded their useful life may be sold with written authorization from the ITC. The grantee will be required to use the proceeds to purchase like equipment or to enhance the current grant program. (2-22-93)

f. Procurement. When procuring equipment under the travel grant program, the grantee will follow the same policies and procedures for purchases over two thousand five hundred dollars (\$2,500) as outlined in the Bid Process section of the administrative rules. ~~(2-22-93)~~(7-1-98)T

below: g. Purchasable Equipment. A list of purchasable equipment under the travel grant program is listed (2-22-93)

i. Travel Show Booth (per ITC requirements). (2-22-93)

ii. Video Equipment: Player/Recorder, Television, Monitor, Camera (2-22-93)

iii. Movie Projector. (2-22-93)

iv. Slide Projector. (2-22-93)

v. Equipment not listed above may be fundable at the discretion of the ITC. (2-22-93)

h. Rental Costs. Grantees are encouraged to complete projects in the most cost effective manner. If the purchase of equipment is not feasible due to a low use factor, the grantee will be allowed to enter into rental agreements to meet their equipment needs. Rental costs exceeding two thousand five hundred dollars (\$2,500) will not be exempt from the travel grant program's bid process. ~~(2-22-93)~~(7-1-98)T

i. Application. When applying for grant funds to acquire equipment, the applicant must stipulate need for equipment, its location, intended use, and contact person. (2-22-93)

10. Brochure. Ranked Primary. Includes expenses for brochure photography, design, and printing. Applicant shall state the purpose of the brochure, indicate if it is a reprint or new design, provide an estimated amount to be printed, and give a brief description of its layout and design. Additionally, applicant shall indicate its target audience, distribution plan, and include samples of the brochure, if available. For printing requirements, see Subsection 204.08. (2-22-93)

11. Other. Any other items not included above may be eligible as pre-approved by the Department of Commerce. (2-22-93)

(BREAK IN CONTINUITY OF SECTIONS)

209. BID PROCESS.

01. Bids. Regional Travel and Convention Program grantees must utilize a bid process for purchases or services over two thousand five hundred dollars (\$2,500). ~~(2-22-93)~~(7-1-98)T

02. Documentation. Prior to reimbursement for each cost, the appropriate information shall be submitted to the Department of Commerce which documents the following: (2-22-93)

a. Item or service to be purchased. (7-1-97)T

b. ~~Contact three (3) or more companies to give bids or request for proposals. Informal bids are required for projects between one thousand five hundred dollars (\$1,500) and two thousand five hundred dollars~~

(\$2,500). This consists of contacting three (3) registered vendors. Formal bids are required for projects greater than two thousand five hundred dollars (\$2,500). This requires three (3) written bids from registered vendors.

~~(2-22-93)~~(7-1-98)T

c. List vendors contacted and their response (list those contacted whether or not a response was received). (7-1-97)T

d. Justify why the successful vendor was selected. (2-22-93)

e. Annual renewal of the subcontract can be made without rebidding, upon execution of a new contract between the grantee and the subcontractor and approval by the Department of Commerce. This can be done only after the initial three (3) bids have been processed. Subcontract renewal is authorized for up to three (3) years beyond the initial contract year. (7-1-97)T

f. If a vendor is going to donate part of his/her charges as match, he/she shall have been the lowest bidder. (2-22-93)

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