

IDAHO ADMINISTRATIVE BULLETIN

May 4, 2011 -- Volume 11-5

Idaho Department of Administration
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Preface

The Idaho Administrative Bulletin is a monthly publication of the Office of the Administrative Rules Coordinator, Department of Administration, pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all administrative rulemaking documents in Idaho. All official rulemaking notices, official rule text, executive orders of the Governor, all legislative documents affecting rules, and any other documents required by law are published in the Bulletin.

State agencies are required to provide public notice of all proposed rulemaking actions and must invite public input once proposed rulemaking has been initiated. The public receives notice of proposed rulemaking actions through the Idaho Administrative Bulletin and a Public Notice (legal notice) that publishes in specific newspapers throughout the state. The legal notice provides reasonable opportunity for the public to participate when a proposed rule publishes in the Bulletin. Interested parties can submit written comments to the agency or request public hearings of the agency if none have been scheduled. Such submissions or requests must be presented to the agency within the time and manner specified in the individual "Notice of Rulemaking" for each proposed rule that is published in the Bulletin. After the comment period closes, the agency considers fully all information submitted regarding the proposed rule. Comment periods and public hearings are not provided for when the agency adopts a temporary or pending rule.

CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN

The Bulletin is cited by year and issue number. For example, Bulletin **09-1** refers to the first Bulletin issued in calendar year **2009**; Bulletin **10-1** refers to the first Bulletin issued in calendar year **2010**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **10-1** refers to January 2010; Volume No. **10-2** refers to February 2010; and so forth. Example: The Bulletin published in January 2010 is cited as Volume **10-1**. The December 2009 Bulletin is cited as Volume **09-12**.

RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

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

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

THE DIFFERENT RULES PUBLISHED IN THE ADMINISTRATIVE BULLETIN

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

NEGOTIATED RULEMAKING

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

PROPOSED RULEMAKING

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

- a) the specific statutory authority (from Idaho Code) for the rulemaking including a citation to a specific federal statute or regulation if that is the basis of authority or requirement for the rulemaking;
- b) a statement in nontechnical language of the substance of the proposed rule, including a specific description of any fee or charge imposed or increased;
- c) a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided, however, that notwithstanding Section 67-5231, Idaho Code, the absence or accuracy of a fiscal impact statement provided pursuant to this subsection shall not affect the validity or enforceability of the rule.
- d) the text of the proposed rule prepared in legislative format;
- e) the location, date, and time of any public hearings the agency intends to hold on the proposed rule;
- f) the manner in which persons may make written comments on the proposed rule, including the name and address of a person in the agency to whom comments on the proposal may be sent;
- g) the manner in which persons may request an opportunity for an oral presentation as provided in Section 67-5222, Idaho Code; and
- h) the deadline for public (written) comments on the proposed rule.

All proposed rulemakings that are submitted for publication in the Bulletin that would impose a fee or charge must be accompanied by a cost/benefit analysis that is prepared by the agency. This cost/benefit analysis must estimate, as reasonably as possible, the costs to the agency to implement the rule and the estimated costs that would be borne by citizens or the private sector. This analysis is filed with the Director of LSO who then forwards it to the appropriate germane joint subcommittee assigned to review the promulgating agency’s proposed rules.

When incorporating by reference, the notice of proposed rulemaking must include a brief synopsis detailing the need to incorporate by reference any additional materials into the rule. The agency must also provide information regarding access to the incorporated materials. At a minimum, and when available, the agency must provide an electronic link to the documents that can be accessed on a website or post this information on its own website, or both. This link can be placed into the rule and activated once it is posted on the Coordinator’s website.

As stated, the text of the proposed rule must be published in the Bulletin. After meeting the statutory rulemaking criteria for a proposed rule, the agency may proceed to the pending rule stage. A proposed rule does not have an assigned effective date, even when published in conjunction with a temporary rule, and therefore, is not enforceable. An agency may vacate (terminate) a rulemaking after the publication of a proposed rule if it decides, for whatever reason, not to proceed further to finalize the rulemaking. The publication of a “Notice of Vacation of Proposed Rulemaking” in the Bulletin officially stops the formal rulemaking process.

TEMPORARY RULEMAKING

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

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

If a rulemaking meets one or more of the above legal criteria and the governor finds it is necessary that a rule become effective before it has been submitted to the legislature for review and approval and without allowing for any public input, the agency may proceed and adopt a temporary rule. The law allows that agency to make a temporary rule immediately effective upon adoption. However, a temporary rule that imposes a fee or charge may be adopted only if the governor finds that the fee or charge is necessary to avoid an immediate danger which justifies the imposition of the fee or charge.

A temporary rule expires at the conclusion of the next succeeding regular legislative session unless the rule is extended by concurrent resolution, is replaced by a final rule, or expires under its own terms.

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

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

PENDING RULEMAKING

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

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

- a) a statement giving the reasons for adopting the rule;
- b) a statement of any change between the text of the proposed rule and the pending rule with an explanation of the reasons for any changes;
- c) the date the pending rule will become final and effective and a statement that the pending rule may be rejected, amended or modified by concurrent resolution of the legislature;
- d) an identification of any portion of the rule imposing or increasing a fee or charge and a statement that this portion of the rule shall not become final and effective unless affirmatively approved by concurrent resolution of the legislature;
- (e) the specific statutory authority for the rulemaking including a citation to the specific section of the Idaho Code that has occasioned the rulemaking, or the federal statute or regulation if that is the basis of authority or requirement for the rulemaking; and
- (f) a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided however, that notwithstanding section 67-5231, Idaho Code, the absence or

accuracy of a fiscal impact statement provided pursuant to this subsection shall not affect the validity or the enforceability of the rule.

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

FINAL RULEMAKING

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

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

AVAILABILITY OF THE ADMINISTRATIVE CODE AND BULLETIN

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

SUBSCRIPTIONS AND DISTRIBUTION

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

The Idaho Administrative Code - annual subscription on CD-ROM. The Code is an annual compilation of all final administrative rules and all enforceable temporary rules and also includes all executive orders of the Governor that have published in the Bulletin, all legislative documents affecting rules, a table of contents, reference guides, and a subject index.

The Idaho Administrative Bulletin - annual subscription available on individual CD-ROM sent out monthly. The Bulletin is an official monthly publication of the State of Idaho and is available for purchase on CD-ROM only. Yearly subscriptions or individual CD-ROM's are available for purchase.

Internet Access - The Administrative Code and Administrative Bulletin, and many other rules-related documents are available on the Internet at the following address: <http://adminrules.idaho.gov>

HOW TO USE THE IDAHO ADMINISTRATIVE BULLETIN

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

IDAPA 38.05.01.200.02.c.ii.

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

“**38.**” refers to the Idaho Department of Administration

“**05.**” refers to Title **05**, which is the Department of Administrations’s Division of Purchasing

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

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

“**02.**” refers to Subsection 200.02.

“**c.**” refers to Subsection 200.02.c.

“**ii.**” refers to Subsection 200.02.c.ii.

DOCKET NUMBERING SYSTEM

Internally, the Bulletin is organized sequentially using a rule docketing system. All rulemaking actions (documents) are assigned a “DOCKET NUMBER.” The “Docket Number” is a series of numbers separated by a hyphen “-”, (**38-0501-1001**). The docket numbers are published sequentially by IDAPA designation (e.g. the two-digit agency code). The following example is a breakdown of a typical rule docket number:

“DOCKET NO. 38-0501-1001”

“**38-**” denotes the agency’s **IDAPA** number; in this case the Department of Administration.

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

“**1001**” denotes the year and sequential order of the docket being published; in this case the numbers refer to the first rulemaking action published in **calendar year 2010**. A subsequent rulemaking on this same rule chapter in calendar year 2010 would be designated as “**1002**”. The docket number in this scenario would be 38-0501-**1002**.

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

(BREAK IN CONTINUITY OF SECTIONS)

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

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

“...as found in Section 201 of these rules.” OR “...in accordance with Subsection 201.06.c. of these rules.”

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

“...in accordance with IDAPA 38.05.01.201...”

“38” denotes the IDAPA number of the agency.

“05” denotes the TITLE number of the rule.

“01” denotes the Chapter number of the rule.

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

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

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

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2011

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
11-1	January 2011	*November 19, 2010	January 5, 2011	January 26, 2011
11-2	February 2011	January 14, 2011	February 2, 2011	February 23, 2011
11-3	March 2011	February 11, 2011	March 2, 2011	March 23, 2011
11-4	April 2011	March 11, 2011	April 6, 2011	April 27, 2011
11-5	May 2011	April 8, 2011	May 4, 2011	May 25, 2011
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11-8	August 2011	July 8, 2011	August 3, 2011	August 24, 2011
11-9	September 2011	August 5, 2011	September 7, 2011	September 28, 2011
11-10	October 2011	**August 31, 2011	October 5, 2011	October 26, 2011
11-11	November 2011	October 7, 2011	November 2, 2011	November 23, 2011
11-12	December 2011	November 4, 2011	December 7, 2011	December 28, 2011

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2012

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
12-1	January 2012	*November 25, 2011	January 4, 2012	January 25, 2012
12-2	February 2012	January 13, 2012	February 1, 2012	February 22, 2012
12-3	March 2012	February 10, 2012	March 7, 2012	March 28, 2012
12-4	April 2012	March 11, 2012	April 4, 2012	April 25, 2012
12-5	May 2012	April 6, 2012	May 2, 2012	May 23, 2012
12-6	June 2012	May 11, 2012	June 6, 2012	June 27, 2012
12-7	July 2012	June 8, 2012	July 4, 2012	July 25, 2012
12-8	August 2012	July 6, 2012	August 1, 2012	August 22, 2012
12-9	September 2012	August 3, 2012	September 5, 2012	September 28, 2012
12-10	October 2012	**August 31, 2012	October 3, 2012	October 24, 2012
12-11	November 2012	October 5, 2012	November 7, 2012	November 28, 2012
12-12	December 2012	November 2, 2012	December 5, 2012	December 26, 2012

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

*****Last day to submit a proposed rule in order to have the rulemaking completed and submitted for review by legislature.***

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IDAPA 54	Treasurer, Office of the State
IDAPA 21	Veterans Services, Division of
IDAPA 46	Veterinary Medical Examiners, Board of
IDAPA 47	Vocational Rehabilitation, Division of
IDAPA 37	Water Resources, Department of
IDAPA 42	Wheat Commission

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2011-01

ESTABLISHING THE BEHAVIORAL HEALTH INTERAGENCY COOPERATIVE

WHEREAS, the Behavioral Health Transformation Work Group established by Executive Order 2010-01 was tasked to develop a plan for a coordinated, efficient state behavioral health infrastructure with clear responsibilities, leadership authority and accountability;

WHEREAS, the Behavioral Health Transformation Work Group has worked diligently to develop an integrated structure and coordinated delivery system;

WHEREAS, the Interagency Committee on Substance Abuse Prevention and Treatment (ICSA) codified in section 39-303 Idaho State Code is set to sunset on June 30, 2011;

WHEREAS, ICSA has made progress in bringing about open communication between stakeholders and providers resulting in meaningful reform of the state's substance use disorders system and this effort should continue; and

NOW, THEREFORE I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of this state do hereby create the Behavioral Health Interagency Cooperative (Cooperative).

- 1. Members of the Cooperative shall be appointed by and serve at the pleasure of the Governor.*
- 2. The Chair of the Cooperative shall be appointed by and serve at the pleasure of the Governor.*
- 3. The members of the Cooperative shall include, but are not limited to:*
 - a. Director, Department of Health and Welfare;*
 - b. Administrator, Office of Drug Policy;*
 - c. Director, Department of Correction;*
 - d. Director, Department of Juvenile Corrections; and*
 - e. One representative from the State Mental Health Planning Council.*
- 4. The following representatives from other levels and branches of government shall be invited by the Governor to participate on the Council:*
 - a. Administrator of the Idaho Courts;*
 - b. Superintendent of Public Instruction; and*
 - c. One representative of the counties;*
- 5. The Cooperative shall:*
 - a. Work in close coordination with local and state government, the judiciary, and specifically with the Idaho Health Care Council, the Office of the Governor and members of the Senate and House Committees on Health and Welfare;*
 - b. Review and confirm recommendations, statewide standards, guidelines, contract templates, core services, and other elements of the behavioral health system as they are developed;*
 - c. Provide input on any draft legislation regarding the transformation of the behavioral health system;*

- d. *Facilitate transformation efforts as described in the BHTWG Plan for transformation of Idaho's Behavioral health System (October 2010), with consideration for fiscal restrictions in Idaho's budget, current needs of the agencies, and recommendations of the Idaho Health Care Council;*
 - e. *Be able to establish workgroups, subcommittees or other structures to address specific issues or to assist in its work;*
 - f. *Produce and present a status report of the Cooperative's efforts to the Office of the Governor on an annual basis beginning on November 1, 2011; and*
 - g. *Meet as necessary and at the direction of the chair.*
6. *This executive order shall be effective for two (2) years from the date of signature.*



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 27th day of January in the year of our Lord two thousand and eleven and of the Independence of the United States of America the two hundred thirty-fifth and of the Statehood of Idaho the one hundred twenty-first.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2011-02

**ESTABLISHING THE COUNCIL FOR PURCHASES FROM NON-PROFIT BUSINESSES
THAT SERVE PEOPLE WITH DISABILITIES**

WHEREAS, it is in the public interest to promote employment opportunities for people with disabilities; and

WHEREAS, the Idaho code encourages State agencies to the purchase goods and services produced by people with disabilities participating in private and non-private community rehabilitation programs in Idaho;

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

- 1. The creation of the Council for Purchases from Non-Profit Businesses that Serve People With Disabilities.*
- 2. The Council's responsibilities shall be:*
 - a. To promote the purchase by state agencies of goods and services produced by people with disabilities in a rehabilitation program under the auspices of Section 67-2319, Idaho Code;*
 - b. To monitor and study the implementation of the purchasing program authorized by Section 67-2319, Idaho Code;*
 - c. To designate a central non-profit organization to coordinate the participation of private and non-private community rehabilitation programs in the state purchasing program and develop procedures for such participation;*
 - d. To advise the Division of Purchasing on the operation of this purchasing program;*
 - e. To provide an annual report of activities products, services, employment opportunities and other benefits derived from this program to the Governor, Legislature and public by February 1st annually until the expiration of this Executive Order; and*
 - f. To encourage transparency, the annual report must include all audit and fiscal information to the Governor, Legislature and public by posting said information on the Idaho Vocational Rehabilitation website.*
- 3. The Governor shall appoint members of the Council. Members shall include representatives from a private, non-profit community rehabilitation program, the Division of Purchasing, the private sector, a labor organization, the Division of Vocational Rehabilitation, a disability advocacy organization, and at least one other State Agency. Each member of the council shall serve at the pleasure of the Governor. Members of the council shall select a chair from among their number.*
- 4. The council shall be supported administratively by the Division of Vocational Rehabilitation.*
- 5. This executive order shall cease to be effective three years from the date of signature.*



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 1st day of April in the year of our Lord two thousand and eleven and of the Independence of the United States of America the two hundred thirty-fifth and of the Statehood of Idaho the one hundred twenty-first.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

HOUSE CONCURRENT RESOLUTION NO. 10

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 10
BY RESOURCES AND CONSERVATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF LANDS
RELATING TO SELLING FOREST PRODUCTS ON STATE OWNED ENDOWMENT LANDS

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Lands relating to Selling Forest Products on State Owned Endowment Lands are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 20.02.14, Department of Lands Rules Governing Selling Forest Products on State Owned Endowment Lands, Section 010, Definitions, Subsection 16, the definition of "Public Auction," and Section 023, Delivered Product Sales, only, adopted as pending rules under Docket Number [20-0214-1001](#), be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20427

This concurrent resolution would reject a subsection and a section in a pending rule of the Department of Lands relating to Selling Forest Products on State Owned Endowment Lands as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the subsection and the section from going into effect.

FISCAL NOTE

No fiscal impact to the general fund.

Adopted: March 4, 2011.

HOUSE CONCURRENT RESOLUTION NO. 12

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 12
BY HEALTH AND WELFARE COMMITTEE

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.03.10, Department of Health and Welfare Rules Governing Medicaid Enhanced Plan Benefits, Section 663, Children's HCBS State Plan Option: Coverage and Limitations, Subsection 02.a relating to Habilitative Supports, only, adopted as a pending rule under Docket Number [16-0310-1002](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20405

This concurrent resolution would reject a paragraph in a pending rule of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the paragraph from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 4, 2011.

HOUSE CONCURRENT RESOLUTION NO. 13

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 13
BY HEALTH AND WELFARE COMMITTEE

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

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.03.10, Department of Health and Welfare Rules Governing Medicaid Enhanced Plan Benefits, Section 270, Nursing Facility: Special Rates, Subsection 03 relating to Reporting and 07 relating to Treatment of the Special Rate Cost for Future Rate Setting Periods, only, adopted as pending rules under Docket Number [16-0310-1003](#), be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20409

This concurrent resolution would reject two subsections in a pending rule of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the two subsections from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 4, 2011.

HOUSE CONCURRENT RESOLUTION NO. 14

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 14
By Health and WELFARE Committee

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF HEALTH AND WELFARE RELATING TO CRIMINAL HISTORY AND BACKGROUND CHECKS

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Health and Welfare relating to Criminal History and Background Checks is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.05.06, Department of Health and Welfare Rules Governing Criminal History and Background Checks, Section 210, Disqualifying Crimes Resulting in an Unconditional Denial, Subsection 01.j relating to Disqualifying Crimes, only, adopted as a pending rule under Docket Number [16-0506-1001](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20410

This concurrent resolution would reject a subsection in a pending rule of the Department of Health and Welfare relating to Criminal History and Background Checks as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the subsection from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 4, 2011.

HOUSE CONCURRENT RESOLUTION NO. 15

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 15
BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE CERTIFIED SHORTHAND REPORTERS BOARD
RELATING TO RULES OF PROCEDURE OF THE CERTIFIED SHORTHAND REPORTERS BOARD

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the Certified Shorthand Reporters Board relating to Rules of Procedure of the Certified Shorthand Reporters Board is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 49.01.01, Certified Shorthand Reporters Board, Rules of Procedure of the Certified Shorthand Reporters Board, Section 400, Temporary Permit, Subsection 02.d. relating to Certificate, only, adopted as a pending rule under Docket Number [49-0101-1001](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20374

This concurrent resolution would reject a paragraph in a pending rule of the Certified Shorthand Reporters Board relating to the Rules of Procedure of the Certified Shorthand Reporters Board as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the amended paragraph from going into effect.

FISCAL NOTE

There is no fiscal impact.

Adopted: March 14, 2011.

HOUSE CONCURRENT RESOLUTION NO. 16

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 16
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY
RELATING TO WATER QUALITY STANDARDS.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Environmental Quality relating to Water Quality Standards are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 58.01.02, Department of Environmental Quality Rules Governing Water Quality Standards, Section 010, Definitions, Subsection 19, "Degradation or Lower Water Quality," and Section 052, Implementation, Subsection 03, General Permits, Subsection 05, Identification of Tier II Waters, and Subsection 08.a., relating to Tier II Analysis, only, adopted as pending rules under Docket Number [58-0102-1001](#), be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20459

This concurrent resolution would reject three subsections and one paragraph in a pending rule of the Department of Environmental Quality relating to Water Quality Standards as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the three subsections and the paragraph from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 18, 2011.

HOUSE CONCURRENT RESOLUTION NO. 22

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 22
BY WAYS AND MEANS COMMITTEE

CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING
A CERTAIN RULE OF THE DEPARTMENT OF HEALTH AND WELFARE RELATING TO RULES
OF THE IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE GRANT FUNDING

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Health and Welfare relating to Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.05.04, Department of Health and Welfare Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding, Section 004, Incorporation by Reference, Subsection 03, Documents Incorporated by Reference, Paragraph b, Minimum Standards for Domestic Violence Offender Intervention Programs, published by the Idaho Council on Domestic Violence and Victim Assistance, effective July 1, 2011, Section I.B.4, only, adopted as a pending rule under Docket Number [16-0504-1001](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20512

This concurrent resolution would reject a portion of a document incorporated by reference in a pending rule of the Department of Health and Welfare relating to Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the portion of the document incorporated by reference from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 30, 2011.

HOUSE CONCURRENT RESOLUTION NO. 23

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 23
BY STATE AFFAIRS COMMITTEE

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.03.09, Medicaid Basic Plan Benefits, Section 514, Abortion Procedures: Provider Qualifications and Duties, Subsection 01.d. relating to Documentation that the woman was under the age of eighteen (18) at the time of sexual intercourse, only, relating to Rules of the Department of Health and Welfare, adopted as a permanent rule under Docket Number 16-0309-0604, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20521

This legislation closes an unnecessary loophole in the rules governing taxpayer funded abortions under the State's Medicaid program.

FISCAL NOTE

This legislation will result in potential savings of Medicaid dollars.

Adopted: March 30, 2011.

SENATE CONCURRENT RESOLUTION NO. 107

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 107
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS
AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE,
WITH A STATED EXCEPTION, AND REJECTING AGENCY RULES THAT ARE
NOT APPROVED BY THIS OR BY SEPARATE CONCURRENT RESOLUTION.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of Rules Coordinator to the Legislature for review during the 2011 legislative session, which impose a fee or charge, be, and the same are hereby approved, with the exception of Docket Number [16-0602-1002](#), Rules Governing Standards for Child Care Licensing, which is subject to approval by this Legislature pursuant to a separate concurrent resolution.

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

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20458

A Senate Concurrent Resolution stating legislative findings and approving administrative rules that impose a fee or charge, with a stated exception, and rejecting agency rules that are not approved by this or by separate concurrent resolution.

FISCAL NOTE

No fiscal impact.

Adopted: April 7, 2011.

SENATE CONCURRENT RESOLUTION NO. 108

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature, First Regular Session - 2011

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 108
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of Rules Coordinator for review during the 2011 legislative session, and all temporary rules previously approved and extended by concurrent resolution adopted in a prior regular session of the Idaho Legislature, be, and the same are hereby approved.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Sixty-first Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which were not submitted to the Legislature for review during the 2011 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-first Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20467

Temporary rules adopted by state agencies under the Administrative Procedure Act, by statute, expire at the end of the current legislative session. This concurrent resolution would approve and extend agency temporary rules beyond the current session. No temporary rules were rejected by the Legislature during this year's rules review.

FISCAL NOTE

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

Adopted: April 7, 2011.

OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR

IDAHO DEPARTMENT OF ADMINISTRATION

**ADMINISTRATIVE RULES REVIEWED BY THE SIXTY-FIRST
LEGISLATURE OF THE STATE OF IDAHO
FIRST REGULAR SESSION - 2011**

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

AUTHORITY: In compliance with Sections 67-5224(5), 67-5224(7), 67-5226(3), and 67-5291, Idaho Code, notice is hereby given by the Office of the Administrative Rules Coordinator that the Sixty-First Legislature in the First Regular Session - 2011, reviewed all pending rules, has approved them as final or rejected them in whole or in part, and has extended temporary rules or rejected same in whole or in part. The docket numbers of the affected rulemakings and their effective dates are listed here in this notice.

DESCRIPTIVE SUMMARY: The following lists of final and temporary rules include those rules that were reviewed as pending and temporary rules during the First Regular Session of the Sixty-First Legislature of the state of Idaho, 2011.

All pending rules reviewed by the legislature that were not rejected in whole or in part have been approved and are now final and effective rules, unless otherwise specified. Any pending rule that was rejected in whole or in part is listed in this notice with the corresponding House or Senate concurrent resolution that affected it. The concurrent resolutions affecting the rules that were reviewed during the 2011 legislative session are also printed in this Bulletin. Rulemakings that were rejected in whole, and those parts of a rulemaking that were rejected in part, are null, void and of no force and effect. Rulemakings affected by concurrent resolution are being reprinted in this Bulletin as final rules. Rulemakings that have been affected by a concurrent resolution became final and effective upon final adoption of the concurrent resolution.

Pursuant to Section 67-5224, Idaho Code, all pending rules that imposed fees or charges were approved or rejected in whole or in part by Senate Concurrent Resolution 107 and are now final rules. Rulemakings that were rejected in whole and those parts of rulemakings that were partially rejected are null, void and of no force and effect.

Pursuant to Section 67-5226, Idaho Code, all temporary rules submitted for review were extended by Senate Concurrent Resolution 108 and will remain in effect until the end of the next legislative session unless they expire or are rescinded.

The following tables list all rulemakings that were submitted for legislative review for the 2011 legislative session. The list includes the docket number of each rulemaking, volume number of the Bulletin in which the proposed, pending, and temporary rule text was published, the effective date of the rule, and the number of the Senate or House concurrent resolution, if applicable, affecting the rulemaking.

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2011 IDAHO LEGISLATURE					
<i>Docket Number</i>	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective	Rejected Sections	Action Taken by Concurrent Resolution
02-0104-1001	10-12	10-10	(4-7-11)	---	---
02-0214-1001	10-10	10-8	(4-7-11)	---	---
02-0408-1001	11-1	10-8	(4-7-11)	---	---
02-0409-1001	11-1	10-8	(4-7-11)	---	---
02-0410-1001	11-1	10-8	(4-7-11)	---	---
02-0411-1001	11-1	10-8	(4-7-11)	---	---

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2011 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective	Rejected Sections	Action Taken by Concurrent Resolution
02-0413-1001	11-1	10-9	(4-7-11)	---	---
02-0419-1001	11-1	10-10	(4-7-11)	---	---
02-0421-1002	11-1	10-10	(4-7-11)	---	---
02-0429-1001	11-1	10-10	(4-7-11)	---	---
02-0602-1001	10-12	10-10	(4-7-11)	---	---
02-0610-0901	10-10	09-12	(4-7-11)	---	---
02-0612-1001	10-12	10-10	(4-7-11)	---	---
02-0616-1001	10-12	10-10	(4-7-11)	---	---
02-0633-1001	10-12	10-10	(4-7-11)	---	---
02-0641-1001	10-12	10-10	(4-7-11)	---	---
03-0101-1001	10-12	10-10	(4-7-11)	---	Approved by SCR 107
04-1101-1001	10-11	10-8	(4-7-11)	---	---
05-0101-1001	10-8	10-5	(4-7-11)	---	---
05-0105-1001	11-1	10-11	(4-7-11)	---	---
06-0101-1001	10-10	10-10	(11-5-10)	---	---
07-0103-1001	10-12	10-10	(4-7-11)	---	---
07-0104-1001	10-12	10-10	(4-7-11)	---	---
07-0107-1001	10-12	10-10	(4-7-11)	---	---
07-0205-1001	10-12	10-10	(4-7-11)	---	---
07-0301-1001	10-12	10-10	(4-7-11)	---	---
07-0301-1002	10-12	10-10	(4-7-11)	---	Approved by SCR 107
07-0311-1001	10-12	10-10	(4-7-11)	---	---
07-0402-1001	10-12	10-10	(4-7-11)	---	---
07-0701-1001	10-12	10-10	(4-7-11)	---	---
08-0111-1001	11-1	10-10	(4-7-11)	---	---
08-0202-1002	11-1	10-10	(4-7-11)	---	---
08-0202-1003	11-1	10-10	(4-7-11)	---	---
08-0202-1004	11-1	10-10	(4-7-11)	---	---
08-0203-1001	11-1	10-10	(4-7-11)	---	---
08-0203-1002	11-1	10-10	(4-7-11)	---	---
08-0203-1003	11-1	10-10	(4-7-11)	---	---

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2011 IDAHO LEGISLATURE					
<i>Docket Number</i>	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective	Rejected Sections	Action Taken by Concurrent Resolution
08-0203-1004	11-1	10-10	(4-7-11)	---	---
09-0104-1001	10-12	10-8	(7-1-10)	---	---
09-0106-1001	10-12	10-8	(7-1-10)	---	---
09-0130-1001	10-12	10-8	(7-1-10)	---	---
09-0135-1001	10-12	10-8	(7-1-10)	---	---
10-0101-1001	10-11	10-8	(4-7-11)	---	---
10-0102-1001	10-11	10-8	(4-7-11)	---	---
11-0301-1001	10-12	10-10	(4-7-11)	---	---
11-0501-0902	11-1	10-11	(4-7-11)	---	---
11-1001-1001	10-12	10-10	(4-7-11)	---	---
11-1101-1001	11-1	10-10	(4-7-11)	---	---
11-1101-1002	11-1	10-10	(4-7-11)	---	---
11-1102-1001	11-1	10-10	(4-7-11)	---	---
11-1103-1001	11-1	10-10	(4-7-11)	---	---
11-1104-1001	11-1	10-10	(4-7-11)	---	---
11-1105-1001	11-1	10-10	(4-7-11)	---	---
11-1106-1001	11-1	10-10	(4-7-11)	---	---
13-0102-1001	11-1	10-9	(4-7-11)	---	---
13-0104-1001	11-1	10-9	(4-7-11)	---	---
130104-1002	11-1	10-9	(4-7-11)	---	---
13-0106-1001	11-1	10-9	(4-7-11)	---	---
13-0108-1001	11-1	10-9	(4-7-11)	---	---
13-0109-1001	11-1	10-9	(4-7-11)	---	---
13-0109-1002	11-1	10-9	(4-7-11)	---	---
13-0110-1001	11-1	10-9	(4-7-11)	---	---
13-0116-1001	11-1	10-9	(4-7-11)	---	---
13-0116-1002	11-1	10-10	(4-7-11)	---	---
13-0117-1001	11-1	10-9	(4-7-11)	---	---
15-0401-1001	11-1	10-8	(4-7-11)	---	---
15-0401-1002	11-1	10-10	(4-7-11)	---	---
16-0202-1001	10-11	10-7	(4-7-11)	---	---

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2011 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective	Rejected Sections	Action Taken by Concurrent Resolution
16-0206-1001	11-1	10-8	(4-7-11)	---	---
16-0206-1002	11-1	10-8	(4-7-11)	---	---
16-0208-1001	11-1	10-9	(4-7-11)	---	Approved by SCR 107
16-0211-1001	11-1	10-9	(4-7-11)	---	---
16-0213-1001	11-1	10-9	(4-7-11)	---	Approved by SCR 107
16-0213-1002	11-1	10-9	(4-7-11)	---	Approved by SCR 107
16-0215-1001	11-1	10-9	(4-7-11)	---	---
16-0301-1001	10-11	10-7	(4-7-11)	---	---
16-0301-1002	10-12	10-10	(4-7-11)	---	---
16-0304-1002	10-12	10-10	(4-7-11)	---	---
16-0304-1003	10-12	10-10	(4-7-11)	---	---
16-0305-0904	10-4	09-12	(4-7-11)	---	---
16-0305-1001	10-11	10-6	(4-7-11)	---	---
16-0305-1002	10-12	10-9	(4-7-11)	---	---
16-0308-1001	10-11	10-5	(4-7-11)	---	---
16-0309-1001	10-12	10-8	(4-7-11)	---	---
16-0309-1002	10-11	10-8	(4-7-11)	---	---
16-0309-1003	11-1	10-9	(4-7-11)	---	---
16-0309-1100L			(3-30-11)	514.01.d.	Partial Rejection HCR 23
16-0310-1001	10-11	10-5	(4-7-11)	---	---
16-0310-1002	11-1	10-9	(7-1-11)	663	Partial Rejection HCR 12
16-0310-1003	11-1	10-9	(3-4-11)	270.03, 270.07	Partial Rejection HCR 13
16-0313-1002	11-1	10-9	(7-1-11)	---	---
16-0319-1001	11-1	10-9	(4-7-11)	---	---
16-0321-1001	11-1	10-9	(7-1-11)	---	---
16-0324-1001	10-11	10-7	(4-7-11)	---	---
16-0411-1001	11-1	10-9	(7-1-11)	---	---
16-0504-1001	11-1	10-10	(3-30-11)	Minimum Standards for Domestic Violence Offender Intervention Programs Manual, Section I.B.4 only	Partial Rejection HCR 22

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2011 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective	Rejected Sections	Action Taken by Concurrent Resolution
16-0506-1001	11-1	10-7	(3-4-11)	210.01.j.	Partial Rejection HCR 14
16-0506-1002	11-1	10-7	(4-7-11)	---	Approved by SCR 107
16-0601-1001	11-1	10-9	(4-7-11)	---	---
16-0602-1001	11-1	10-7	(4-7-11)	---	---
16-0602-1002	11-1	10-7	Null & Void	---	Rejected by SCR 107
16-0602-1003	11-1	10-9	(4-7-11)	---	---
16-0612-1001	10-11	10-5	(4-7-11)	---	---
16-0612-1002	10-12	10-10	(5-1-11)	---	---
16-0737-1001	10-11	10-6	(4-7-11)	---	---
16-0750-1001	11-1	10-10	(4-7-11)	---	---
17-0203-1001	11-1	10-10	(4-7-11)	---	---
17-0205-1001	11-1	10-7	(4-7-11)	---	---
17-0208-1001	11-1	10-10	(4-7-11)	---	---
17-0208-1002	11-1	10-10	(4-7-11)	---	---
17-0209-1001	11-1	10-10	(4-7-11) and (1-1-12)	---	---
17-0210-1001	11-1	10-10	(4-7-11)	---	---
17-0211-1001	11-1	10-10	(4-7-11)	---	Approved by SCR 107
17-0501-1001	11-1	10-7	(4-7-11)	---	---
18-0104-1001	10-12	10-10	(4-7-11)	---	---
18-0105-0901	10-12	09-12	(4-7-11)	---	---
18-0147-1001	10-11	10-9	(4-7-11)	---	---
18-0150-1001	10-12	10-10	(4-7-11)	---	---
18-0153-1001	10-11	10-9	(4-7-11)	---	---
18-0166-1001	10-11	10-9	(4-7-11)	---	---
18-0177-1001	10-11	10-9	(4-7-11)	---	---
18-0179-1001	10-11	10-9	(4-7-11)	---	---
19-0101-1001	10-12	10-10	(4-7-11)	---	---
20-0211-1001	11-1	10-10	(4-7-11)	---	---
20-0214-1001	11-1	10-10	(3-4-11)	010.16, 023	Partial Rejection HCR 10
20-0304-1001	11-1	10-10	(4-7-11)	---	Approved by SCR 107

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2011 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective	Rejected Sections	Action Taken by Concurrent Resolution
23-0101-1001	10-12	10-10	(4-7-11)	---	---
24-0101-0902	10-12	09-12	(4-7-11)	---	---
24-0201-1001	10-12	10-10	(4-7-11)	---	---
24-0201-1002	10-12	10-10	(4-7-11)	---	---
24-0301-1001	11-1	10-10	(4-7-11)	---	---
24-0601-1001	11-1	10-10	(4-7-11)	---	---
24-0801-1001	10-12	10-10	(4-7-11)	---	---
24-0901-1001	10-12	10-10	(4-7-11)	---	---
24-1301-1001	10-12	10-10	(4-7-11)	---	---
24-1301-1002	10-12	10-10	(4-7-11)	---	---
24-1401-1001	11-1	10-10	(4-7-11)	---	---
24-2201-1001	10-12	10-10	(4-7-11)	---	Approved by SCR 107
24-2501-1001	11-1	10-10	(4-7-11)	---	Approved by SCR 107
24-2601-1001	10-12	10-7	(4-7-11)	---	---
26-0120-1001	11-1	10-8	(4-7-11)	---	Approved by SCR 107
26-0134-1001	11-1	10-10	(4-7-11)	---	---
27-0101-1001	10-12	10-10	(4-7-11)	---	---
27-0101-1002	10-12	10-10	(4-7-11)	---	---
27-0101-1003	10-12	10-10	(4-7-11)	---	---
27-0101-1004	10-12	10-10	(4-7-11)	---	---
31-0101-1001	10-10	10-7	(4-7-11)	---	---
31-1101-1001	11-1	10-10	(4-7-11)	---	---
31-7103-1001	11-1	10-10	(4-7-11)	---	---
32-0101-1001	10-12	10-10	(4-7-11)	---	Approved by SCR 107
34-0101-1001	10-12	10-10	(4-7-11)	---	---
34-0102-1001	10-12	10-10	(4-7-11)	---	---
34-0103-1001	10-12	10-10	(4-7-11)	---	---
34-0104-1001	10-12	10-10	(4-7-11)	---	---
34-0501-1001	10-11	10-9	(4-7-11)	---	---
34-0502-1001	10-11	10-9	(4-7-11)	---	---
34-0504-1001	10-12	10-10	(4-7-11)	---	---

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2011 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective	Rejected Sections	Action Taken by Concurrent Resolution
35-0101-1002	11-1	10-10	(4-7-11)	---	---
35-0101-1003	11-1	10-10	(4-7-11)	---	---
35-0102-1001	11-1	10-10	(4-7-11)	---	---
35-0102-1002	11-1	10-10	(4-7-11)	---	---
35-0103-1003	11-1	10-10	(4-7-11)	---	---
35-0105-1001	11-1	10-6	(4-7-11)	---	---
35-0105-1003	11-1	10-10	(4-7-11)	---	---
35-0201-1001	11-1	10-10	(4-7-11)	---	---
37-0203-1001	10-12	10-9	(4-7-11)	---	Approved by SCR 107
37-0310-1001	10-12	10-9	(4-7-11)	---	---
38-0501-1001	10-12	10-10	(4-7-11)	---	---
39-0322-1001	10-11	10-8	(4-7-11)	---	---
41-0301-1001	10-12	10-9	(4-7-11)	---	---
44-0101-1001	10-11	10-6	(4-7-11)	---	---
46-0101-1001	10-12	10-10	(4-7-11)	---	---
49-0101-1001	10-12	10-10	(3-14-11)	400.02.d.	Partial Rejection HCR 15
58-0101-0904	10-11	10-8	(4-7-11)	---	---
58-0101-1002	10-11	10-8	(4-7-11)	---	---
58-0102-1001	11-1	10-9	(3-18-11)	010.19, 052.03, 052.05, 052.08.a.	Partial Rejection HCR 16
58-0105-1001	10-11	10-8	(4-7-11)	---	---
58-0108-1001	10-11	10-8	(4-7-11)	---	---
58-0117-1001	11-1	10-9	(4-7-11)	---	---
58-0120-0901	10-6	09-12	(4-7-11)	---	Approved by SCR 107
58-0123-0901	10-6	09-12	(4-7-11)	---	---
59-0102-1001	10-12	10-8	(4-7-11)	---	---
59-0103-1001	11-1	10-8	(4-7-11)	---	---
59-0104-1001	10-12	10-8	(4-7-11)	---	---
59-0105-1001	10-12	10-8	(4-7-11)	---	---
59-0106-1001	10-12	10-8	(4-7-11)	---	---

TEMPORARY RULES EXTENDED OR REJECTED BY SENATE CONCURRENT RESOLUTION 108			
Docket Number	Effective Temporary Date	Action Taken By Concurrent Resolution	Bulletin Vol. Number
16-0203-0901	(7-1-09)T	Extended by SCR 108	09-10
16-0301-1003	(1-1-11)T	Extended by SCR 108	10-12
16-0303-1001	(1-1-11)T	Extended by SCR 108	10-12
16-0304-1004	(1-1-11)T	Extended by SCR 108	10-12
16-0305-1003	(1-1-11)T	Extended by SCR 108	10-12
16-0308-1002	(1-1-11)T	Extended by SCR 108	10-12
16-0309-1004	(7-1-10)T	Extended by SCR 108	10-9
16-0309-1005	(1-1-11)T	Extended by SCR 108	10-12
16-0310-0902	(1-1-09)T	Extended by SCR 108	09-1
16-0310-1004	(7-1-10)T	Extended by SCR 108	10-9
16-0310-1005	(11-1-10)T	Extended by SCR 108	10-11
16-0310-1006	(1-1-11)T	Extended by SCR 108	10-12
16-0310-1007	(11-1-10)T	Extended by SCR 108	10-12
16-0310-1101	(9-1-10)T and (1-1-11)T	Extended by SCR 108	11-1
16-0310-1102	(10-1-10)T -	Extended by SCR 108	11-1
16-0411-1101	(1-1-11)T	Extended by SCR 108	11-1
16-0612-1003	(1-1-11)T	Extended by SCR 108	10-12
23-0101-1002	(11-5-10)T	Extended by SCR 108	10-12
30-0101-1101	(12-3-10)T	Extended by SCR 108	11-2
60-0504-1001	(8-11-10)T	Extended by SCR 108	10-9

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning this notice, contact Dennis Stevenson (208) 332-1820.

DATED this 7th day of April, 2011.

Dennis R. Stevenson
 Administrative Rules Coordinator
 Office of the Administrative Rules Coordinator
 Department of Administration
 P.O. Box 83720, Boise, ID 83720-0306
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**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR
IDAHO DEPARTMENT OF ADMINISTRATION**

**HISTORY NOTES INDEX OF ADMINISTRATIVE RULES REVIEWED AND APPROVED
FOR FINAL ADOPTION DURING THE 2011 LEGISLATIVE SESSION**

The following table is a sections-affected, History Notes Index for those chapters of rules that were reviewed by the 2011 First Regular Session of the Sixty-First Legislature of the state of Idaho. The table lists those sections of individual rule chapters that were affected by rulemakings that were submitted for review and acted upon by the legislature. The table includes the docket number of affected chapters, the amended section numbers, the Bulletin publication volumes, and the final effective date of the rule.

Effective dates for the pending rules reviewed and adopted as final by the 2011 Idaho Legislature are as follows:

Pending Fee Rules adopted or rejected by SCR 107; Effective date: April 7, 2011 (4-7-11);

All other Pending Rules - Effective date: April 7, 2011 (4-7-11) - Legislature adjournment date (Sine die).

<i>History Notes - Legislative Session 2011</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
<i>IDAPA 02 - Department of Agriculture</i>				
<i>02.01.04 - Rules Governing the Idaho Preferred® Promotion Program</i>				
02-0104-1001	200	10-10	10-12	(4-7-11)
<i>02.02.14 - Rules for Weights and Measures</i>				
02-0214-1001	004	10-8	10-10	(4-7-11)
<i>02.04.08 - Rules Governing Grade A Milk and Milk Products</i>				
02-0408-1001	004, 007, 008	10-8	11-1	(4-7-11)
<i>02.04.09 - Rules Governing Methods of Making Sanitation Ratings of Milk Shippers</i>				
02-0409-1001	Chapter Repeal	10-8	11-1	(4-7-11)
<i>02.04.10 - Procedures Governing the Cooperative State-Public Health Services, Food</i>				
02-0410-1001	Chapter Repeal	10-8	11-1	(4-7-11)
<i>02.04.11 - Rules Governing Evaluation of Milk Laboratories</i>				
02-0411-1001	Chapter Repeal	10-8	11-1	(4-7-11)
<i>02.04.13 - Rules Governing Raw Milk</i>				
02-0413-1001	001, 004, 007-060	10-9	11-1	(4-7-11)
<i>02.04.19 - Rules Governing Domestic Cervidae</i>				
02-0419-1001	004, 006-010, 021, 090, 209, 500, 505	10-10	11-1	(4-7-11)
<i>02.04.21 - Rules Governing the Importation of Animals</i>				
02-0421-1002	006, 240, 260	10-10	11-1	(4-7-11)

<i>History Notes - Legislative Session 2011</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
02.04.29 - Rules Governing Trichomoniasis				
02-0429-1001	004, 010-100, 200, 210, 310, 330, 331	10-10	11-1	(4-7-11)
02.06.02 - Rules Pertaining to the Idaho Commercial Feed Law				
02-0602-1001	004, 010-200, 475, 600	10-10	10-12	(4-7-11)
02.06.10 - Rules Governing the Pale Cyst Nematode (<i>Globodera pallida</i>)				
02-0610-0901	New Chapter	09-12	10-10	(4-7-11)
02.06.12 - Rules Pertaining to the Idaho Fertilizer Law				
02-0612-1001	004, 010, 030-035	10-10	10-12	(4-7-11)
02.06.16 - Crop Residue Disposal Rules				
02-0616-1001	Chapter Repeal	10-10	10-12	(4-7-11)
02.06.33 - Organic Food Product Rules				
02-0633-1001	004, 200, 301	10-10	10-12	(4-7-11)
02.06.41 - Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001				
02-0641-1001	004, 030-048	10-10	10-12	(4-7-11)
IDAPA 03 - State Athletic Commission				
03.01.01 - Rules of the State Athletic Commission				
03-0101-1001	010, 109, 208, 210-300	10-10	10-12	(4-7-11)
IDAPA 04 - Office of the Attorney General				
04.11.01 - Administrative Procedure of the Attorney General				
04-1101-1001	005, 055, 303, 741, 830	10-8	10-11	(4-7-11)
IDAPA 05 - Department of Juvenile Corrections				
05.01.01 - Rules for Contract Providers				
05-0101-1001	262	10-5	10-8	(4-7-11)
05.01.05 - Rules for Reintegration Providers				
05-0105-1001	New Chapter	10-11	11-1	(4-7-11)
IDAPA 06 - State Board of Correction				
06.01.01 - Rules of the Board of Correction				
06-0101-1001	000, 111-115, 136-144, 402, 410	10-10	10-10	(11-5-10)
IDAPA 07 - Division of Building Safety				
07.01.03 - Rules of Electrical Licensing and Registration - General				
07-0103-1001	012	10-10	10-12	(4-7-11)

<i>History Notes - Legislative Session 2011</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
07.01.04 - Rules Governing Electrical Specialty Licensing				
07-0104-1001	013, 014	10-10	10-12	(4-7-11)
07.01.07 - Rules Governing Continuing Education Requirements				
07-0107-1001	011	10-10	10-12	(4-7-11)
07.02.05 - Rules Governing Plumbing Safety Licensing				
07-0205-1001	012	10-10	10-12	(4-7-11)
07.03.01 - Rules of Building Safety				
07-0301-1001	004	10-10	10-12	(4-7-11)
07-0301-1002	028, 029, 038	10-10	10-12	(4-7-11)
07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing				
07-0311-1001	014	10-10	10-12	(4-7-11)
07.04.02 - Safety Rules For Elevators, Escalators, and Moving Walks				
07-0402-1001	011	10-10	10-12	(4-7-11)
07.07.01 - Rules Governing Installation of Heating, Ventilation, and Air Conditioning				
07-0701-1001	004-006	10-10	10-12	(4-7-11)
IDAPA 08 - Department of Education and State Board of Education				
08.01.11 - Registration of Postsecondary Educational Institutions and Proprietary				
08-0111-1001	100-200, 202, 301, 302	10-10	11-1	(4-7-11)
08.02.02 - Rules Governing Uniformity				
08-0202-1002	011, 015, 017	10-10	11-1	(4-7-11)
08-0202-1003	004, 018, 022-024, 027, 028, 033, 230	10-10	11-1	(4-7-11)
08-0202-1004	016	10-10	11-1	(4-7-11)
08.02.03 - Rules Governing Thoroughness				
08-0203-1001	004, 112	10-10	11-1	(4-7-11)
08-0203-1002	105	10-10	11-1	(4-7-11)
08-0203-1003	004, 160, 161	10-10	11-1	(4-7-11)
08-0203-1004	007, 008, 105, 109, 111, 117	10-10	11-1	(4-7-11)
IDAPA 09 - Department of Labor				
09.01.04 - Unemployment Insurance Benefit Fraud and Overpayment Rules				
09-0104-1001	004-007, 011-039, 050	10-8	10-12	(7-1-10)
09.01.06 - Rules of The Appeals Bureau				
09-0106-1001	004-012, 017, 090	10-8	10-12	(7-1-10)

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09.01.30 - Unemployment Insurance Benefits Administration Rules				
09-0130-1001	500, 525	10-8	10-12	(7-1-10)
09.01.35 - Unemployment Insurance Tax Administration Rules				
09-0135-1001	011, 081, 166	10-8	10-12	(7-1-10)
IDAPA 10 - Board of Professional Engineers and Land Surveyors				
10.01.01 - Rules of Procedure				
10-0101-1001	10-8	10-11	(4-7-11)	(4-7-11)
10.01.02 - Rules of Professional Responsibility				
10-0102-1001	10-8	10-11	(4-7-11)	(4-7-11)
IDAPA 11 - Idaho State Police				
11.03.01 - Rules Governing Alcohol Testing				
11-0301-1001	000-999	10-10	10-12	(4-7-11)
11.05.01 - Rules Governing Alcohol Beverage Control				
11-0501-0902	022	10-11	11-1	(4-7-11)
11.10.01 - Rules Governing Idaho Public Safety and Security Information System				
11-1001-1001	013	10-10	10-12	(4-7-11)
11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council				
11-1101-1001	031-032	10-10	11-1	(4-7-11)
11-1101-1002	033, 052, 053, 056, 059, 071, 075, 077, 096, 097, 117, 119, 120, 133, 135, 147, 149, 175, 176, 213, 251, 252, 254-256, 267, 333, 362	10-10	11-1	(4-7-11)
11.11.02 - Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers				
11-1102-1001	035	10-10	11-1	(4-7-11)
11.11.03 - Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers				
11-1103-1001	010-030, 033	10-10	11-1	(4-7-11)
11.11.04 - Rules of the Idaho Peace Officer Standards and Training Council for Correction Officers and Adult Probation and Parole Officers				
11-1104-1001	033, 034, 037, 039, 061	10-10	11-1	(4-7-11)
11.11.05 - Rules of the Idaho Peace Officer Standards and Training Council for Idaho				
11-1105-1001	103	10-10	11-1	(4-7-11)
11.11.06 - Rules of the Idaho Peace Officer Standards and Training Council for Misdemeanor Probation Officers				
11-1106-1001	New Chapter	10-10	11-1	(4-7-11)

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IDAPA 13 - Department of Fish and Game				
13.01.02 - Rules Governing Public Safety				
13-0102-1001	100	10-9	11-1	(4-7-11)
13.01.04 - Rules Governing Licensing				
13-0104-1001	010, 400, 403	10-9	11-1	(4-7-11)
130104-1002	200, 250, 261, 505, 601-900	10-9	11-1	(4-7-11)
13.01.06 - Rules Governing Classification and Protection of Wildlife				
13-0106-1001	104, 201, 300	10-9	11-1	(4-7-11)
13.01.08 - Rules Governing the Taking of Big Game Animals in the State of Idaho				
13-0108-1001	200-250, 260-351, 410, 412-421, 605, 703, 800	10-9	11-1	(4-7-11)
13.01.09 - Rules Governing the Taking of Game Birds in the State of Idaho				
13-0109-1001	300	10-9	11-1	(4-7-11)
13-0109-1002	100	10-9	11-1	(4-7-11)
13.01.10 - Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife				
13-0110-1001	100, 300	10-9	11-1	(4-7-11)
13.01.16 - The Trapping of Predatory and Unprotected Wildlife and The Taking of Furbearing Animals				
13-0116-1001	010, 400	10-9	11-1	(4-7-11)
13-0116-1002	010, 400	10-10	11-1	(4-7-11)
13.01.17 - Rules Governing the Use of Bait For Taking Big Game Animals				
13-0117-1001	100	10-9	11-1	(4-7-11)
IDAPA 15 - Office of the Governor Division of Human Resources and Personnel Commission				
15.04.01 - Rules of the Division of Human Resources and Personnel Commission				
15-0401-1001	010, 011, 110	10-8	11-1	(4-7-11)
15-0401-1002	013, 073, 101, 119, 145, 146, 169, 220, 241, 262	10-10	11-1	(4-7-11)
IDAPA 16 - Department of Health and Welfare				
16.02.02 - Rules of the Emergency Medical Services (EMS) Physician Commission				
16-0202-1001	004	10-7	10-11	(4-7-11)
16.02.06 - Rules Governing Quality Assurance for Clinical Laboratories				
16-0206-1001	Chapter Repeal	10-8	11-1	(4-7-11)

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16-0206-1002	Chapter Rewrite	10-8	11-1	(4-7-11)
16.02.08 - Emergency Medical Services				
16-0208-1001	251	10-9	11-1	(4-7-11)
16.02.11 - Immunization Requirements for Children Attending Licensed Daycare Facilities				
16-0211-1001	004, 010-310	10-9	11-1	(4-7-11)
16.02.13 - Rules Governing Certification of Idaho Water Quality Laboratories				
16-0213-1001	Chapter Repeal	10-9	11-1	(4-7-11)
16-0213-1002	Chapter Rewrite	10-9	11-1	(4-7-11)
16.02.15 - Immunization Requirements for Idaho School Children				
16-0215-1001	001, 004, 010-200	10-9	11-1	(4-7-11)
16.03.01 - Eligibility for Health Care Assistance for Families and Children				
16-0301-1001	400	10-7	10-11	(4-7-11)
16-0301-1002	220, 221, 224, 225, 251, 525, 560	10-10	10-12	(4-7-11)
16.03.04 - Rules Governing the Food Stamp Program in Idaho				
16-0304-1002	178-181, 301, 303-307, 380	10-10	10-12	(4-7-11)
16-0304-1003	204, 219, 402-405, 415, 509, 531, 537, 613, 633, 735	10-10	10-12	(4-7-11)
16.03.05 - Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD)				
16-0305-0904	050, 810-817	09-12	10-4	(4-7-11)
16-0305-1001	005, 106, 255, 500, 501, 513 - 520, 522, 523, 603, 604	10-6	10-11	(4-7-11)
16-0305-1002	104, 105, 790	10-9	10-12	(4-7-11)
16.03.08 - Rules Governing Temporary Assistance for Families in Idaho				
16-0308-1001	131, 215, 369, 370, 376	10-5	10-11	(4-7-11)
16.03.09 - Medicaid Basic Plan Benefits				
16-0309-1001	900-909	10-8	10-12	(4-7-11)
16-0309-1002	009, 870-879	10-8	10-11	(4-7-11)
16-0309-1003	400, 405, 665	10-9	11-1	(4-7-11)
16-0309-1100L	Rejected by HCR 23 Section 514.01.d.			(3-30-11)
16.03.10 - Medicaid Enhanced Plan Benefits				
16-0310-1001	020	10-5	10-11	(4-7-11)
16-0310-1002	009, 013, 026, 503, 511, 516-579, 634-706 HCR 12 Rejected Section 663	10-9	11-1	(7-1-11)

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Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
16-0310-1003	039, 225, 257, 270, 307, 625 HCR 13 Rejected Sections 270.03, 270.07	10-9	11-1	(3-4-11)
16.03.13 - Consumer-Directed Services				
16-0313-1002	001, 010-120, 131-140, 160, 180-302	10-9	11-1	(7-1-11)
16.03.19 - Certified Family Homes				
16-0319-1001	100, 140, 500, 701	10-9	11-1	(4-7-11)
16.03.21 - Developmental Disabilities Agencies				
16-0321-1001	New Chapter	10-9	11-1	(7-1-11)
16.03.24 - The Medically Indigent Program - Request for Medicaid Eligibility Determination				
16-0324-1001	New Chapter	10-7	10-11	(4-7-11)
16.04.11 - Developmental Disabilities Agencies (DDA)				
16-0411-1001	Chapter Repeal	10-9	11-1	(7-1-11)
16.05.04 - Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding				
16-0504-1001	000-006, 033, 998, 999 HCR 22 Rejected Minimum Standards for Domestic Violence Offender Intervention Programs, Section I.B.4	10-10	11-1	(3-30-11)
16.05.06 - Criminal History and Background Checks				
16-0506-1001	010, 061, 100, 200-210, 230 HCR 14 Rejected Subsection 210.01.j.	10-7	11-1	(3-4-11)
16-0506-1002	125	10-7	11-1	(4-7-11)
16.06.01 - Child and Family Services				
16-0601-1001	010-013, 030-050, 405-422, 553, 555, 559-661, 568, 569, 571, 702-705, 721, 900, 910	10-9	11-1	(4-7-11)
16.06.02 - Rules Governing Standards for Child Care Licensing				
16-0602-1001	000, 001, 005-011, 100-103, 105-109, 111, 112, 300-399	10-7	11-1	(4-7-11)
16-0602-1003	403, 404	10-9	11-1	(4-7-11)
16.06.12 - Rules Governing the Idaho Child Care Program (ICCP)				
16-0612-1001	302	10-5	10-11	(4-7-11)
16-0612-1002	050-100, 104, 105, 200-202, 300, 400-500, 502, 600, 601, 701	10-10	10-12	(5-1-11)
16.07.37 - Children's Mental Health Services				
16-0737-1001	407	10-6	10-11	(4-7-11)

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16.07.50 - Rules and Minimum Standards Governing Nonhospital, Medically-Monitored Detoxification/Mental Health Diversion				
16-0750-1001	246, 320	10-10	11-1	(4-7-11)
IDAPA 17 - Industrial Commission				
17.02.03 - Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Security for Compensation				
17-0203-1001	Chapter Repeal	10-10	11-1	(4-7-11)
17.02.05 - Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Industrial Commission				
17-0205-1001	281	10-7	11-1	(4-7-11)
17.02.08 - Miscellaneous Provisions				
17-0208-1001	Chapter Repeal	10-10	11-1	(4-7-11)
17-0208-1002	Chapter Rewrite	10-10	11-1	(4-7-11)
17.02.09 - Medical Fees				
17-0209-1001	New Chapter	10-10	11-1	(4-7-11) - (1-1-12)
17.02.10 - Administrative Rules of the Industrial Commission Under The Workers' Compensation Law -- Security For Compensation - Insurance Carriers				
17-0210-1001	New Chapter	10-10	11-1	(4-7-11)
17.02.11 - Administrative Rules of the Industrial Commission Under The Workers' Compensation Law - Security For Compensation - Self-Insured Employers				
17-0211-1001	New Chapter	10-10	11-1	(4-7-11)
17.05.01 - Rules Under the Crime Victims Compensation Act				
17-0501-1001	000, 010 - 012	10-7	11-1	(4-7-11)
IDAPA 18 - Department of Insurance				
18.01.04 - Rules Pertaining To Bail Agents				
18-0104-1001	New Chapter	10-10	10-12	(4-7-11)
18.01.05 - Health Carrier External Review				
18-0105-0901	New Chapter	09-12	10-12	(4-7-11)
18.01.47 - Valuation of Life Insurance Policies Including the Introduction and Use of New Select Mortality Factors				
18-0147-1001	001-999	10-9	10-11	(4-7-11)
18.01.50 - Adoption of the International Fire Code				
18-0150-1001	001, 004-006, 021, 026, 037, 041, 047-056	10-10	10-12	(4-7-11)

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18.01.53 - Continuing Education				
18-0153-1001	012, 024	10-9	10-11	(4-7-11)
18.01.66 - Director's Authority for Companies Deemed to be in Hazardous Financial Condition				
18-0166-1001	001-012	10-9	10-11	(4-7-11)
18.01.77 - Actuarial Opinion and Memorandum Rule				
18-0177-1001	005, 022-024	10-9	10-11	(4-7-11)
18.01.79 - Recognition of Preferred Mortality Tables for Use In Determining Minimum Reserve Liabilities				
18-0179-1001	005, 011, 012	10-9	10-11	(4-7-11)
IDAPA 19 - Board of Dentistry				
19.01.01 - Rules Of The State Board of Dentistry				
19-0101-1001	004, 012, 030, 031-035, 054, 055, 057-061, 063	10-10	10-12	(4-7-11)
IDAPA 20 - Department of Lands				
20.02.11 - Timber Supply Stabilization Act Of 1989 on State Forests				
20-0211-1001	Chapter Repeal	10-10	11-1	(4-7-11)
20.02.14 - Rules For Selling Forest Products on State Owned Endowment Lands				
20-0214-1001	010, 019, 020, 023, 024, 031-043 HCR 10 Rejected Subsections 010.16, 023	10-10	11-1	(3-4-11)
20.03.04 - Rules Governing the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho				
20-0304-1001	010, 020	10-10	11-1	(4-7-11)
IDAPA 23 - Board of Nursing				
23.01.01 - Rules of the Idaho Board of Nursing				
23-0101-1001	010, 060-062, 120, 316, 641-643, 900, 907	10-10	10-12	(4-7-11)
IDAPA 24 - Bureau of Occupational Licenses				
24.01.01 - Rules of the Board of Architectural Examiners				
24-0101-0902	250, 300	09-12	10-12	(4-7-11)
24.02.01 - Rules of the Board of Barber Examiners				
24-0201-1001	350-400	10-10	10-12	(4-7-11)
24-0201-1002	501	10-10	10-12	(4-7-11)
24.03.01 - Rules of the State Board of Chiropractic Physicians				
24-0301-1001	605, Appendix A	10-10	11-1	(4-7-11)

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24.06.01 - Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants				
24-0601-1001	011, 012, 022, 030, 031, 041	10-10	11-1	(4-7-11)
24.08.01 - Rules of the State Board of Morticians				
24-0801-1001	250-300	10-10	10-12	(4-7-11)
24.09.01 - Rules of the Board of Examiners of Nursing Home Administrators				
24-0901-1001	400	10-10	10-12	(4-7-11)
24.13.01 - Rules of the Physical Therapy Licensure Board				
24-1301-1001	175	10-10	10-12	(4-7-11)
24-1301-1002	010, 150, 250	10-10	10-12	(4-7-11)
24.14.01 - Rules of the State Board of Social Work Examiners				
24-1401-1001	100, 201	10-10	11-1	(4-7-11)
24.22.01 - Rules of the Idaho State Liquefied Petroleum Gas Safety Board				
24-2201-1001	175, 250	10-10	10-12	(4-7-11)
24.25.01 - Rules of the Idaho Driving Businesses Licensure Board				
24-2501-1001	New Chapter	10-10	11-1	(4-7-11)
24.26.01 - Rules of the Idaho State Board of Midwifery				
24-2601-1001	450	10-7	10-12	(4-7-11)
IDAPA 26 - Department of Parks and Recreation				
26.01.20 - Rules Governing the Administration of Park and Recreation Areas and Facilities				
26-0120-1001	225, 250, 275	10-8	11-1	(4-7-11)
26.01.34 - Rules Governing the Idaho Protection Against Invasive Species Sticker				
26-0134-1001	050, 076	10-10	11-1	(4-7-11)
IDAPA 27 - Board of Pharmacy				
27.01.01 - Rules of the Idaho State Board of Pharmacy				
27-0101-1001	159, 160, 162, 433, 442, 444, 446, 450, 496	10-10	10-12	(4-7-11)
27-0101-1002	166	10-10	10-12	(4-7-11)
27-0101-1003	358	10-10	10-12	(4-7-11)
27-0101-1004	469	10-10	10-12	(4-7-11)
IDAPA 31 - Public Utilities Commission				
31.01.01 - Rules of Procedure of the Idaho Public Utilities Commission				
31-0101-1001	000, 004, 005, 016, 019, 026, 043, 121, 125, 231, 286, 301	10-7	10-10	(4-7-11)

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31.11.01 - Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission				
31-1101-1001	201	10-10	11-1	(4-7-11)
31.71.03 - Railroad Safety and Accident Reporting Rules				
31-7103-1001	008, 103, 104	10-10	11-1	(4-7-11)
IDAPA 32 - Endowment Fund Investment Board				
32.01.01 - Rules Governing the Credit Enhancement Program for School Districts				
32-0101-1001	New Chapter	10-10	10-12	(4-7-11)
IDAPA 34 - Secretary of State				
34.01.01 - Fees For Automated Data Retrieval				
34-0101-1001	Chapter Repeal	10-10	10-12	(4-7-11)
34.01.02 - Rules Governing Facsimile Services and Fees				
34-0102-1001	Chapter Repeal	10-10	10-12	(4-7-11)
34.01.03 - Rules Governing the Public Access Information System (PAIS)				
34-0103-1001	Chapter Repeal	10-10	10-12	(4-7-11)
34.01.04 - Rules Governing the Electronic Bulletin Board Service				
34-0104-1001	Chapter Repeal	10-10	10-12	(4-7-11)
34.05.01 - Rules Governing Farm Products Central Filing System				
34-0501-1001	000-304	10-9	10-11	(4-7-11)
34.05.02 - Rules Governing Liens in Crops for Seed or Liens in Crops for Farm Labor				
34-0502-1001	Chapter Rename, 000-302	10-9	10-11	(4-7-11)
34.05.04 - Rules Governing Public Access to UCC Files				
34-0504-1001	Chapter Repeal	10-10	10-12	(4-7-11)
IDAPA 35 - State Tax Commission				
35.01.01 - Income Tax Administrative Rules				
35-0101-1002	032, 075, 108, 165, 170-172, 200, 201, 253, 255, 261, 290, 291, 720, 721, 745, 746, 755-758, 771, 830, 840, 860, 874-877	10-10	11-1	(4-7-11)
35-0101-1003	006, 280, 286, 580, 582-589	10-10	11-1	(4-7-11)
35.01.02 - Sales Tax Administrative Rules				
35-0102-1001	012	10-10	11-1	(4-7-11)
35-0102-1002	037, 114, 136	10-10	11-1	(4-7-11)

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35.01.03 - Property Tax Administrative Rules				
35-0103-1003	006, 114, 131, 317, 609, 610, 613, 614, 802, 961, 989	10-10	11-1	(4-7-11)
35.01.05 - Motor Fuels Tax Administrative Rules				
35-0105-1001	130	10-6	11-1	(4-7-11)
35-0105-1003	137, 320, 400, 510	10-10	11-1	(4-7-11)
35.02.01 - Tax Commission Administration and Enforcement Rules				
35-0201-1001	153-155, 310	10-10	11-1	(4-7-11)
IDAPA 37 - Department of Water Resources				
37.02.03 - Water Supply Bank Rules				
37-0203-1001	025, 035	10-9	10-12	(4-7-11)
37.03.10 - Well Driller Licensing Rules				
37-0310-1001	010-020, 030-050, 070-080	10-9	10-12	(4-7-11)
IDAPA 38 - Department of Administration				
38.05.01 - Rules of the Division of Purchasing				
38-0501-1001	000, 011, 031, 041, 042, 044, 051, 070	10-10	10-12	(4-7-11)
IDAPA 39 - Idaho Transportation Department				
39.03.22 - Rules Governing Overlegal Permits for Extra-Length Vehicle Combinations				
39-0322-1001	000, 005, 200	10-8	10-11	(4-7-11)
IDAPA 41 - Public Health District				
41.03.01 - Rules of the Southwest District Health Department				
41-0301-1001	Chapter Repeal	10-9	10-12	(4-7-11)
IDAPA 44 - Office of the Administrative Rules				
44.01.01 - Rules of the Administrative Rules Coordinator				
44-0101-1001	005, 006, 009, 010, 051-799	10-6	10-11	(4-7-11)
IDAPA 46 - Board of Veterinary Medical Examiners				
46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine				
46-0101-1001	004, 150, 200, 201, 205	10-10	10-12	(4-7-11)
IDAPA 49 - Certified Shorthand Reporters Board				
49.01.01 - Rules of Procedure of the Idaho Certified Shorthand Reporters Board				
49-0101-1001	400 HCR 15 Rejected Subsection 400.02.d.	10-10	10-12	(3-14-11)

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IDAPA 58 - Department of Environmental Quality				
58.01.01 - Rules for the Control of Air Pollution in Idaho				
58-0101-0904	006, 215, 221, 401, 585	10-8	10-11	(4-7-11)
58-0101-1002	008	10-8	10-11	(4-7-11)
58.01.02 - Water Quality Standards				
58-0102-1001	010, 051-055, 350 HCR 16 Rejected Subsections 010.19, 052.03, 052.05, 052.08.a.	10-9	11-1	(3-18-11)
58.01.05 - Rules and Standards for Hazardous Waste				
58-0105-1001	002, 004-013, 015-018	10-8	10-11	(4-7-11)
58.01.08 - Idaho Rules for Public Drinking Water Systems				
58-0108-1001	002, 100, 300, 311, 320, 322, 323, 400, 503, 504, 510-512, 514, 518, 520, 531, 532, 534, 541, 542-546, 548-552, 900	10-8	10-11	(4-7-11)
58.01.17 - Recycled Water Rules				
58-0117-1001	000-003, 008-920, 940	10-9	11-1	(4-7-11)
58.01.20 - Rules for Administration of Drinking Water Loan Program				
58-0120-0901	010, 032, 050	09-12	10-6	(4-7-11)
58.01.23 - Rules of Administrative Procedure Before the Board of Environmental Quality				
58-0123-0901	052, 303, 353-355, 720-750, 790, 791, 801, 860	09-12	10-6	(4-7-11)
IDAPA 59 - Public Employees Retirement System - PERSI				
59.01.02 - Eligibility Rules of PERSI				
59-0102-1001	005, 113	10-8	10-12	(4-7-11)
59.01.03 - Contribution Rules of PERSI				
59-0103-1001	026-028, 100, 101	10-8	11-1	(4-7-11)
59.01.04 - Disability Rules of PERSI				
59-0104-1001	006, 100, 102, 201, 205, 300	10-8	10-12	(4-7-11)
59.01.05 - Separation From Service Rules of PERSI				
59-0105-1001	104, 105	10-8	10-12	(4-7-11)
59.01.06 - Retirement Rules for the Public Employee Retirement System of Idaho				
59-0106-1001	162, 557	10-8	10-12	(4-7-11)

**IDAPA 10 - PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS**

10.01.01 - RULES OF PROCEDURE

DOCKET NO. 10-0101-1101

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code, notice is hereby given that this agency intends to propose rules and desires public comment prior to initiating formal rulemaking procedures. The action is negotiated rulemaking authorized pursuant to Section 54-1208, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held at the Board office:

Wednesday, May 11, 2011 at 9:00 a.m.

**1510 E. Watertower Street
Meridian, ID 83642**

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

To discuss possible changes that would (1) eliminate the need for engineer intern and land surveyor intern applicants to provide references on their examination application, (2) adopt national standards for the evaluation of nonaccredited engineering programs, (3) allow individuals to select retired status during the renewal biennium in which they reach the age of 60 rather than waiting until their 60th birthday, and (4) amend the examination submittal deadlines to accommodate converting some examinations to computer-based format.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact David L. Curtis, P.E., Executive Director at dave.curtis@ipels.idaho.gov or (208) 373-7210.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2011.

DATED this 6th day of April, 2011.

David L. Curtis, P.E., Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E. Watertower St., Meridian, Idaho 83642
Voice: (208) 373-7210; Fax: (208) 373-7213
email: dave.curtis@ipels.idaho.gov

**IDAPA 10 - PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS**

10.01.02 - RULES OF PROFESSIONAL RESPONSIBILITY

DOCKET NO. 10-0102-1101

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code, notice is hereby given that this agency intends to propose rules and desires public comment prior to initiating formal rulemaking procedures. The action is negotiated rulemaking authorized pursuant to Section 54-1208, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held at the Board office:

Wednesday, May 11, 2011 at 9:00 a.m.

**1510 E. Watertower Street
Meridian, ID 83642**

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

To discuss possible changes that would (1) reduce from 60 to 20 the number of days which a license holder has to respond to notification of discovery of a material discrepancy by another license holder, (2) create an informal and formal process for notification of discovery of a material discrepancy by another license holder, (3) provide for an exception to the rule requiring license holders to notify other license holders of the discovery of material discrepancy if the licensee is working in the employ of an attorney as an expert witness, and (4) establish a limitation on the amount of time that can pass following discovery of an event for the Board to accept an affidavit of complaint.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact David L. Curtis, P.E., Executive Director at dave.curtis@ipels.idaho.gov or (208) 373-7210.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2011.

DATED this 6th day of April, 2011.

David L. Curtis, P.E., Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E. Watertower St., Meridian, Idaho 83642
Voice: (208) 373-7210; Fax: (208) 373-7213
email: dave.curtis@ipels.idaho.gov

**IDAPA 10 - PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS**

10.01.04 - RULES OF CONTINUING PROFESSIONAL DEVELOPMENT

DOCKET NO. 10-0104-1101

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code, notice is hereby given that this agency intends to propose rules and desires public comment prior to initiating formal rulemaking procedures. The action is negotiated rulemaking authorized pursuant to Section 54-1208, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held at the Board office:

Wednesday, May 11, 2011 at 9:00 a.m.

**1510 E. Watertower Street
Meridian, ID 83642**

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

To discuss possible changes that would (1) allow newly licensed persons to carry forward professional development hours earned during the biennium prior to the first renewal following the issuance of the license, (2) allow professional development hours for peer review of published articles, (3) allow license holders who are residing outside the United States to earn the required professional development hours upon return to the United States, and (4) to clarify that regular duties are not considered qualified activities.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact David L. Curtis, P.E., Executive Director at dave.curtis@ipels.idaho.gov or (208) 373-7210.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2011.

DATED this 6th day of April, 2011.

David L. Curtis, P.E., Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E. Watertower St., Meridian, Idaho 83642
Voice: (208) 373-7210; Fax: (208) 373-7213
email: dave.curtis@ipels.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.01 - ELIGIBILITY FOR HEALTH CARE ASSISTANCE FOR FAMILIES AND CHILDREN

DOCKET NO. 16-0301-1003

NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2012 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session 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 Sections 67-5224, Idaho Code, notice is hereby given this agency has adopted a pending rule. The action is authorized pursuant to Sections 56-202, 56-203, 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 Department of Health and Welfare's Self-Reliance Program has adopted rules to allow electronic and telephonic signatures to improve access to services, increase productivity, and better utilize technology and other solutions to connect customers with services. The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the [December 1, 2010, Idaho Administrative Bulletin, Vol. 10-12, pages 48 and 49.](#)

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

The fiscal impact for this rule change will be minimal to state general funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Kathy McGill at (208) 334-4934.

DATED this 7th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

DOCKET NO. 16-0301-1003 - ADOPTION OF PENDING RULE

No substantive changes have been made to the pending rule.

The complete text of the proposed rule was published in the Idaho Administrative Bulletin, [Volume 10-12, December 1, 2010, pages 48 and 49.](#)

This rule has been adopted as a pending rule by the Agency and is now awaiting review and approval by the 2012 Idaho State Legislature for final adoption.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.03 - RULES GOVERNING CHILD SUPPORT SERVICES

DOCKET NO. 16-0303-1001

NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATES: This rule has been adopted by the agency and is now pending review by the 2012 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session 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 Sections 67-5224, Idaho Code, notice is hereby given this agency has adopted a pending rule. The action is authorized pursuant to Section 56-1004, 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 Department of Health and Welfare's Self-Reliance Program has adopted rules to allow electronic and telephonic signatures to improve access to services, increase productivity, and better utilize technology and other solutions to connect customers with services. The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the [December 1, 2010, Idaho Administrative Bulletin, Vol. 10-12, pages 50 and 51.](#)

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

The fiscal impact for this rule change will be minimal to state general funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Kandace Yearsley at (208) 334-0620.

DATED this 7th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

DOCKET NO. 16-0303-1001 - ADOPTION OF PENDING RULE

No substantive changes have been made to the pending rule.

The complete text of the proposed rule was published in the Idaho Administrative Bulletin, Volume 10-12, December 1, 2010, pages 50 and 51.

This rule has been adopted as a pending rule by the Agency and is now awaiting review and approval by the 2012 Idaho State Legislature for final adoption.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.04 - RULES GOVERNING THE FOOD STAMP PROGRAM IN IDAHO
DOCKET NO. 16-0304-1004
NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATES: This rule has been adopted by the agency and is now pending review by the 2012 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session 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 this agency has adopted a pending rule. The action is authorized pursuant to Section 56-203, 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 Department of Health and Welfare's Self-Reliance Program has adopted rules to allow electronic and telephonic signatures to improve access to services, increase productivity, and better utilize technology and other solutions to connect customers with services. The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the [December 1, 2010, Idaho Administrative Bulletin, Vol. 10-12, pages 54 and 55.](#)

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

The fiscal impact for this rule change will be minimal to state general funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Rosie Andueza at (208) 334-5553.

DATED this 7th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

DOCKET NO. 16-0304-1004 - ADOPTION OF PENDING RULE

No substantive changes have been made to the pending rule.

**The complete text of the proposed rule was published in the Idaho Administrative Bulletin,
[Volume 10-12, December 1, 2010, pages 54 and 55.](#)**

**This rule has been adopted as a pending rule by the Agency and is now awaiting
review and approval by the 2012 Idaho State Legislature for final adoption.**

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.05 - ELIGIBILITY FOR AID TO THE AGED, BLIND AND DISABLED (AABD)

DOCKET NO. 16-0305-1003

NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATES: This rule has been adopted by the agency and is now pending review by the 2012 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session 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 Sections 67-5224, Idaho Code, notice is hereby given this agency has adopted a pending rule. The action is authorized pursuant to Section 56-202, 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 Department of Health and Welfare's Self-Reliance Program has adopted rules to allow electronic and telephonic signatures to improve access to services, increase productivity, and better utilize technology and other solutions to connect customers with services. The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the [December 1, 2010, Idaho Administrative Bulletin, Vol. 10-12, pages 57 and 58.](#)

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

The fiscal impact for this rule change will be minimal to state general funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Alberto Gonzalez at (208) 334-5969.

DATED this 7th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

DOCKET NO. 16-0305-1003 - ADOPTION OF PENDING RULE

No substantive changes have been made to the pending rule.

The complete text of the proposed rule was published in the Idaho Administrative Bulletin, [Volume 10-12, December 1, 2010, pages 57 and 58.](#)

This rule has been adopted as a pending rule by the Agency and is now awaiting review and approval by the 2012 Idaho State Legislature for final adoption.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.08 - TEMPORARY ASSISTANCE FOR FAMILIES IN IDAHO (TAFI)
DOCKET NO. 16-0308-1002
NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATES: This rule has been adopted by the agency and is now pending review by the 2012 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session 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 this agency has adopted a pending rule. The action is authorized pursuant to Section 56-202, 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 Department of Health and Welfare's Self-Reliance Program has adopted rules to allow electronic and telephonic signatures to improve access to services, increase productivity, and better utilize technology and other solutions to connect customers with services. The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the [December 1, 2010, Idaho Administrative Bulletin, Vol. 10-12, pages 59 and 60.](#)

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

The fiscal impact for this rule change will be minimal to state general funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Rosie Andueza at (208) 334-5553.

DATED this 7th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

DOCKET NO. 16-0308-1002 - ADOPTION OF PENDING RULE

No substantive changes have been made to the pending rule.

**The complete text of the proposed rule was published in the Idaho Administrative Bulletin,
Volume 10-12, December 1, 2010, pages 59 and 60.**

**This rule has been adopted as a pending rule by the Agency and is now awaiting
review and approval by the 2012 Idaho State Legislature for final adoption.**

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.09 - MEDICAID BASIC PLAN BENEFITS

DOCKET NO. 16-0309-1100L

NOTICE OF RULEMAKING - FINAL RULE

EFFECTIVE DATE: The effective date of this final rule is March 30, 2011.

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this final rule promulgated under IDAPA 16.03.09, "Medicaid Basic Plan Benefits." The affected Section is being republished here following this notice pursuant to this legislative action. This agency action is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, Idaho Code.

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

Pursuant to House Concurrent Resolution No. 23 (HCR 23), IDAPA 16.03.09, "Medicaid Basic Plan Benefits," Section 514, "Abortion Procedures: Provider Qualification and Duties," Subparagraph 01.d., relating to "Documentation that the woman was under the age of eighteen (18) at the time of sexual intercourse," adopted as a final rule on March 30, 2007, under Docket No. 16-0309-0604, is not consistent with legislative intent and has been rejected and declared null, void, and of no force and effect.

In accordance with HCR 23, affected Section 514 is being reprinted in its entirety as a final rule following this notice and as it will be codified into the 2011 Idaho Administrative Code.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule contact Arla Farmer at (208) 364-1958.

DATED this 8th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE FINAL TEXT OF THE SECTION AFFECTED BY HCR 23 ONLY

514. ABORTION PROCEDURES: PROVIDER QUALIFICATIONS AND DUTIES.

01. Required Documentation in the Case of Rape or Incest. In the case of rape or incest, the following documentation must be provided to the Department: (3-30-07)

a. A copy of the court determination of rape or incest must be provided; or (3-30-07)

b. Where no court determination has been made, documentation that the rape or incest was reported to a law enforcement agency. (3-30-07)

c. Where the rape or incest was not reported to a law enforcement agency, a licensed physician must certify in writing that, in the physician's professional opinion, the woman was unable, for reasons related to her health, to report the rape or incest to a law enforcement agency. The certification must contain the name and address of the woman. (3-30-07)

02. Required Documentation in the Case Where the Abortion is Necessary to Save the Life of the Woman. In the case where the abortion is necessary to save the life of the woman, a licensed physician must certify in writing that the woman may die if the fetus is carried to term. The certification must contain the name and address of the woman. (3-30-07)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.09 - MEDICAID BASIC PLAN BENEFITS

DOCKET NO. 16-0309-1101

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 56-202(b), 56-203(g), 56-203(i), 56-250 through 56-257, Idaho Code, Section 56-209(g), Idaho Code, and House Bill 260 (2011).

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

Monday, May 16, 2011, at 1:00 p.m.

**MEDICAID CENTRAL OFFICE
Conference Room D (East & West)
3232 Elder Street, Boise, ID 83705**

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

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

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

Rules changes are needed to implement the legislative intent in Section 8 of House Bill 260 passed by the 2011 legislature. This Section requires the Department to pay the lesser of the pharmacy provider's lowest charge to the general public for a drug or the estimated acquisition cost (EAC), plus a dispensing fee. The Department is seeking public input on how best to implement these changes in law.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule (if available), contact Robert Kellerman at (208) 364-1994.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2011.

DATED this 7th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.10 - MEDICAID ENHANCED PLAN BENEFITS

DOCKET NO. 16-0310-1002

NOTICE OF RULEMAKING - FINAL RULE

EFFECTIVE DATE: The effective date of the final rule is July 1, 2011.

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No. 16-0310-1102 and this agency is republishing the affected Subsection of the final rule pursuant to that legislative action following this notice. This agency action for this final rulemaking is authorized pursuant to Sections 56-202(b), 56-203(7), 56-203(9), 56-250 through 56-257, Idaho Code.

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

Pursuant to House Concurrent Resolution No. 12 (HCR 12), the amendment proposed to IDAPA 16.03.10, "Medicaid Enhanced Plan Benefits," Section 663, 'Children's HCBS State Plan Option: Coverage and Limitations,' Subparagraph 02.a. under 'Habilitative Supports,' only, as promulgated under Docket No. 16-0310-1002, is not consistent with legislative intent and has been rejected and declared null, void, and of no force and effect.

In accordance with the concurrent resolution, affected Subsection 663.02, only, is being reprinted here as a final rule as approved by the legislature and as it will be codified into the 2011 Idaho Administrative Code.

The original text of the proposed rule was published in the [September 1, 2010, Idaho Administrative Bulletin, Vol. 10-9, pages 197 through 262](#). The pending rule was published in the [January 5, 2011, Idaho Administrative Bulletin, Vol. 11-1, pages 92 through 122](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the final rule, contact Lauren Ertz at (208) 287-1169.

DATED this 8th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE FINAL TEXT OF THE SUBSECTION AFFECTED BY HCR 12, ONLY

663. CHILDREN'S HCBS STATE PLAN OPTION: COVERAGE AND LIMITATIONS.

All children's home and community based services must be identified on a plan of service developed by the family-centered planning team, including the plan developer, and must be recommended by a physician or other practitioner of the healing arts. The following services are reimbursable when provided in accordance with these rules: (7-1-11)

Subsection 663.02

02. Habilitative Supports. Habilitative Supports provides assistance to a participant with a disability by facilitating the participant's independence and integration into the community. This service provides an opportunity for participants to explore their interests, practice skills learned in other therapeutic environments, and learn through interactions in typical community activities. Integration into the community enables participants to expand their skills related to activities of daily living and reinforces skills to achieve or maintain mobility, sensory-motor, communication, socialization, personal care, relationship building, and participation in leisure and community activities. Habilitative Supports must: (7-1-11)

- a.** Not supplant services provided in school or therapy, or supplant the role of the primary caregiver; (7-1-11)
- b.** Ensure the participant is involved in age-appropriate activities and is engaging with typical peers according to the ability of the participant; and (7-1-11)
- c.** Have a minimum of one (1) qualified staff providing direct services to every three (3) participants when provided as group habilitative supports. As the number and severity of the participants with functional impairments increases, the staff participant ratio shall be adjusted accordingly. (7-1-11)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.10 - MEDICAID ENHANCED PLAN BENEFITS

DOCKET NO. 16-0310-1003

NOTICE OF RULEMAKING - FINAL RULE

EFFECTIVE DATE: The effective date of this final rule is March 4, 2011.

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No. 16-0310-1003 and this agency is republishing the affected Subsections of the final rule pursuant to that legislative action. This agency action for this final rulemaking is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, Idaho Code; also House Bills 701 and 708 passed by the 2010 Legislature.

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

Pursuant to House Concurrent Resolution No. 13 (HCR 13), IDAPA 16.03.10, Medicaid Enhanced Plan Benefits, Section 270, "Nursing Facility: Special Rates," Subsection 03, 'Reporting'; and Subsection 07, 'Treatment of the Special Rate Cost for Future Rate Setting Periods,' only, of this rulemaking promulgated under Docket No. 16-0310-1003, are not consistent with legislative intent and have been rejected and declared null, void, and of no force and effect.

Subsections 270.03 and 270.07, only, are being reprinted as final rules following this notice and as they will be codified into the 2011 Idaho Administrative Code.

The original text of the proposed rule was published in the [September 1, 2010, Idaho Administrative Bulletin, Vol. 10-9, pages 263 through 272](#). The pending rule was published in the [January 5, 2011, Idaho Administrative Bulletin, Vol. 11-1, page 123](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Robert Kellerman at (208) 364-1994.

DATED this 8th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE FINAL TEXT OF THE SUBSECTIONS AFFECTED BY HCR 13, ONLY

270. NURSING FACILITY: SPECIAL RATES.

A special rate consists of a facility's daily reimbursement rate for a patient plus an add-on amount. Section 56-117, Idaho Code, provides authority for the Department to pay facilities an amount in addition to the daily rate when a

patient has needs that are beyond the scope of facility services and when the cost of providing for those additional needs is not adequately reflected in the rates calculated pursuant to the principles found in Section 56-102, Idaho Code. This special rate add-on amount for such specialized care is in addition to any payments made in accordance with other provisions of this chapter and is excluded from the computation of payments or rates under other provisions of Section 56-102, Idaho Code, and these rules. (3-19-07)

Subsection 270.03

03. Reporting. Costs equivalent to payments for special rate add-on amounts must be removed from the cost components subject to limits, and be reported separately by the provider. (3-19-07)

Subsection 270.07

07. Treatment of the Special Rate Cost for Future Rate Setting Periods. Special rates are established on a prospective basis similar to the overall facility rate. When the cost report used to set a prospective rate contains non-unit special rate cost, an adjustment is made to “offset,” or reduce costs by an amount equal to total incremental revenues, or add-on payments received by the provider during the cost reporting period. The amount received is calculated by multiplying the special rate add-on amount paid for each qualifying resident by the number of days that were paid. No related adjustment is made to the facility's CMIs. (3-19-07)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.19 - CERTIFIED FAMILY HOMES

DOCKET NO. 16-0319-1101

NOTICE OF PUBLIC MEETINGS

AUTHORITY: Notice is hereby given that this agency intends to hold public meetings on the above referenced rulemaking. This rulemaking action is authorized pursuant to Section 56-264, Idaho Code.

MEETING SCHEDULE: Public meetings will be held as follows:

Tuesday, May 24, 2011, at 1:30 p.m. MDT

**DHW Region IV Office
1720 Westgate Drive
Suite A, Room 131
Boise, ID**

**Thursday, May 26, 2011, at 1:30 p.m. MDT (12:30 p.m. PDT)
TELECONFERENCE AT THE FOLLOWING LOCATIONS:**

DHW - Region I Office 2195 Ironwood Court Main Conf. Rm. Coeur d'Alene, ID	DHW - Region II Office 1118 "F" Street 1st Floor Conf. Rm. Lewiston, ID	DHW - Region III Office 3402 Franklin Rd. Room 226 - Owyhee Caldwell, ID
DHW - Region V Office 823 Harrison Room 116 Twin Falls, ID	DHW - Region VI Office 1070 Hiline Road 2nd Floor Conf. Rm. Pocatello, ID	DHW - Region VII Office 150 Shoup Ave. Conf. Rm. 240 Idaho Falls, ID

The meeting sites will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below. Seating at the regional offices is limited. The information shared at the public meetings will also be available on the Certified Family Home website and mailed to providers via an Information Release.

METHOD OF PARTICIPATION: Persons wishing to participate in the public meetings must do the following: Attend a face-to-face meeting in Region IV, or attend a teleconference meeting at other Region Offices as scheduled above.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the public meetings: The Division of Medicaid will conduct Public Meetings to provide plans for implementing provisions of House Bill 260 which directed the Department of Health and Welfare to "create approval criteria for new certified family homes; recertify current certified family homes; and develop applicant and licensing fees to cover certifying and recertifying costs." These requirements under Section 56-264, Idaho Code, are effective on July 1, 2011, and will impact all certified family homes in Idaho.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning these meetings, contact Steve Millward at (208) 364-1959.

DATED this 25th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720

Boise, ID 83720-0036
phone: (208) 334-5564
fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.05.04 - RULES OF THE IDAHO COUNCIL ON DOMESTIC VIOLENCE
AND VICTIM ASSISTANCE GRANT FUNDING

DOCKET NO. 16-0504-1001

NOTICE OF RULEMAKING - FINAL RULE

EFFECTIVE DATE: The effective date of this final rule is March 30, 2011.

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No. 16-0504-1001, and this agency is publishing a final rule pursuant to that legislative action. This agency action for this final rulemaking is authorized pursuant to Section 55-5209, Idaho Code.

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

Pursuant to House Concurrent Resolution No. 22 (HCR 22), IDAPA 16.05.04, "Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding," a portion of the document incorporated by reference in Section 004, "Incorporation by Reference," Subparagraph 03.b., promulgated under Docket No. [16-0504-1001](#), is not consistent with legislative intent.

In accordance with HCR 22, Section I.B.4, only, of the "Minimum Standards for Domestic Violence Offender Intervention Programs," incorporated by reference in Subparagraph 16.05.04.004.03.b., has been declared null and void, and of no force and effect and has been removed from the manual. The remainder of the manual has been approved and the rule becomes final and effective on July 1, 2011.

The original text of the proposed rule was published in the [October 6, 2010, Idaho Administrative Bulletin, Vol. 10-8, pages 270 through 274](#). The pending rule was published in the [January 5, 2011, Idaho Administrative Bulletin, Vol. 11-1, page 154](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Luann Dettman at (208) 332-1540.

DATED this 7th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.05.06 - CRIMINAL HISTORY AND BACKGROUND CHECKS

DOCKET NO. 16-0506-1001

NOTICE OF RULEMAKING - FINAL RULE

EFFECTIVE DATE: The effective date of the final rule is March 4, 2011.

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No. 16-0506-1001 and this agency is publishing a final rule pursuant to that legislative action. This agency action for this final rulemaking is authorized pursuant to Section 56-1004A, Idaho Code.

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

Pursuant to House Concurrent Resolution No. 14 (HCR 14), the IDAPA 16.05.06, "Criminal History and Background Checks," Section 210, "Disqualifying Crimes Resulting in an Unconditional Denial," Paragraph 01.j., as promulgated under Docket No. 16-0506-1001, is not consistent with legislative intent and has been rejected and declared null, void, and of no force and effect. In accordance with HCR 14 the affected Paragraph 210.01.j. of this final rule will be codified into the Idaho Administrative Code as previously codified without change.

The original text of the proposed rule was published in the [July 7, 2010, Idaho Administrative Bulletin, Vol. 10-7, pages 36 through 44](#). The pending rule was published in the [January 5, 2011, Idaho Administrative Bulletin, Vol. 11-1, pages 155 and 156](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the final rule, contact Steve Bellomy (208) 334-0609.

DATED this 8th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720

Boise, ID 83720-0036
phone: (208) 334-5564
fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE FINAL TEXT OF THE PARAGRAPH AFFECTED BY HCR 14, ONLY

210. DISQUALIFYING CRIMES RESULTING IN AN UNCONDITIONAL DENIAL.

An individual is not available to provide direct care or services when the individual discloses or the criminal history and background check reveals a conviction for a disqualifying crime on his record as described in Subsections 210.01 and 210.02 of this rule. (3-26-08)

01. Disqualifying Crimes. The disqualifying crimes described in Subsections 210.01.a through 210.01.v. of these rules will result in an unconditional denial being issued. (3-26-08)

Paragraph 210.01.j.

j. Murder in any degree, voluntary manslaughter, assault, or battery with intent to commit a serious felony, as defined in Sections 18-4001, 18-4003, 18-4006, and 18-4015, Idaho Code; (3-26-08)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.06.02 - RULES GOVERNING STANDARDS FOR CHILD CARE LICENSING
DOCKET NO. 16-0602-1002
NOTICE OF RULEMAKING - FINAL RULE

EFFECTIVE DATE: The effective date of this final rule is April 7, 2011.

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No.16-0602-1002 and this agency is publishing a final rule pursuant to that legislative action. This agency action for this final rulemaking is authorized pursuant to Sections 39-1111, 39-1209, 39-1210, 39-1211, 39-1213, 56-1003, 56-1004A, and 56-1005, Idaho Code.

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

Pursuant to Senate Concurrent Resolution No. 107 (SCR 107), the rulemaking promulgated under Docket No. 16-0602-1002 is not consistent with legislative intent and has been rejected and declared null, void and of no force and effect. This final rule will be codified into the 2011 Idaho Administrative Code in accordance with the provisions of SCR 107 that rejected the daycare licensing fees promulgated under Section 320. Section 320 was previously a "Reserved" Section and is hereby recodified as a Reserved Section.

The original text of the proposed rule for the daycare licensing fees was published in the [July 7, 2010, Idaho Administrative Bulletin, Vol. 10-7, pages 80 and 81](#). The pending rule was published in the [January 5, 2011, Idaho Administrative Bulletin, Vol. 11-1, page 163](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Marian Woods at (208) 334-0683.

DATED this 8th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564
fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE FINAL TEXT OF THE SECTION AFFECTED BY SCR 107, ONLY

310. -- 320. (RESERVED).

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.06.12 - RULES GOVERNING THE IDAHO CHILD CARE PROGRAM (ICCP)

DOCKET NO. 16-0612-1003

NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2012 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session 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 Sections 67-5224, Idaho Code, notice is hereby given this agency has adopted a pending rule. The action is authorized pursuant to Section 56-202, 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 Department of Health and Welfare's Self-Reliance Program has adopted rules to allow electronic and telephonic signatures to improve access to services, increase productivity, and better utilize technology and other solutions to connect customers with services. The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the [December 1, 2010, Idaho Administrative Bulletin, Vol. 10-12, pages 153 and 154.](#)

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

The fiscal impact for this rule change will be minimal to state general funds.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Rosie Andueza at (208) 334-5553.

DATED this 7th day of April, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

DOCKET NO. 16-0612-1003 - ADOPTION OF PENDING RULE

No substantive changes have been made to the pending rule.

The complete text of the proposed rule was published in the Idaho Administrative Bulletin, Volume 10-12, December 1, 2010, pages 153 and 154.

This rule has been adopted as a pending rule by the Agency and is now awaiting review and approval by the 2012 Idaho State Legislature for final adoption.

IDAPA 20 - DEPARTMENT OF LANDS

20.02.14 - RULES FOR SELLING FOREST PRODUCTS ON STATE OWNED ENDOWMENT LANDS

DOCKET NO. 20-0214-1001

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No. 20-0214-1001. This agency action for this final rulemaking is authorized pursuant to Section 58-104(6), 58-105, 58-403 and 58-412, Idaho Code.

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

Pursuant to House Concurrent Resolution No. 10 (HCR 10), Section 010, 'Definitions,' Subsection 16, the definition of "Public Auction," and Section 023, 'Delivered Product Sales,' only, adopted as pending rules under Docket No. [20-0214-1001](#), are not consistent with legislative intent and are hereby rejected and declared null, void and of no force and effect.

Only those sections of rulemaking Docket 20-0214-1001 affected by the HCR 10 are reprinted here as final rules following this notice and as they will be codified into the 2011 Idaho Administrative Code.

The original text of the proposed rule was published in the [October 6, 2010 Idaho Administrative Bulletin, Vol. 10-10, pages 352 through 357](#). The pending rule was published in the [January 5, 2011 Idaho Administrative Bulletin, Vol. 11-1, page 178](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Kathy Opp at (208) 334-0200.

DATED this 8th day of April, 2011.

Kathy Opp
Deputy Director
Idaho Department of Lands
PO Box 83720
Boise, Idaho 83720

THE FOLLOWING IS THE FINAL TEXT FOR THE SECTIONS AFFECTED BY HCR 10, ONLY

010. DEFINITIONS.

01. **Board.** The Idaho State Board of Land Commissioners. (5-8-09)
02. **Cable Yarding.** Transportation of forest products from stump to road by means of a suspended, powered cable system. (5-8-09)
03. **Cedar.** Western Red Cedar (*Thuja plicata*). (5-8-09)

- 04. Cedar Pole.** A segment or portion of a western red cedar tree that can be manufactured into a utility pole meeting current ANSI Specifications. (5-8-09)
- 05. Contract.** Timber sale contract in a form prescribed by the Department. (5-8-09)
- 06. Department.** The Idaho Department of Lands. (5-8-09)
- 07. Development Credits.** A stumpage credit received by the purchaser for the construction or reconstruction of roads, bridges, or other permanent improvements. (5-8-09)
- 08. Director.** The director of the Idaho Department of Lands or his authorized representative. (5-8-09)
- 09. Extreme Circumstances.** Catastrophic circumstances including, but not limited to, fire, downed timber due to a wind event, flood, earthquake, destruction of a purchaser's milling facilities or equipment by fire, or milling operation shut down due to a court order related to compliance with state or federal environmental laws. (5-8-09)
- 10. Forest Products.** Marketable forest materials. (5-8-09)
- 11. Ground-Based Yarding.** Transportation of forest products from stump to road using tractors, forwarders, or rubber-tired skidders. (5-8-09)
- 12. Length.** The length of a pole in five (5) foot increments. (5-8-09)
- 13. Measurement.** Weight, length, board foot volume, cubic volume, or any other means or procedure for determining quantity of forest products. (5-8-09)
- 14. Net Appraised Value.** The minimum estimated sale value of the forest products after deducting the development credit. (5-8-09)
- 15. Net Sale Value.** The final sale bid value of the forest products after deducting the development credit. (5-8-09)
- 16. Pulp.** Any portion of a tree that does not meet the sawlog merchantability specifications of thirty-three and one-third percent (33 1/3%) net scale. (5-8-09)
- 17. Purchaser.** A successful bidder for forest products from a state sale who has executed a timber sale contract. (5-8-09)
- 18. Roads.** Forest access roads used for the transportation of forest products. (5-8-09)
- 19. Scaling.** Quantitative measurement of logs or other forest products by a log rule. (5-8-09)
- 20. Scribner Decimal "C" Board Foot Measure.** The measurement of forest products in accordance with the log rule described in Title 38, Chapter 12, Idaho Code, and the rules promulgated thereunder. (5-8-09)
- 21. State.** The State of Idaho. (5-8-09)

(BREAK IN CONTINUITY OF SECTIONS)

023. (RESERVED).

IDAPA 27 - BOARD OF PHARMACY

27.01.01 - RULES OF THE IDAHO STATE BOARD OF PHARMACY

DOCKET NO. 27-0101-1101

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that the Board of Pharmacy intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 37-2715 and 54-171, Idaho Code.

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

Thursday, June 2, 2011, at 9 a.m. (PST)	Wednesday, June 22, 2011, at 9 a.m.	Monday, July 11, 2011, at 12:00 p.m.
Coeur d'Alene Resort 115 South 2nd Street Coeur d'Alene, Idaho	Idaho State Board of Pharmacy 1199 Shoreline Lane, Ste. #303 Boise, Idaho	ISU School of Pharmacy Leonard Hall, 970 South 5th Ave. Pocatello, Idaho

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

Written comments will be accepted and the Board's Executive Director will be in attendance for discussion.

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

In 2012, the Board expects to ask the Idaho State Legislature to repeal IDAPA 27.01.01, "Rules of the Idaho State Board of Pharmacy," and promulgate a new, updated, comprehensive version.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking contact Mark Johnston, Executive Director, at (208)-334-2356 or mark.johnston@bop.idaho.gov.

A draft of a complete revision of the Rules of the Idaho State Board of Pharmacy (Board) can be found on the Board's web site at: <http://bop.accessidaho.org>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before 7/12/2011.

DATED this 29th day of April, 2011.

Mark Johnston
Executive Director
Idaho State Board of Pharmacy
3380 Americana Terrace
Suite #320
PO Box 83720
Boise, Idaho 83720
Phone: (208)334-2356
Fax: (208)334-3536

IDAPA 49 - CERTIFIED SHORTHAND REPORTERS BOARD

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

DOCKET NO. 49-0101-1001

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No. 49-0101-1001. This agency action for this final rulemaking is authorized pursuant to Section 54-3107, Idaho Code.

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

Pursuant to House Concurrent Resolution No. 15 (HCR 15), Section 400, 'Temporary Permit,' Subsection 400.02, as amended in Docket No. 49-0101-1001, is not consistent with legislative intent and is hereby rejected and declared null, void and of no force and effect.

Section 400 is reprinted here in its entirety as a final rule and as approved by HCR 15 and as it will be codified into the 2011 Idaho Administrative Code.

The original text of the proposed rule was published in the [October 6, 2010 Idaho Administrative Bulletin, Vol. 10-10, pages 566 and 567](#). The pending rule was published in the [December 1, 2010 Idaho Administrative Bulletin, Vol. 10-12, page 203](#).

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

DATED this 24th day of March, 2011.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State St.
Boise, ID 83702
(208)334-3233 phone
(208)334-3945 fax

THE FOLLOWING IS THE FINAL TEXT FOR THE SECTION AFFECTED BY HCR 15 ONLY

400. TEMPORARY PERMIT.

01. Eligibility. (7-1-93)

a. Any one (1) or more of the following shall be considered as minimum evidence that the applicant is qualified to hold a temporary certificate: (7-1-93)

i. Hold a Certificate of Merit Reporter (RMR) issued by the National Court Reporters Association (NCRA); (3-14-11)

- ii. Hold a Certificate of Registered Professional Reporter (RPR) issued by the National Court Reporters Association (NCRA); (3-14-11)
- iii. Hold a Certified Shorthand Reporter certificate in good standing from another state; (7-1-93)
- iv. Hold a diploma or certificate of completion of all requirements to graduate from a National Court Reporter Association (NCRA) approved school; (7-1-93)
- v. Has otherwise demonstrated his/her proficiency by a certificate from an agency from another state. (1-1-97)
- b.** The applicant shall in addition: (7-1-93)
 - i. Have graduated from an accredited high school, or have had an equivalent education. (7-1-93)
 - ii. Be of good moral character, and have filed a complete application with the Board, accompanied by the required fees, as set forth in these rules. (4-9-09)
- 02. Certificate.** All temporary permits shall be issued for a period of one (1) year and may be renewable for a single additional year if, before the permit expires, the permit holder: (3-14-11)
 - a.** Submits a written renewal request to the Board; (3-14-11)
 - b.** Establishes that they have passed at least one (1) skills portion of the Idaho Certified Shorthand Reporter Examination, the Registered Professional Reporter Examination (RPR), or the Registered Merit Reporter Examination (RMR) examination; and (3-14-11)
 - c.** Pays the required fees as set forth in this Chapter. (3-14-11)

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

THE BLACK LAKE TMDL (HUC 17010303)

DOCKET NO. 58-0000-1102

NOTICE OF FINAL DECISION

AUTHORITY: In compliance with Section 39-3611, Idaho Code, notice is hereby given that this agency has issued a final decision on the Black Lake Total Maximum Daily Load (TMDL) within the Coeur d'Alene Lake Subbasin.

DESCRIPTIVE SUMMARY: The Department of Environmental Quality (DEQ) hereby gives notice of the final decision on the Black Lake TMDL within the Coeur d'Alene Lake Subbasin. The final decision may be appealed to the Board of Environmental Quality by initiating a contested case in accordance with Sections 39-107(5), 67-5240 et seq., Idaho Code, and IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." The petition initiating a contested case must be filed with the undersigned hearing coordinator within thirty-five (35) days of the publication date of this notice in the Idaho Administrative Bulletin.

The area covered by the Black Lake TMDL (Hydrologic Unit Code 17010303) addresses one (1) assessment unit (AU) impaired by nutrients. DEQ completed a total phosphorus TMDL to address water quality impairment. DEQ has submitted this TMDL document to the U.S. Environmental Protection Agency for approval under the Clean Water Act.

AVAILABILITY OF THE TMDL: Electronic copy of the TMDL can be obtained at http://www.deq.idaho.gov/water/data_reports/surface_water/tmdls/black_lake/black_lake.cfm or by contacting Ms. Marti Bridges, TMDL Program Manager, 208-373-0382, marti.bridges@deq.idaho.gov.

Dated this 5th day of April, 2011.

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

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.01 - RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

DOCKET NO. 58-0101-1003

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking. This rulemaking action is authorized Sections 39-105 and 39-107, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this proposed rule will be held as follows:

Monday, June 6, 2011, 3:30 p.m.

**Department of Environmental Quality
Conference Room B
1410 N. Hilton, Boise, Idaho**

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made no later than five (5) days prior to the hearing. For arrangements, contact the undersigned at (208) 373-0418.

DESCRIPTIVE SUMMARY: The purpose of this rulemaking is to streamline Idaho's Rules for Control of Kraft Pulp Mills by removing requirements that are either obsolete or covered by existing federal rules and by clarifying reporting requirements. Idaho's Rules for Control of Kraft Pulp Mills contain several obsolete requirements which were completed during the 1970's. Other requirements are duplicative or less stringent than existing federal New Source Performance Standards and Maximum Achievable Control Technology for this industry.

Members of the regulated community who may be subject to Idaho's air quality rules as well as special interest groups, public officials, or members of the public who have an interest in the regulation of air emissions from sources in Idaho may be interested in commenting on this proposed rule. The proposed rule text is in legislative format. Language the agency proposes to add is underlined. Language the agency proposes to delete is struck out. It is these additions and deletions to which public comment should be addressed.

After consideration of public comments, DEQ intends to present the final proposal to the Board of Environmental Quality in October 2011 for adoption of a pending rule. The pending rule is expected to become final and effective upon adjournment of the 2012 legislative session if adopted by the Board and approved by the Legislature.

SECTION 39-107D, IDAHO CODE, STATEMENT: This proposed rule does not regulate an activity not regulated by the federal government, nor is it broader in scope or more stringent than federal regulations.

NEGOTIATED RULEMAKING: The text of the rule has been drafted based on discussions held and concerns raised during negotiations conducted pursuant to Section 67-5220, Idaho Code, and IDAPA 58.01.23.810-815. On November 3, 2010, the Notice of Negotiated Rulemaking was published in the [Idaho Administrative Bulletin, Vol. 10-11, pages 120 and 121](#), and a preliminary draft rule was made available for public review. A meeting was held on December 9, 2010. Members of the public participated in this negotiated rulemaking process by attending the meeting and by submitting written comments. A record of the negotiated rule drafts, written comments received, and documents distributed during the negotiated rulemaking process is available at http://www.deq.idaho.gov/rules/air/58_0101_1003_proposed.cfm.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the incorporation by reference is necessary: Not applicable.

FISCAL IMPACT STATEMENT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective: Not applicable.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning the negotiated rulemaking, contact Michael Simon at (208) 373-0212, michael.simon@deq.idaho.gov.

Anyone may submit written comments by mail, fax or e-mail at the address below regarding this proposed rule. DEQ will consider all written comments received by the undersigned on or before June 6, 2011.

DATED this 8th day of April, 2011.

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THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 58-0101-1003

~~**815. RULES FOR CONTROL OF KRAFT PULPING MILLS.**~~

~~The purpose of Sections 815 through 826 is to establish for kraft pulping mills restrictions additional to the general rules presented in this Chapter; to formulate a schedule for compliance with the restrictions; and to formalize the policy of the Department concerning emissions control from kraft pulping mills.~~ (5-1-94)

~~**816. STATEMENT OF POLICY.**~~

~~It is hereby declared to be the policy of the Department to:~~ (5-1-94)

~~**01. Best Treatment and Control.** Require, in accordance with a specific program and timetable, the highest and best practicable treatment and control of emissions through the utilization of technically feasible equipment, devices and procedures.~~ (5-1-94)

~~**02. Monitoring.** Require effective monitoring and reporting of emissions and reporting of other data pertinent to air quality or emissions. The Department will use these data in conjunction with other data on ambient air and local conditions to develop and revise emission standards and air quality standards as necessary, and to determine compliance therewith.~~ (5-1-94)

~~**03. Research.** Encourage and assist the kraft pulping industry to conduct research and technological development designed to progressively reduce emissions in accordance with specific programs, objectives and time schedules.~~ (5-1-94)

~~**04. Available Technology Required.** Establish standards deemed to be technically feasible and reasonably attainable, with the intent of revising the standards as necessary when new information and technology are developed.~~ (5-1-94)

~~**05. New Source Standards.** Establish more restrictive standards for new mills or for mills expanding existing facilities.~~ (5-1-94)

~~**817. GENERAL RULES.**~~

~~All emission standards in Sections 818 through 823 are based on average daily emissions. These limitations do not~~

~~preclude a requirement to install the highest and best practicable treatment and control available. (5-1-94)~~

~~818. RECOVERY FURNACE STANDARDS.~~

~~The emission of TRS from all recovery furnace stacks shall not exceed two (2) pounds of sulfur per ton of equivalent air dried kraft pulp or, from each recovery furnace stack, seventy (70) ppm expressed as hydrogen sulfide on a dry basis, whichever is the more restrictive. Compliance shall be achieved by December, 1972. (5-1-94)~~

~~819. RECOVERY FURNACE TRS STANDARDS.~~

~~The emission of TRS from all recovery furnace stacks shall be further reduced so as not to exceed one half (1/2) pound of sulfur per equivalent ton of air dried kraft pulp, or from each recovery furnace stack seventeen and one half (17 1/2) ppm, expressed as hydrogen sulfide on a dry gas basis, whichever is the more restrictive, or such other limit of TRS that proves to be reasonably attainable utilizing the latest in design of recovery furnace equipment, controls, and procedures. Compliance shall be achieved by not later than July, 1975. (5-1-94)~~

~~820. DIGESTER AND EVAPORATOR STANDARDS.~~

~~Noncondensibles from digesters and multiple-effect evaporators shall be treated to reduce the emission of TRS equal to the reduction achieved by thermal oxidation in a lime kiln. Compliance with this requirement shall be achieved by not later than July, 1972. (5-1-94)~~

~~821. RECOVERY FURNACE PARTICULATE STANDARDS.~~

~~The emission of particulate matter from all recovery furnace stacks shall not exceed four (4) pounds per ton of equivalent air dried kraft pulp. Compliance with this requirement shall be achieved by not later than July, 1975. (5-1-94)~~

~~822. LIME KILN STANDARDS.~~

~~The emission of particulate matter from all lime kilns shall not exceed one (1) pound per ton of equivalent air dried kraft pulp. Compliance with this requirement shall be achieved by not later than July, 1975. (5-1-94)~~

~~823. SMELT TANK STANDARDS.~~

~~The emission of particulate material from all smelt tanks shall not exceed one half (1/2) pound per ton of equivalent air dried kraft pulp. Compliance with this requirement shall be achieved by not later than July, 1972. (5-1-94)~~

~~824. MONITORING AND REPORTING.~~

~~**01. Continuous Monitoring Requirements.** Every kraft mill in the State shall install equipment for the continuous monitoring of TRS. (5-1-94)~~

~~**a.** The monitoring equipment shall be capable of determining compliance with these standards and shall be capable of continuous sampling and recording of the concentrations of TRS contaminants during a time interval not greater than thirty (30) minutes. (5-1-94)~~

~~**b.** The sources monitored shall include, but are not limited to, the recovery furnace stacks and the lime kiln stacks. (5-1-94)~~

~~**02. Particulate Sampling.** Each mill shall sample the recovery furnace, lime kiln, and smelt tank for particulate emissions on a regularly scheduled basis in accordance with its sampling program as approved by the Department. The appropriate test method under Sections 821 through 823 shall be EPA Method 5 contained in 40 CFR Part 60 or such comparable and equivalent method approved in accordance with Subsection 157.02.d. Test methods and procedures shall also comply with Section 157. (4-5-00)~~

~~**03. Monitoring Program and Time Schedule Submittal.** Each mill shall submit within sixty (60) days after the original effective date of Sections 815 through 826 a detailed monitoring program and time schedule for approval by the Department. The equipment shall be ordered within thirty (30) days after the monitoring program has been approved in writing by the Department. The equipment shall be placed in effective operation in accordance with the approved program within ninety (90) days after delivery. (5-1-94)~~

~~**04. Quarterly Reporting Requirements.** Unless otherwise authorized by the Department, data shall be~~

~~reported by each mill at the end of each calendar quarter, as follows: (4-5-00)~~

~~a. Daily average emission of TRS gases expressed in parts per million on a dry gas basis for each source included in the approved monitoring program. (5-1-94)~~

~~b. The number of hours each day that the emission of TRS gases from each recovery furnace stack exceeds emission standards and the maximum concentration of TRS measured each day. (5-1-94)~~

~~c. Emission of TRS gases in pounds of sulfur per equivalent air-dried ton of pulp processed in the kraft cycle on a quarterly basis for each source included in the approved monitoring program. (4-5-00)~~

~~d. Emission of particulates in pounds per equivalent air-dried ton of pulp produced in the kraft cycle based upon sampling conducted in accordance with the approved monitoring program. (5-1-94)~~

~~e. Average daily equivalent kraft pulp production in air-dried tons. (5-1-94)~~

~~f. Other emission data as specified in the approved monitoring program. (5-1-94)~~

~~05. Semi-Annual Reporting Requirements. Unless otherwise authorized by the Department, excess emissions data for emissions units covered by Section 820 shall be reported by each mill at the end of each semi-annual calendar period, as follows: (4-5-00)~~

~~a. Excess emissions for the semi-annual report required by Subsection 824.05 shall be defined as periods during which noncondensibles are not treated as required by Section 820. Periods of excess emissions reported under Subsection 824.05 shall not be a violation under Section 820 provided that the time of excess emissions (excluding periods of startup, shutdown, or malfunction) divided by the total process operating time in a semi-annual period does not exceed one percent (1%). (4-5-00)~~

~~b. The total duration of excess emissions during the reporting period (recorded in hours). (4-5-00)~~

~~c. The total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and (4-5-00)~~

~~d. A breakdown of the total duration of excess emissions during the reporting period into those that are due to startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes. (4-5-00)~~

~~06. Miscellaneous Reports. Each kraft mill shall furnish, upon request of the Department, such other pertinent data as the Department may require to evaluate the mill's emission control program. Each mill shall immediately report abnormal mill operations which result in increased emissions of air pollutants, following procedures set forth in the approved monitoring program. (5-1-94)~~

825. SPECIAL STUDIES.

~~Special studies, having prior approval of the Department, shall be conducted, and the results thereof submitted to the Department by December, 1972. (5-1-94)~~

~~01. Areas to Be Included. The studies shall cover the following areas: (5-1-94)~~

~~a. TRS Emissions. Evaluation of the emissions of TRS from all other sources within the mill. Other sources mean sources of odorous sulfur emissions including, but not limited to, vents from lime kilns, knotters, brown stock pulp washers, multiple-effect evaporators, digesters, blow tanks, smelt tanks, blow heat accumulators, black liquor storage, black liquor oxidation systems, tall oil recovery operations, and any operation connected with the handling of condensate liquids within the mill or any vent which may be a significant contributor of odorous gases. (5-1-94)~~

~~b. Sulfur Dioxide Emissions. Evaluation of the emissions of sulfur dioxide from all sources within the mill, including but not necessarily limited to, the recovery furnace, lime kiln, and power boilers. (5-1-94)~~

~~e. Water Vapor. Evaluation of water vapor emissions from all sources within the mill. (5-1-94)~~

~~02. Additional Studies. The Department may require such additional special studies relevant to air pollution and establish completion dates as necessary. (5-1-94)~~

826. EXCEPTIONS.

The emission limits established under Sections 817 through 823 apply to the specific process as described. These emission limits do not apply to open burning, power boilers, or other operations conducted at the site of or ancillary to the kraft pulp mill operation. Such ancillary operations must meet standards established in this chapter. (5-1-94)

815. RULES FOR CONTROL OF KRAFT PULP MILLS.

The purpose of Sections 815 through 818 is to establish emission standards for recovery furnaces and notification and reporting requirements for low volume high concentration (LVHC) and high volume low concentration (HVLC) gas venting at kraft pulp mills. ()

816. RECOVERY FURNACE TRS STANDARD.

The average daily emissions of total reduced sulfur (TRS) from each recovery furnace shall not exceed fifteen (15) ppm expressed as hydrogen sulfide on a dry basis. Recovery furnaces at kraft pulp mills subject to 40 CFR Part 60 TRS standards are exempt from the requirements of Section 816. ()

817. RECOVERY FURNACE TRS MONITORING AND RECORDKEEPING.

Owners and operators of each recovery furnace subject to the TRS emission standard in Section 816 shall maintain and operate equipment to continuously monitor and record the daily average TRS concentrations. ()

818. KRAFT PULP MILL LVHC AND HVLC GAS VENTING NOTIFICATION AND REPORTING.

Section 818 is applicable to kraft pulp mill LVHC and HVLC gas venting from sources required to be controlled pursuant to 40 CFR 63, Subpart S. For purposes of Sections 130 through 136, an excess emission is defined as a continuous uncontrolled gas venting in excess of five (5) minutes. Excess emissions notification and reporting shall be conducted pursuant to the requirements contained in Sections 130 through 136 and the permit issued to the kraft pulp mill. ()

827~~19~~. -- 834. (RESERVED).

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.02 - WATER QUALITY STANDARDS

DOCKET NO. 58-0102-1001

NOTICE OF RULEMAKING - FINAL RULE

EFFECTIVE DATE: The effective date of the final rule is March 18, 2011.

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the 2011 Idaho Legislature has taken action, by concurrent resolution on March 18, 2011, on the pending rule promulgated under Docket No. 58-0102-1001, and this agency is publishing a final rule pursuant to that legislative action. This action is authorized by Sections 39-105, 39-107, and 39-3601 et seq., Idaho Code.

DESCRIPTIVE SUMMARY: Pending Rule Docket No. [58-0102-1001](#) was submitted to the 2011 Idaho Legislature for review. Under House Concurrent Resolution 16 (HCR16), the Idaho Legislature rejected certain portions of the rule and approved the remainder of the rule. Pursuant to HCR16, the following portions of the pending rule are rejected and declared null, void and of no force and effect: Subsection 010.19, definition of "Degradation or Lower Water Quality"; Subsection 052.03, General Permits; Subsection 052.05, Identification of Tier II Waters; and Subsection 052.08.a, relating to Tier II Analysis.

The 2011 Idaho Legislature also adopted House Bill 153 (HB153) that revised the Idaho Code to include sections addressing antidegradation, including sections regarding the definition of degradation, the treatment of general permits, the identification of tier II waters, and insignificant discharges or activities. The new sections added to Idaho law by HB153 correspond to the portions of the rule rejected by HCR16. HB153 was signed into law by the Governor on March 22, 2011.

The proposed rule was published in the [Idaho Administrative Bulletin, September 1, 2010, Vol. 10-9, pages 445 through 469](#). The notice of adoption of pending rule was published in the [Idaho Administrative Bulletin, January 5, 2011, Vol. 11-1, pages 206 through 223](#).

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

Dated this 12th day of April, 2011.

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THE FOLLOWING IS THE FINAL TEXT FOR THE SECTIONS AFFECTED BY HCR 16 ONLY

010. DEFINITIONS.

For the purpose of the rules contained in IDAPA 58.01.02, "Water Quality Standards," the following definitions apply: (4-11-06)

01. Activity. For purposes of antidegradation review, an activity that causes a discharge to a water subject to the jurisdiction of the Clean Water Act. (3-18-11)

02. Acute. A stimulus severe enough to induce a rapid response. In aquatic toxicity tests, acute refers to a single or short-term (i.e., ninety-six (96) hours or less) exposure to a concentration of a toxic substance or effluent which results in death to fifty percent (50%) of the test organisms. When referring to human health, an acute effect is not always measured in terms of lethality. (3-30-07)

03. Acute Criteria. Unless otherwise specified in these rules, the maximum instantaneous or one (1) hour average concentration of a toxic substance or effluent which ensures adequate protection of sensitive species of aquatic organisms from acute toxicity due to exposure to the toxic substance or effluent. Acute criteria are expected to adequately protect the designated aquatic life use if not exceeded more than once every three (3) years. This is also known as the Criterion Maximum Concentration (CMC). There are no specific acute criteria for human health; however, the human health criteria are based on chronic health effects and are expected to adequately protect against acute effects. (3-30-07)

04. Aquatic Species. Any plant or animal that lives at least part of its life in the water column or benthic portion of waters of the state. (8-24-94)

05. Assigned Criteria. Criteria associated with beneficial uses from Section 100 of these rules. (3-18-11)

06. Background. The biological, chemical or physical condition of waters measured at a point immediately upstream (up-gradient) of the influence of an individual point or nonpoint source discharge. If several discharges to the water exist or if an adequate upstream point of measurement is absent, the Department will determine where background conditions should be measured. (8-24-94)

07. Basin Advisory Group. No less than one (1) advisory group named by the Director, in consultation with the designated agencies, for each of the state's six (6) major river basins which shall generally advise the Director on water quality objectives for each basin, work in a cooperative manner with the Director to achieve these objectives, and provide general coordination of the water quality programs of all public agencies pertinent to each basin. Each basin advisory group named by the Director shall reflect a balanced representation of the interests in the basin and shall, where appropriate, include representatives from each of the following: agriculture, mining, nonmunicipal point source discharge permittees, forest products, local government, livestock, Indian tribes (for areas within reservation boundaries), water-based recreation, and environmental interests. (3-20-97)

08. Beneficial Use. Any of the various uses which may be made of the water of Idaho, including, but not limited to, domestic water supplies, industrial water supplies, agricultural water supplies, navigation, recreation in and on the water, wildlife habitat, and aesthetics. The beneficial use is dependent upon actual use, the ability of the water to support a non-existing use either now or in the future, and its likelihood of being used in a given manner. The use of water for the purpose of wastewater dilution or as a receiving water for a waste treatment facility effluent is not a beneficial use. (8-24-94)

09. Best Management Practice. A practice or combination of practices, techniques or measures developed, or identified, by the designated agency and identified in the state water quality management plan which are determined to be the cost-effective and practicable means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals. (3-20-97)

10. Bioaccumulation. The process by which a compound is taken up by, and accumulated in the tissues of an aquatic organism from the environment, both from water and through food. (8-24-94)

11. Biological Monitoring or Biomonitoring. The use of a biological entity as a detector and its response as a measure to determine environmental conditions. Toxicity tests and biological surveys, including habitat monitoring, are common biomonitoring methods. (8-24-94)

12. Board. The Idaho Board of Environmental Quality. (7-1-93)

13. Chronic. A stimulus that persists or continues for a long period of time relative to the life span of an organism. In aquatic toxicity tests, chronic refers to continuous exposure to a concentration of a toxic substance or

effluent which results in mortality, injury, reduced growth, impaired reproduction, or other adverse effect to aquatic organisms. The test duration is long enough that sub-lethal effects can be reliably measured. When referring to human health, a chronic effect is usually measured in terms of estimated changes in rates (# of cases/ 1000 persons) of illness over a lifetime of exposure. (3-30-07)

14. Chronic Criteria. Unless otherwise specified in these rules, the four (4) day average concentration of a toxic substance or effluent which ensures adequate protection of sensitive species of aquatic organisms from chronic toxicity due to exposure to the toxic substance or effluent. Chronic criteria are expected to adequately protect the designated aquatic life use if not exceeded more than once every three (3) years. This is also known as the Criterion Continuous Concentration (CCC). Human health chronic criteria are based on lifetime exposure. (3-30-07)

15. Compliance Schedule or Schedule Of Compliance. A schedule of remedial measures including an enforceable sequence of actions or operations leading to compliance with an effluent limitation, other limitation, prohibition, or standard. (8-24-94)

16. Cost-Effective and Reasonable Best Management Practices (BMPs) for Nonpoint Sources. All approved BMPs specified in Subsections 350.03 and 055.07 of these rules. BMPs for activities not specified are, in accordance with Section 350, determined on a case-by-case basis. (3-18-11)

17. Daily Maximum (Minimum). The highest (lowest) value measured during one (1) calendar day or a twenty-four (24) hour period, as appropriate. For ambient monitoring of dissolved oxygen, pH, and temperature, multiple measurements should be obtained at intervals short enough that the difference between consecutive measurements around the daily maximum (minimum) is less than zero point two (0.2) ppm for dissolved oxygen, zero point one (0.1) SU for pH, or zero point five (0.5) degree C for temperature. (3-30-07)

18. Daily Mean. The average of at least two (2) appropriately spaced measurements, acceptable to the Department, calculated over a period of one (1) day: (3-20-97)

a. Confidence bounds around the point estimate of the mean may be required to determine the sample size necessary to calculate a daily mean; (8-24-94)

b. If any measurement is greater or less than five-tenths (0.5) times the average, additional measurements over the one-day period may be needed to obtain a more representative average; (3-20-97)

c. In calculating the daily mean for dissolved oxygen, values used in the calculation shall not exceed the dissolved oxygen saturation value. If a measured value exceeds the dissolved oxygen saturation value, then the dissolved oxygen saturation value will be used in calculating the daily mean. (8-24-94)

d. For ambient monitoring of temperature, the daily mean should be calculated from equally spaced measurements, at intervals such that the difference between any two (2) consecutive measurements does not exceed one point zero (1.0) degree C. (3-30-07)

19. Deleterious Material. Any nontoxic substance which may cause the tainting of edible species of fish, taste and odors in drinking water supplies, or the reduction of the usability of water without causing physical injury to water users or aquatic and terrestrial organisms. (8-24-94)

20. Department. The Idaho Department of Environmental Quality. (7-1-93)

21. Design Flow. The critical flow used for steady-state wasteload allocation modeling. (8-24-94)

22. Designated Agency. The department of lands for timber harvest activities, oil and gas exploration and development, and mining activities; the soil conservation commission for grazing and agricultural activities; the transportation department for public road construction; the department of agriculture for aquaculture; and the Department's division of environmental quality for all other activities. (3-20-97)

23. Designated Beneficial Use or Designated Use. Those beneficial uses assigned to identified waters in Idaho Department of Environmental Quality Rules, IDAPA 58.01.02, "Water Quality Standards and Wastewater

- Treatment Requirements,” Sections 110 through 160, whether or not the uses are being attained. (4-5-00)
- 24. Desirable Species.** Species indigenous to the area or those introduced species identified as desirable by the Idaho Department of Fish and Game. (3-15-02)
- 25. Director.** The Director of the Idaho Department of Environmental Quality or his authorized agent. (7-1-93)
- 26. Discharge.** When used without qualification, any spilling, leaking, emitting, escaping, leaching, or disposing of a pollutant into the waters of the state. For purposes of antidegradation review, means “discharge” as used in Section 401 of the Clean Water Act. (3-18-11)
- 27. Dissolved Oxygen (DO).** The measure of the amount of oxygen dissolved in the water, usually expressed in mg/l. (7-1-93)
- 28. Dissolved Product.** Petroleum product constituents found in solution with water. (8-24-94)
- 29. Dynamic Model.** A computer simulation model that uses real or derived time series data to predict a time series of observed or derived receiving water concentrations. Dynamic modeling methods include continuous simulation, Monte Carlo simulations, lognormal probability modeling, or other similar statistical or deterministic techniques. (8-24-94)
- 30. E. coli (Escherichia coli).** A common fecal and intestinal organism of the coliform group of bacteria found in warm-blooded animals. (4-5-00)
- 31. Effluent.** Any wastewater discharged from a treatment facility. (7-1-93)
- 32. Effluent Biomonitoring.** The measurement of the biological effects of effluents (e.g., toxicity, biostimulation, bioaccumulation, etc.). (8-24-94)
- 33. EPA.** The United States Environmental Protection Agency. (7-1-93)
- 34. Ephemeral Waters.** A stream, reach, or water body that flows naturally only in direct response to precipitation in the immediate watershed and whose channel is at all times above the water table. (4-11-06)
- 35. Existing Activity or Discharge.** An activity or discharge that has been previously authorized or did not previously require authorization. (3-18-11)
- 36. Existing Beneficial Use Or Existing Use.** Those beneficial uses actually attained in waters on or after November 28, 1975, whether or not they are designated for those waters in Idaho Department of Environmental Quality Rules, IDAPA 58.01.02, “Water Quality Standards.” (4-11-06)
- 37. Facility.** As used in Section 850 only, any building, structure, installation, equipment, pipe or pipeline, well pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock or aircraft, area, place or property from which an unauthorized release of hazardous materials has occurred. (8-24-94)
- 38. Four Day Average.** The average of all measurements within a period of ninety-six (96) consecutive hours. While a minimum of one (1) measurement per each twenty-four (24) hours is preferred, for toxic chemicals in Section 210, any number of data points is acceptable. (3-30-07)
- 39. Free Product.** A petroleum product that is present as a nonaqueous phase liquid. Free product includes the presence of petroleum greater than one-tenth (0.1) inch as measured on the water surface for surface water or the water table for ground water. (7-1-93)
- 40. Full Protection, Full Support, or Full Maintenance of Designated Beneficial Uses of Water.** Compliance with those levels of water quality criteria listed in Sections 200, 210, 250, 251, 252, 253, and 275 (if applicable) or where no major biological group such as fish, macroinvertebrates, or algae has been modified by

human activities significantly beyond the natural range of the reference streams or conditions approved by the Director in consultation with the appropriate basin advisory group. (3-15-02)

41. Geometric Mean. The geometric mean of “n” quantities is the “nth” root of the product of the quantities. (7-1-93)

42. Ground Water. Any water of the state which occurs beneath the surface of the earth in a saturated geological formation of rock or soil. (3-30-07)

43. Harmonic Mean Flow. The number of daily flow measurements divided by the sum of the reciprocals of the flows (i.e., the reciprocal of the mean of reciprocals). (8-24-94)

44. Hazardous Material. A material or combination of materials which, when discharged in any quantity into state waters, presents a substantial present or potential hazard to human health, the public health, or the environment. Unless otherwise specified, published guides such as Quality Criteria for Water (1976) by EPA, Water Quality Criteria (Second Edition, 1963) by the state of California Water Quality Control Board, their subsequent revisions, and more recent research papers, regulations and guidelines will be used in identifying individual and specific materials and in evaluating the tolerances of the identified materials for the beneficial uses indicated. (7-1-93)

45. Highest Statutory and Regulatory Requirements for Point Sources. All applicable effluent limits required by the Clean Water Act and other permit conditions. It also includes any compliance schedules or consent orders requiring measures to achieve applicable effluent limits and other permit conditions required by the Clean Water Act. (3-18-11)

46. Hydrologic Unit Code (HUC). A unique eight (8) digit number identifying a subbasin. A subbasin is a United States Geological Survey cataloging unit comprised of water body units. (4-5-00)

47. Hydrologically-Based Design Flow. A statistically derived receiving water design flow based on the selection and identification of an extreme value (e.g., 1Q10, 7Q10). The underlying assumption is that the design flow will occur X number of times in Y years, and limits the number of years in which one (1) or more excursions below the design flow can occur. (8-24-94)

48. Hypolimnion. The bottom layer in a thermally-stratified body of water. It is fairly uniform in temperature and lays beneath a zone of water which exhibits a rapid temperature drop with depth such that mixing with overlying water is inhibited. (3-30-07)

49. Integrated Report. Refers to the consolidated listing and reporting of the state’s water quality status pursuant to Sections 303(d), 305(b), and 314 of the Clean Water Act. (3-18-11)

50. Inter-Departmental Coordination. Consultation with those agencies responsible for enforcing or administering the practices listed as approved best management practices in Subsection 350.03. (7-1-93)

51. Intermittent Waters. A stream, reach, or water body which naturally has a period of zero (0) flow for at least one (1) week during most years. Where flow records are available, a stream with a 7Q2 hydrologically-based unregulated flow of less than one-tenth (0.1) cubic feet per second (cfs) is considered intermittent. Streams with natural perennial pools containing significant aquatic life uses are not intermittent. (4-11-06)

52. LC-50. The toxicant concentration killing fifty percent (50%) of exposed organisms at a specific time of observation (e.g., ninety-six (96) hours). (3-20-97)

53. Load Allocation (LA). The portion of a receiving water's loading capacity that is attributed either to one (1) of its existing or future nonpoint sources of pollution or to natural background sources. (8-24-94)

54. Loading Capacity. The greatest amount of pollutant loading that a water can receive without violating water quality standards. (8-24-94)

55. Lowest Observed Effect Concentration (LOEC). The lowest concentration of a toxic substance or an effluent that results in observable adverse effects in the aquatic test population. (3-30-07)

56. Man-Made Waterways. Canals, flumes, ditches, wasteways, drains, laterals, and/or associated features, constructed for the purpose of water conveyance. This may include channels modified for such purposes prior to November 28, 1975. These waterways may have uniform and rectangular cross-sections, straight channels, follow rather than cross topographic contours, be lined to reduce water loss, and be operated or maintained to promote water conveyance. (3-30-07)

57. Maximum Weekly Maximum Temperature (MWMT). The weekly maximum temperature (WMT) is the mean of daily maximum temperatures measured over a consecutive seven (7) day period ending on the day of calculation. When used seasonally, e.g., spawning periods, the first applicable WMT occurs on the seventh day into the time period. The MWMT is the single highest WMT that occurs during a given year or other period of interest, e.g., a spawning period. (3-30-07)

58. Milligrams Per Liter (mg/l). Milligrams of solute per liter of solution, equivalent to parts per million, assuming unit density. (7-1-93)

59. Mixing Zone. A defined area or volume of the receiving water surrounding or adjacent to a wastewater discharge where the receiving water, as a result of the discharge, may not meet all applicable water quality criteria or standards. It is considered a place where wastewater mixes with receiving water and not as a place where effluents are treated. (7-1-93)

60. National Pollutant Discharge Elimination System (NPDES). Point source permitting program established pursuant to Section 402 of the federal Clean Water Act. (8-24-94)

61. Natural Background Conditions. The physical, chemical, biological, or radiological conditions existing in a water body without human sources of pollution within the watershed. Natural disturbances including, but not limited to, wildfire, geologic disturbance, diseased vegetation, or flow extremes that affect the physical, chemical, and biological integrity of the water are part of natural background conditions. Natural background conditions should be described and evaluated taking into account this inherent variability with time and place. (3-30-07)

62. Nephelometric Turbidity Units (NTU). A measure of turbidity based on a comparison of the intensity of the light scattered by the sample under defined conditions with the intensity of the light scattered by a standard reference suspension under the same conditions. (8-24-94)

63. New Activity or Discharge. An activity or discharge that has not been previously authorized. Existing activities or discharges not currently permitted or licensed will be presumed to be new unless the Director determines to the contrary based on review of available evidence. An activity or discharge that has previously taken place without need for a license or permit is not a new activity or discharge when first licensed or permitted. (3-18-11)

64. Nonpoint Source Activities. Activities on a geographical area on which pollutants are deposited or dissolved or suspended in water applied to or incident on that area, the resultant mixture being discharged into the waters of the state. Nonpoint source activities on ORWs do not include issuance of water rights permits or licenses, allocation of water rights, operation of diversions, or impoundments. Nonpoint sources activities include, but are not limited to: (3-20-97)

- a. Irrigated and nonirrigated lands used for: (7-1-93)
 - i. Grazing; (7-1-93)
 - ii. Crop production; (7-1-93)
 - iii. Silviculture; (7-1-93)
- b. Log storage or rafting; (7-1-93)

- c. Construction sites; (7-1-93)
- d. Recreation sites; (3-20-97)
- e. Septic tank disposal fields. (8-24-94)
- f. Mining; (3-20-97)
- g. Runoff from storms or other weather related events; and (3-20-97)
- h. Other activities not subject to regulation under the federal national pollutant discharge elimination system. (3-20-97)
- 65. Nuisance.** Anything which is injurious to the public health or an obstruction to the free use, in the customary manner, of any waters of the state. (7-1-93)
- 66. Nutrients.** The major substances necessary for the growth and reproduction of aquatic plant life, consisting of nitrogen, phosphorus, and carbon compounds. (7-1-93)
- 67. One Day Minimum.** The lowest daily instantaneous value measured. (3-20-97)
- 68. One Hour Average.** The mean of at least two (2) appropriately spaced measurements, as determined by the Department, calculated over a period of one (1) hour. When three (3) or more measurements have been taken, and if any measurement is greater or less than five-tenths (0.5) times the mean, additional measurements over the one-hour period may be needed to obtain a more representative mean. (3-20-97)
- 69. Operator.** For purposes of Sections 851 and 852, any person presently or who was at any time during a release in control of, or having responsibility for, the daily operation of the petroleum storage tank (PST) system. (4-2-03)
- 70. Outstanding Resource Water (ORW).** A high quality water, such as water of national and state parks and wildlife refuges and water of exceptional recreational or ecological significance, which has been designated by the legislature and subsequently listed in this chapter. ORW constitutes an outstanding national or state resource that requires protection from point and nonpoint source activities that may lower water quality. (3-20-97)
- 71. Outstanding Resource Water Mixing Zone.** An area or volume of an ORW where pollutants are allowed to mix with the ORW receiving water at a location distinct from the sampling point where compliance with ORW quality standards is measured. An ORW mixing zone will be downstream from the discharge of a tributary or a segment immediately upstream which contains man caused pollutants as a result of nonpoint source activities occurring on that tributary or segment. As a result of the discharge, the mixing zone may not meet all water quality standards applicable to the ORW, but shall still be protected for existing beneficial uses. The Department, after consideration of input from interested parties, will determine the size, configuration and location of mixing zones which are necessary to meet the requirements of this chapter. (7-1-93)
- 72. Owner.** For purposes of Sections 851 and 852, any person who owns or owned a petroleum storage tank (PST) system any time during a release and the current owner of the property where the PST system is or was located. (4-2-03)
- 73. Permit or License.** A permit or license for an activity that is subject to certification by the state under Section 401 of the Clean Water Act, including, for example, NPDES permits, dredge and fill permits, and FERC licenses. (3-18-11)
- 74. Person.** An individual, public or private corporation, partnership, association, firm, joint stock company, joint venture, trust, estate, state, municipality, commission, political subdivision of the state, state or federal agency, department or instrumentality, special district, interstate body or any legal entity, which is recognized by law as the subject of rights and duties. (3-20-97)

- 75. Petroleum Products.** Products derived from petroleum through various refining processes. (7-1-93)
- 76. Petroleum Storage Tank (PST) System.** Any one (1) or combination of storage tanks or other containers, including pipes connected thereto, dispensing equipment, and other connected ancillary equipment, and stationary or mobile equipment, that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. (7-1-93)
- 77. Point Source.** Any discernible, confined, and discrete conveyance, including, but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are, or may be, discharged. This term does not include return flows from irrigated agriculture, discharges from dams and hydroelectric generating facilities or any source or activity considered a nonpoint source by definition. (7-1-93)
- 78. Pollutant.** Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, silt, cellar dirt; and industrial, municipal and agricultural waste, gases entrained in water; or other materials which, when discharged to water in excessive quantities, cause or contribute to water pollution. Provided however, biological materials shall not include live or occasional dead fish that may accidentally escape into the waters of the state from aquaculture facilities. (3-20-97)
- 79. Project Plans.** Documents which describe actions to be taken under a proposed activity. These documents include environmental impact statements, environmental assessments, and other land use or resource management plans. (7-1-93)
- 80. Public Swimming Beaches.** Areas indicated by features such as signs, swimming docks, diving boards, slides, or the like, boater exclusion zones, map legends, collection of a fee for beach use, or any other unambiguous invitation to public swimming. Privately owned swimming docks or the like which are not open to the general public are not included in this definition. (4-11-06)
- 81. Receiving Waters.** Those waters which receive pollutants from point or nonpoint sources. (7-1-93)
- 82. Reference Stream or Condition.** A water body which represents the minimum conditions necessary to fully support the applicable designated beneficial uses as further specified in these rules, or natural conditions with few impacts from human activities and which are representative of the highest level of support attainable in the basin. In highly mineralized areas or in the absence of such reference streams or water bodies, the Director, in consultation with the basin advisory group and the technical advisors to it, may define appropriate hypothetical reference conditions or may use monitoring data specific to the site in question to determine conditions in which the beneficial uses are fully supported. (3-20-97)
- 83. Release.** Any unauthorized spilling, leaking, emitting, discharging, escaping, leaching, or disposing into soil, ground water, or surface water. (8-24-94)
- 84. Resident Species.** Those species that commonly occur in a site including those that occur only seasonally or intermittently. This includes the species, genera, families, orders, classes, and phyla that: (8-24-94)
- a. Are usually present at the site; (8-24-94)
 - b. Are present only seasonally due to migration; (8-24-94)
 - c. Are present intermittently because they periodically return or extend their ranges into the site; (8-24-94)
 - d. Were present at the site in the past but are not currently due to degraded conditions, and are expected to be present at the site when conditions improve; and (8-24-94)

- e.** Are present in nearby bodies of water but are not currently present at the site due to degraded conditions, and are expected to be present at the site when conditions improve. (8-24-94)
- 85. Responsible Persons in Charge.** Any person who: (8-24-94)
- a.** By any acts or omissions, caused, contributed to or exacerbated an unauthorized release of hazardous materials; (8-24-94)
- b.** Owns or owned the facility from which the unauthorized release occurred and the current owner of the property where the facility is or was located; or (8-24-94)
- c.** Presently or who was at any time during an unauthorized release in control of, or had responsibility for, the daily operation of the facility from which an unauthorized release occurred. (8-24-94)
- 86. Sediment.** Undissolved inorganic matter. (3-30-07)
- 87. Seven Day Mean.** The average of the daily mean values calculated over a period of seven (7) consecutive days. (3-20-97)
- 88. Sewage.** The water-carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. (8-24-94)
- 89. Short-Term or Temporary Activity.** An activity which is as short as possible but lasts for no more than one (1) year, is limited in scope and is expected to have only minimal impact on water quality as determined by the Director. Short-term or temporary activities include, but are not limited to, those activities described in Subsection 080.02. (3-30-07)
- 90. Silviculture.** Those activities associated with the regeneration, growing and harvesting of trees and timber including, but not limited to, disposal of logging slash, preparing sites for new stands of trees to be either planted or allowed to regenerate through natural means, road construction and road maintenance, drainage of surface water which inhibits tree growth or logging operations, fertilization, application of herbicides or pesticides, all logging operations, and all forest management techniques employed to enhance the growth of stands of trees or timber. (3-20-97)
- 91. Sludge.** The semi-liquid mass produced by partial dewatering of potable or spent process waters or wastewater. (7-1-93)
- 92. Special Resource Water.** Those specific segments or bodies of water which are recognized as needing intensive protection: (7-1-93)
- a.** To preserve outstanding or unique characteristics; or (7-1-93)
- b.** To maintain current beneficial use. (7-1-93)
- 93. Specialized Best Management Practices.** Those practices designed with consideration of geology, land type, soil type, erosion hazard, climate and cumulative effects in order to fully protect the beneficial uses of water, and to prevent or reduce the pollution generated by nonpoint sources. (3-3-87)
- 94. State.** The state of Idaho. (7-1-93)
- 95. State Water Quality Management Plan.** The state management plan developed and updated by the Department in accordance with Sections 205, 208, and 303 of the Clean Water Act. (3-20-97)
- 96. Suspended Sediment.** The undissolved inorganic fraction of matter suspended in surface water. (3-30-07)

- 97. Suspended Solids.** The undissolved organic and inorganic matter suspended in surface water. (3-30-07)
- 98. Technology-Based Effluent Limitation.** Treatment requirements under Section 301(b) of the Clean Water Act that represent the minimum level of control that must be imposed in a permit issued under Section 402 of the Clean Water Act. (8-24-94)
- 99. Total Maximum Daily Load (TMDL).** The sum of the individual wasteload allocations (WLAs) for point sources, load allocations (LAs) for nonpoint sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality. (8-24-94)
- 100. Toxicity Test.** A procedure used to determine the toxicity of a chemical or an effluent using living organisms. A toxicity test measures the degree of response of an exposed test organism to a specific chemical or effluent. (8-24-94)
- 101. Toxic Substance.** Any substance, material or disease-causing agent, or a combination thereof, which after discharge to waters of the State and upon exposure, ingestion, inhalation or assimilation into any organism (including humans), either directly from the environment or indirectly by ingestion through food chains, will cause death, disease, behavioral abnormalities, malignancy, genetic mutation, physiological abnormalities (including malfunctions in reproduction) or physical deformations in affected organisms or their offspring. Toxic substances include, but are not limited to, the one hundred twenty-six (126) priority pollutants identified by EPA pursuant to Section 307(a) of the federal Clean Water Act. (8-24-94)
- 102. Treatment.** A process or activity conducted for the purpose of removing pollutants from wastewater. (7-1-93)
- 103. Treatment System.** Any physical facility or land area for the purpose of collecting, treating, neutralizing or stabilizing pollutants including treatment by disposal plants, the necessary intercepting, outfall and outlet sewers, pumping stations integral to such plants or sewers, equipment and furnishing thereof and their appurtenances. A treatment system may also be known as a treatment facility. (4-11-06)
- 104. Twenty-Four Hour Average.** The mean of at least two (2) appropriately spaced measurements, as determined by the Department, calculated over a period of twenty-four (24) consecutive hours. When three (3) or more measurements have been taken, and if any measurement is greater or less than five-tenths (0.5) times the mean, additional measurements over the twenty-four (24)-hour period may be needed to obtain a more representative mean. (3-20-97)
- 105. Unique Ecological Significance.** The attribute of any stream or water body which is inhabited or supports an endangered or threatened species of plant or animal or a species of special concern identified by the Idaho Department of Fish and Game, which provides anadromous fish passage, or which provides spawning or rearing habitat for anadromous or desirable species of lake dwelling fishes. (8-24-94)
- 106. Wasteload Allocation (WLA).** The portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. (8-24-94)
- 107. Wastewater.** Unless otherwise specified, sewage, industrial waste, agricultural waste, and associated solids or combinations of these, whether treated or untreated, together with such water as is present. (7-1-93)
- 108. Water Body Unit.** Includes all named and unnamed tributaries within a drainage and is considered a single unit unless designated otherwise. (4-5-00)
- 109. Water Pollution.** Any alteration of the physical, thermal, chemical, biological, or radioactive properties of any waters of the state, or the discharge of any pollutant into the waters of the state, which will or is likely to create a nuisance or to render such waters harmful, detrimental or injurious to public health, safety or

welfare, or to fish and wildlife, or to domestic, commercial, industrial, recreational, aesthetic, or other beneficial uses. (8-24-94)

110. Water Quality-Based Effluent Limitation. An effluent limitation that refers to specific levels of water quality that are expected to render a body of water suitable for its designated or existing beneficial uses. (8-24-94)

111. Water Quality Limited Water Body. After monitoring, evaluation of required pollution controls, and consultation with the appropriate basin and watershed advisory groups, a water body identified by the Department, which does not meet applicable water quality standards, and/or is not expected to meet applicable water quality standards after the application of required pollution controls. A water body identified as water quality limited shall require the development of a TMDL or other equivalent process in accordance with Section 303 of the Clean Water Act and Sections 39-3601 et seq., Idaho Code. (3-20-97)

112. Waters and Waters Of The State. All the accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof which are wholly or partially within, which flow through or border upon the state. (7-1-93)

113. Watershed. The land area from which water flows into a stream or other body of water which drains the area. (3-20-97)

114. Watershed Advisory Group. An advisory group appointed by the Director, with the advice of the appropriate Basin Advisory Group, which will recommend to the Department those specific actions needed to control point and nonpoint sources of pollution affecting water quality limited water bodies within the watershed. Members of each watershed advisory group shall be representative of the industries and interests affected by the management of that watershed, along with representatives of local government and the land managing or regulatory agencies with an interest in the management of that watershed and the quality of the water bodies within it. (3-20-97)

115. Whole-Effluent Toxicity. The aggregate toxic effect of an effluent measured directly with a toxicity test. (8-24-94)

116. Zone of Initial Dilution (ZID). An area within a Department authorized mixing zone where acute criteria may be exceeded. This area should be as small as practicable and assure that drifting organisms are not exposed to acute concentrations for more than one (1) hour more than once in three (3) years. The actual size of the ZID will be determined by the Department for a discharge on a case-by-case basis, taking into consideration mixing zone modeling and associated size recommendations and any other pertinent chemical, physical, and biological data available. (4-11-06)

(BREAK IN CONTINUITY OF SECTIONS)

052. IMPLEMENTATION. The antidegradation policy shall be implemented as follows: (3-18-11)

01. Waters Protected. All waters receive Tier I protection. Waters receiving Tier II protection will be identified using a water body by water body approach during the antidegradation review. Waters given Tier III protection are designated in law. (3-18-11)

02. Restoration Projects. Changes in water quality may be allowed by the Department without an antidegradation review where determined necessary to secure long-term water quality improvement through restoration projects designed to trend toward natural characteristics and associated uses to a water body where those characteristics and uses have been lost or diminished. Restoration projects shall implement best management practices. (3-18-11)

03. Initiation of Antidegradation Review. Review of degradation potential and application of the

appropriate level of protection from degradation will be triggered by an application for a new or reissued permit or license. (3-18-11)

04. Evaluation of Effect of an Activity or Discharge on Water Quality. The Department will evaluate the effect on water quality for each pollutant. The Department will determine whether an activity or discharge results in an improvement, no change, or degradation of water quality. (3-18-11)

a. Effect on water quality will be based on the calculated change in concentration in the receiving water as a result of a new or reissued permit or license. With respect to a discharge, this calculation will take into account dilution using appropriate mixing of the receiving water under critical conditions coupled with the design flow of the discharge. For a reissued permit or license, the calculated change will be the difference in water quality that would result from the activity or discharge as authorized in the current permit or license and the water quality that would result from the activity or discharge as proposed in the reissued permit or license. For a new permit or license, the calculated change will be the difference between the existing receiving water quality and water quality that would result from the activity or discharge as proposed in the new permit or license. (3-18-11)

i. Current Discharge Quality. For pollutants that are currently limited, current discharge quality shall be based on limits in the current permit or license. For pollutants not currently limited, current discharge quality shall be based on available discharge quality data collected within five years of the application for a permit or license or other relevant information. (3-18-11)

ii. Proposed Quality for an Existing Discharge. Future discharge quality shall be based on proposed permit limits. For pollutants not limited in the proposed permit or license, future discharge quality will be estimated from available discharge quality data since the last permit or license was issued accounting for any changes in production, treatment or operation. For the proposed discharge of a new pollutant or a proposed increased discharge of a pollutant, future discharge quality will be estimated based on information provided by the applicant or other relevant information. (3-18-11)

iii. New Permit Limits for an Existing Discharge. When new permit limits are proposed for the first time for a pollutant in an existing discharge, then for purposes of calculating the change in water quality, any statistical procedures used to derive the proposed new limits will be applied to past discharge quality as well, where appropriate. (3-18-11)

iv. Proposed Quality for a New Discharge. Future discharge quality shall be based on proposed permit limits. For pollutants not limited in the proposed permit or license, future discharge quality will be based on information provided by the applicant or other relevant information. (3-18-11)

b. Receiving water quality will be the quality measured, or modeled as appropriate, immediately above the discharge for flowing waters and outside any Department authorized mixing zone for lakes and reservoirs. (3-18-11)

c. Offsets. In determining the effect of an activity or discharge on water quality of Tier II or Tier III waters, the Department may take into account reductions in pollution from other sources that are tied to the proposed activity or discharge. These offsets in pollution must be upstream of the degradation in water quality due to the proposed activity or discharge and occur before the activity or discharge is allowed to begin. The applicant seeking a permit or license for an activity or discharge based on offsets will be held responsible for assuring offsets are achieved and maintained as a condition of their permit or license. (3-18-11)

05. Tier I Review. Tier I review will be performed for all new or reissued permits or licenses. Existing uses and the water quality necessary to protect the existing uses must always be maintained and protected. No degradation or lowering of water quality may be allowed that would cause or contribute to violation of water quality criteria as calculated after authorized mixing of the discharge with the receiving water. Identification of existing uses and the water quality necessary for their protection will be based on all available information, including any water quality related data and information submitted during the public comment period for the permit or license. (3-18-11)

06. Tier II Analysis. A Tier II analysis will only be conducted for activities or discharges, subject to a permit or a license, that cause degradation. The Department may allow significant degradation of surface water

quality that is better than assigned criteria only if it is determined to be necessary to accommodate important economic or social development in the area in which the waters are located. The process and standard for this determination are set forth below. (3-18-11)

a. Other Source Controls. In allowing any degradation of high water quality, the Department must assure that there shall be achieved in the watershed the highest statutory and regulatory requirements for all new and existing point sources and cost-effective and reasonable best management practices for all nonpoint source controls. In providing such assurance, the Department may enter together into an agreement with other State of Idaho or federal agencies in accordance with Sections 67-2326 through 67-2333, Idaho Code. (3-18-11)

b. Alternatives Analysis. Degradation will be deemed necessary only if there are no reasonable alternatives to discharging at the levels proposed. The applicant seeking authorization to degrade high water quality must provide an analysis of alternatives aimed at selecting the best combination of site, structural, managerial and treatment approaches that can be reasonably implemented to avoid or minimize the degradation of water quality. To identify the least degrading alternative that is reasonable, the following principles shall be followed: (3-18-11)

i. Controls to avoid or minimize degradation should be considered at the earliest possible stage of project design. (3-18-11)

ii. Alternatives that must be evaluated as appropriate, are: (3-18-11)

(1) Relocation or configuration of outfall or diffuser; (3-18-11)

(2) Process changes/improved efficiency that reduces pollutant discharge; (3-18-11)

(3) Seasonal discharge to avoid critical time periods for water quality; (3-18-11)

(4) Non-discharge alternatives such as land application; and (3-18-11)

(5) Offsets to the activity or discharge's effect on water quality. (3-18-11)

iii. The Department retains the discretion to require the applicant to examine specific alternatives or provide additional information to conduct the analysis. (3-18-11)

iv. In selecting the preferred alternative the applicant shall: (3-18-11)

(1) Evaluate economic impacts (total cost effectiveness, incremental cost effectiveness) of all technologically feasible alternatives; (3-18-11)

(2) Rank all technologically feasible treatment alternatives by their cost effectiveness at pollutant reduction; (3-18-11)

(3) Consider the environmental costs and benefits across media and between pollutants; and (3-18-11)

(4) Select the least degrading option or show that a more degrading alternative is justified based on Subsections 052.06.b.iv.(1), 052.06.b.iv.(2), or 052.06.b.iv.(3) above. (3-18-11)

c. Socioeconomic Justification. Degradation of water quality deemed necessary must also be determined by the Department to accommodate important economic or social development. Therefore, the applicant seeking authorization to degrade water quality must at a minimum identify the important economic or social development for which lowering water quality is necessary and should use the following steps to demonstrate this: (3-18-11)

i. Identify the affected community; (3-18-11)

ii. Describe the important social or economic development associated with the activity which can include cleanup/restoration of a closed facility; (3-18-11)

iii. Identify the relevant social, economic and environmental health benefits and costs associated with the proposed degradation in water quality for the preferred alternative. Benefits and costs that must be analyzed include, but are not limited to: (3-18-11)

(1) Economic benefits to the community such as changes in employment, household incomes and tax base; (3-18-11)

(2) Provision of necessary services to the community; (3-18-11)

(3) Potential health impacts related to the proposed activity; (3-18-11)

(4) Impacts to direct and indirect uses associated with high quality water, e.g., fishing, recreation, and tourism; and (3-18-11)

(5) Retention of assimilative capacity for future activities or discharges. (3-18-11)

iv. Factors identified in the socioeconomic justification should be quantified whenever possible but for those factors that cannot be quantified a qualitative description of the impacts may be accepted; and (3-18-11)

v. If the Department determines that more information is required, then the Department may require the applicant to provide further information or seek additional sources of information. (3-18-11)

d. Process. (3-18-11)

i. Analysis. The Department in cooperation with State of Idaho designated management agencies and/or federal agencies will collect information regarding the other source controls specified in Subsection 052.06.a. The applicant for a new or reissued permit or license is responsible for providing information pertinent to determining significance/insignificance of proposed changes in water quality and completing an alternatives analysis and socioeconomic justification as appropriate and submitting them to the Department for review. (3-18-11)

ii. Departmental review. The Department shall review all pertinent information and, after intergovernmental coordination, public notice and input, make a determination as to whether there is assurance that the other source controls specified in Subsection 052.06.a. shall be achieved, and whether degradation of water quality is necessary to accommodate important economic or social development. (3-18-11)

iii. Public Involvement. The Department will satisfy the public participation provisions of Idaho's continuing planning process. Public notice and review of antidegradation will be coordinated with existing 401 certification notices for public review. (3-18-11)

07. Tier III - Outstanding Resource Waters (ORWs). ORWs are designated by the legislature. Subsection 052.07 describes the nomination, public notice and comment, public hearing, and board review process for directing the Department to develop legislation designating ORWs. Only the legislature may designate ORWs. Once designated by the legislature, the ORWs are listed in these rules. (3-18-11)

a. Nominations. Any person may request, in writing to the board, that a stream segment be considered for designation as an Outstanding Resource Water. To be considered for ORW designation, nominations must be received by the board by April 1 or ten (10) days after the adjournment sine die of that year's regular session of the legislature, whichever is later, for consideration during the next regular session of the legislature. All nominations shall be addressed to:

Idaho Board of Environmental Quality
Department of Environmental Quality
Outstanding Resource Water Nomination
1410 N. Hilton
Boise, Idaho 83706-1255

The nomination shall include the following information: (3-18-11)

- i. The name, description and location of the stream segment; (3-18-11)
- ii. The boundaries upstream and downstream of the stream segment; (3-18-11)
- iii. An explanation of what makes the segment a candidate for the designation; (3-18-11)
- iv. A description of the existing water quality and any technical data upon which the description is based as can be found in the most current basin status reports; (3-18-11)
- v. A discussion of the types of nonpoint source activities currently being conducted that may lower water quality, together with those activities that are anticipated during the next two (2) years, as described in the most current basin status reports; and (3-18-11)
- vi. Any additional evidence to substantiate such a designation. (3-18-11)

b. Public Notice and Public Comment. The board will give public notice that one (1) or more stream segments are being considered for recommendation to the legislature as outstanding resource waters. Public notice will also be given if a public hearing is being held. Public comments regarding possible designation will be accepted by the board for a period of at least forty-five (45) days. Public comments may include, but are not limited to, discussion of socioeconomic considerations; fish, wildlife or recreational values; and other beneficial uses. (3-18-11)

c. Public Hearing. A public hearing(s) may be held at the board's discretion on any stream segment nominated for ORW designation. Public notice will be given if a hearing is held. The decision to hold a hearing may be based on the following criteria: (3-18-11)

- i. One (1) or more requests contain supporting documentation and valid reasons for designation; (3-18-11)
- ii. A stream segment is generally recognized as constituting an outstanding national resource, such as waters of national and state parks, and wildlife refuges; (3-18-11)
- iii. A stream segment is generally recognized as waters of exceptional recreational or ecological significance; (3-18-11)
- iv. The board shall give special consideration to holding a hearing and to recommending for designation by the legislature, waters which meet criteria found in Subsections 052.07.c.ii. and 052.07.c.iii.; (3-18-11)
- v. Requests for a hearing will be given due consideration by the board. Public hearings may be held at the board's discretion. (3-18-11)

d. Board Review. The board shall review the stream segments nominated for ORW designation and based on the hearing or other written record, determine the segments to recommend as ORWs to the legislature. The board shall submit a report for each stream segment it recommends for ORW designation. The report shall contain the information specified in Subsection 052.07.a. and information from the hearing record or other written record concerning the impacts the designation would have on socioeconomic conditions; fish, wildlife and recreational values; and other beneficial uses. The Department shall then prepare legislation for each segment that will be recommended to the legislature as an ORW. The legislation shall provide for the listing of designated segments in these rules without the need for formal rulemaking procedures, pursuant to Sections 67-5201, et seq., Idaho Code. (3-18-11)

e. Designated Waters. Those stream segments designated by the legislature as ORWs are listed in Sections 110 through 160. (3-18-11)

f. Restriction of Nonpoint Source Activities on ORWs. Nonpoint source activities on ORWs shall be

restricted as follows:

(3-18-11)

i. The water quality of ORWs shall be maintained and protected. After the legislature has designated a stream segment as an outstanding resource water, no person shall conduct a new or substantially modify an existing nonpoint source activity that can reasonably be expected to lower the water quality of that ORW, except for conducting short term or temporary nonpoint source activities which do not alter the essential character or special uses of a segment, allocation of water rights, or operation of water diversions or impoundments. Stream segments not designated as ORWs that discharge directly into an ORW shall not be subject to the same restrictions as an ORW, nor shall the ORW mixing zone be subject to the same restrictions as an ORW. A person may conduct a new or substantially modify an existing nonpoint source activity that can reasonably be expected to lower the water quality of a tributary or stream segment, which discharges directly into an ORW or an ORW mixing zone, provided that the water quality of that ORW below the mixing zone shall not be lowered. (3-18-11)

ii. After the legislature has designated a stream segment as an outstanding resource water as outlined in Subsection 052.07.e., existing nonpoint source activities may continue and shall be conducted in a manner that maintains and protects the current water quality of an ORW. The provisions of this section shall not affect short term or temporary activities that do not alter the essential character or special uses of a segment, allocation of water rights, or operations of water diversions or impoundments, provided that such activities shall be conducted in conformance with applicable laws and regulations. (3-18-11)

g. Restriction of Point Source Discharges to ORWs. The water quality of ORWs shall be maintained and protected. Point source discharges that may cause degradation to ORWs may be allowed only if they are offset by reductions in other discharges per Subsection 052.04.c. (3-18-11)

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.02 - WATER QUALITY STANDARDS

DOCKET NO. 58-0102-1101

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Sections 39-105, 39-107, and 39-3601 et seq., Idaho Code.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process are encouraged to attend the following meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided at the end of this notice.

MEETING SCHEDULE: The negotiated rulemaking meeting will be held as follows. Additional meetings may be scheduled if necessary. For information regarding participation by telephone or scheduling of additional meetings, contact the undersigned. Requests to participate by telephone must be made by May 23, 2011.

**Wednesday, May 25, 2011
9:00 a.m. to 12:00 noon Mountain Time**

**Department of Environmental Quality
Conference Room A
1410 N. Hilton, Boise, Idaho**

PRELIMINARY DRAFT: By May 4, 2011, a preliminary draft of the rule can be obtained at http://www.deq.idaho.gov/rules/water/58_0102_1101_negotiated.cfm or by contacting Paula Wilson at paula.wilson@deq.idaho.gov, (208)373-0418.

DESCRIPTIVE SUMMARY: As NPDES permits are coming up for renewal, the U.S. Environmental Protection Agency (EPA) has begun including thermal effluent limits in reissued permits. The City of Boise NPDES permit renewal is expected to be released as a draft in the summer of 2011 and will be based on current water quality standards unless they are revised promptly. Without this rule change, thermal effluent limits in NPDES permits and costs to meet those limits will be greater than needed to protect aquatic life resources.

Two parts of Idaho's water quality standards are likely to drive inordinate thermal treatment costs:

1. excessive limits on water temperature rise in Subsections 401.01.c. and d. (aka thermal treatment requirements); and
2. outdated numeric criteria to protect salmonid spawning.

DEQ proposes to revise the Water Quality Standards, IDAPA 58.01.02, in two sections addressing temperature: 1) the thermal treatment requirements in Subsections 401.01.c. and d. which limit the rise in water temperature due to wastewater treatment plants, and 2) the ambient temperature criteria in Subsection 250.02.f. which protect salmonid spawning.

The origin of Idaho's thermal treatment requirements is unknown but is thought to be based on avoiding 'thermal shock' to fish and providing a level of protection that is largely redundant of and far in excess of that provided by ambient criteria. While 'thermal shock' can be an issue for fish, it is thought to occur when fish encounter abrupt temperature changes of 5-6°C or more, not 1-2°C. DEQ proposes to remove Subsections 401.01.c. and d. and rely on the retained language in Subsections 401.01.a. and b. to provide a more flexible means to address possible thermal shock on a case-by-case basis, in addition to protection provided to aquatic life by ambient temperature criteria in Section 250.

Idaho's current salmonid spawning criteria are based on recommendations from EPA made in the mid 1970s. EPA updated its recommendation regionally in 2003. DEQ also proposes to revise its numeric temperature criteria for protection of salmonid spawning in Subsection 250.02.f.ii. by replacing the current pair of criteria (13°C as a daily

maximum and 9°C as a daily average) with EPA's 2003 recommended single criterion of 13°C as a maximum seven-day average of daily maximums.

The text of the rule will be drafted by DEQ in conjunction with a negotiating committee made up of persons having an interest in the development of this rule. Although the rule is not expected to lower the level of protection of aquatic life, particularly fish populations, all Idahoans that recreate in, fish from or otherwise enjoy the quality of Idaho's surface waters may be interested in participating in this rulemaking. Those most affected include NPDES permitted dischargers and citizens that pay for municipal sewage treatment.

Upon conclusion of negotiations, DEQ intends to present a rule to the Board of Environmental Quality in June 2011 for adoption as a temporary rule. If adopted by the Board, DEQ will then publish the temporary rule and initiate proposed rulemaking. Adoption of a temporary rule would reduce thermal treatment costs for pending NPDES permit renewals.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning this rulemaking, contact Don Essig at don.essig@deq.idaho.gov, (208)373-0119.

For those who cannot participate by attending the scheduled meeting, written comments may be submitted by mail, fax or e-mail at the address below. Written comments on the preliminary draft rule must be received by May 27, 2011. For information regarding submission of written comments on subsequent drafts of the negotiated rule, to receive copies of submitted written comments, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 11th day of April, 2011.

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

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO

59.01.06 - PERSI RETIREMENT RULES

DOCKET NO. 59-0106-1101

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 59-1314(1) and 72-1405, 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 18, 2011.

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:

Update rule 162 to adopt new contingent annuitant factors (Table C) for members who retire on or after July 1, 2011.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

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

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was not conducted because it would be inconsistent with the Retirement Board's exclusive fiduciary responsibility for plan operations.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Joanna L. Guilfooy, Deputy Attorney General, PERSI, 287-9271.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2011.

DATED this 7th day of April, 2011.

Don Drum
Executive Director
Public Employee Retirement System of Idaho
607 N. 8th Street, Boise, ID 83702
P.O. Box 83720, Boise, ID 83720-0078
Phone: 208-287-9230
Fax: 208- 334-3408

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 February 1, 2011.**

The original text of the temporary rule was published in the Idaho Administrative Bulletin,
[Volume 11-3, March 2, 2011, pages 17 through 24.](#)

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 59-0106-1101

162. ACTUARIAL ASSUMPTION TABLES (RULE 162).

The actuarial tables used for determining optional and early retirement benefits are as follows:

TABLE A -- Page 1
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
EARLY RETIREMENT FACTORS
If the date of last contribution is prior to 10/1/92

Months	Years										
	0	1	2	3	4	5	6	7	8	9	10
0	1.00	.970	.940	.910	.880	.850	.770	.690	.610	.530	.450
1	.998	.968	.938	.908	.878	.843	.763	.683	.603	.523	
2	.995	.965	.935	.905	.875	.837	.757	.677	.597	.517	
3	.993	.963	.933	.903	.873	.830	.750	.670	.590	.510	
4	.990	.960	.930	.900	.870	.823	.743	.663	.583	.503	
5	.988	.958	.928	.898	.868	.817	.737	.657	.577	.497	
6	.985	.955	.925	.895	.865	.810	.730	.650	.570	.490	
7	.983	.953	.923	.893	.863	.803	.723	.643	.563	.483	
8	.980	.950	.920	.890	.860	.797	.717	.637	.557	.477	
9	.978	.948	.918	.888	.858	.790	.710	.630	.550	.470	
10	.975	.945	.915	.885	.855	.783	.703	.623	.543	.463	
11	.973	.943	.913	.883	.853	.777	.697	.617	.537	.457	

First sixty months reduction: .2500% Next sixty months reduction: 0.6667%

(1-1-94)

TABLE A -- Page 2
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
EARLY RETIREMENT FACTORS
If the date of last contribution is on or after 10/1/92 but prior to 10/1/93

Months	Years										
	0	1	2	3	4	5	6	7	8	9	10
0	1.00	.970	.940	.910	.880	.850	.777	.705	.632	.560	.487

Months	Years									
1	.998	.968	.938	.908	.878	.844	.771	.699	.626	.554
2	.995	.965	.935	.905	.875	.838	.765	.693	.620	.548
3	.993	.963	.933	.903	.873	.832	.759	.687	.614	.542
4	.990	.960	.930	.900	.870	.826	.753	.681	.608	.536
5	.988	.958	.928	.898	.868	.820	.747	.675	.602	.530
6	.985	.955	.925	.895	.865	.814	.741	.669	.596	.524
7	.983	.953	.923	.893	.863	.808	.735	.663	.590	.518
8	.980	.950	.920	.890	.860	.802	.729	.657	.584	.512
9	.978	.948	.918	.888	.858	.796	.723	.651	.578	.506
10	.975	.945	.915	.885	.855	.790	.717	.645	.572	.500
11	.973	.943	.913	.883	.853	.784	.711	.639	.566	.494

First sixty months reduction: 0.2500% Next sixty months reduction: 0.6042% (3-20-97)

TABLE A -- Page 3
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
EARLY RETIREMENT FACTORS
If the date of last contribution is on or after 10/1/93 but prior to 10/1/94

Months	Years										
	0	1	2	3	4	5	6	7	8	9	10
0	1.00	.970	.940	.910	.880	.850	.785	.720	.655	.590	.525
1	.998	.968	.938	.908	.878	.845	.780	.715	.650	.585	
2	.995	.965	.935	.905	.875	.839	.774	.709	.644	.579	
3	.993	.963	.933	.903	.873	.834	.769	.704	.639	.574	
4	.990	.960	.930	.900	.870	.828	.763	.698	.633	.568	
5	.988	.958	.928	.898	.868	.823	.758	.693	.628	.563	
6	.985	.955	.925	.895	.865	.817	.752	.687	.622	.557	
7	.983	.953	.923	.893	.863	.812	.747	.682	.617	.552	
8	.980	.950	.920	.890	.860	.807	.742	.677	.612	.547	
9	.978	.948	.918	.888	.858	.801	.736	.671	.606	.541	
10	.975	.945	.915	.885	.855	.796	.731	.666	.601	.536	
11	.973	.943	.913	.883	.853	.790	.725	.660	.595	.530	

First sixty months reduction: 0.2500% Next sixty months reduction: 0.5417% (3-20-97)

TABLE A -- Page 4
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
EARLY RETIREMENT FACTORS
 Date of last contribution is on or after 10/1/94 or later

Months	Years										
	0	1	2	3	4	5	6	7	8	9	10
0	1.0	.970	.940	.910	.880	.850	.792	.735	.677	.620	.562
1	.998	.968	.938	.908	.878	.845	.788	.730	.673	.615	
2	.995	.965	.935	.905	.875	.840	.783	.725	.668	.610	
3	.993	.963	.933	.903	.873	.836	.778	.721	.663	.606	
4	.990	.960	.930	.900	.870	.831	.773	.716	.658	.601	
5	.988	.958	.928	.898	.868	.826	.769	.711	.654	.596	
6	.985	.955	.925	.895	.865	.821	.764	.706	.649	.591	
7	.983	.953	.923	.893	.863	.816	.759	.701	.644	.586	
8	.980	.950	.920	.890	.860	.812	.754	.697	.639	.582	
9	.978	.948	.918	.888	.858	.807	.749	.692	.634	.577	
10	.975	.945	.915	.885	.855	.802	.745	.687	.630	.572	
11	.973	.943	.913	.883	.853	.797	.740	.682	.625	.567	

(3-20-97)

TABLE B -- Page 1
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
RETIREMENT REDUCTION FACTORS FOR OPTIONS 3 AND 4 AND CERTAIN DEATH BENEFITS
Options 3 and 4: Years and Months Until Member Would Be Social Security Retirement Age
Death Benefits: Additional Years and Months Until Member Would Qualify
for an Unreduced Service Retirement Allowance
AFTER Applying Table A factors

Months	Years										
	0	1	2	3	4	5	6	7	8	9	10
0	1.00	.923	.853	.787	.727	.671	.620	.572	.528	.488	.451
1	.993	.917	.847	.782	.722	.667	.616	.568	.525	.485	
2	.987	.911	.841	.777	.717	.662	.612	.565	.521	.481	
3	.980	.905	.836	.772	.713	.658	.608	.561	.518	.478	
4	.974	.899	.830	.767	.708	.654	.604	.557	.515	.475	
5	.967	.893	.825	.762	.703	.649	.600	.554	.511	.472	
6	.961	.887	.819	.756	.699	.645	.596	.550	.508	.469	
7	.955	.881	.814	.751	.694	.641	.592	.546	.504	.466	
8	.948	.876	.808	.746	.689	.636	.588	.543	.501	.463	

Months	Years									
9	.942	.870	.803	.742	.685	.632	.584	.539	.498	.460
10	.936	.864	.798	.737	.680	.628	.580	.535	.494	.457
11	.930	.858	.793	.732	.676	.624	.576	.532	.491	.454

(1-1-94)

TABLE B -- Page 2
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
RETIREMENT REDUCTION FACTORS FOR OPTIONS 3 AND 4 AND CERTAIN DEATH BENEFITS
Options 3 and 4: Years and Months Until Member Would Be Social Security Retirement Age
Death Benefits: Additional Years and Months Until Member Would Qualify
for an Unreduced Service Retirement Allowance
AFTER Applying Table A factors

Months	Years										
	10	11	12	13	14	15	16	17	18	19	20
0	.451	.416	.384	.355	.327	.302	.279	.258	.238	.220	.203
1	.448	.413	.382	.352	.325	.300	.277	.256	.236	.218	
2	.445	.411	.379	.350	.323	.298	.276	.254	.235	.217	
3	.442	.408	.377	.348	.321	.296	.274	.253	.233	.215	
4	.439	.405	.374	.345	.319	.294	.272	.251	.232	.214	
5	.436	.402	.372	.343	.317	.293	.270	.249	.230	.213	
6	.433	.400	.369	.341	.315	.291	.268	.248	.229	.211	
7	.430	.397	.367	.339	.313	.289	.267	.246	.227	.210	
8	.427	.394	.364	.336	.311	.287	.265	.244	.226	.208	
9	.424	.392	.362	.334	.308	.285	.263	.243	.224	.207	
10	.422	.389	.359	.332	.306	.283	.261	.241	.223	.206	
11	.419	.387	.357	.330	.304	.281	.260	.240	.221	.204	

(1-1-94)

TABLE B -- Page 3
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
RETIREMENT REDUCTION FACTORS FOR OPTIONS 3 AND 4 AND CERTAIN DEATH BENEFITS
Options 3 and 4: Years and Months Until Member Would Be Social Security Retirement Age
Death Benefits: Additional Years and Months Until Member Would Qualify
for an Unreduced Service Retirement Allowance
AFTER Applying Table A Factors

Months	Years					
	20	21	22	23	24	25

	Months		Years			
0	.203	.187	.173	.160	.148	.136
1	.202	.186	.172	.159	.147	.135
2	.200	.185	.171	.158	.146	.134
3	.199	.184	.170	.157	.145	.134
4	.198	.183	.169	.156	.144	.133
5	.196	.181	.167	.155	.143	.132
6	.195	.180	.166	.154	.142	.131
7	.194	.179	.165	.153	.141	.130
8	.192	.178	.164	.152	.140	.129
9	.191	.177	.163	.151	.139	.128
10	.190	.175	.162	.150	.138	.127
11	.189	.174	.161	.149	.137	.127

(1-1-94)

TABLE C -- Page 1
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
CONTINGENT ANNUITANT FACTORS
For persons retiring before July 1, 1995

		Age Difference in Years	Factors	
			Option 1	Option 2
		15 *	0.600	0.750
		14	0.610	0.758
		13	0.621	0.766
		12	0.631	0.775
		11	0.642	0.782
Member		10	0.652	0.789
Older		9	0.663	0.797
Than		8	0.674	0.804
Contingent Annuitant		7	0.685	0.812
		6	0.697	0.821
		5	0.708	0.830
		4	0.720	0.838
		3	0.732	0.846
		2	0.746	0.855
		1	0.762	0.865

		Age Difference in Years	Factors	
		0	0.780	0.876
		1	0.799	0.887
		2	0.823	0.902
		3	0.836	0.910
		4	0.847	0.918
		5	0.856	0.924
Member		6	0.865	0.930
Younger		7	0.873	0.935
Than		8	0.881	0.940
Contingent Annuitant		9	0.888	0.944
		10	0.897	0.949
		11	0.906	0.955
		12	0.916	0.961
		13	0.926	0.967
		14	0.934	0.969
		15 or more	0.940	0.970

*For each year the member is more than fifteen (15) years older than the contingent annuitant subtract .01 from the factor for Option 1 and subtract .006 from the factor for Option 2. (4-7-11)

TABLE C -- Page 2
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
CONTINGENT ANNUITANT FACTORS
For persons retiring on or after July 1, 1995

		Age Difference in Years	Factors	
			Option 1	Option 2
		15 *	0.690	0.810
		14	0.700	0.816
		13	0.710	0.822
		12	0.720	0.828
		11	0.730	0.834
Member		10	0.735	0.840
Older		9	0.740	0.846
Than		8	0.745	0.852

	Age Difference in Years	Factors		
Contingent Annuitant	7	0.750	0.858	
	6	0.755	0.864	
	5	0.760	0.870	
	4	0.765	0.876	
	3	0.770	0.882	
	2	0.785	0.888	
	1	0.800	0.894	
	0	0.815	0.900	
	1	0.835	0.915	
	2	0.855	0.925	
	3	0.875	0.935	
	4	0.890	0.945	
	5	0.900	0.950	
	Member	6	0.910	0.955
	Younger	7	0.920	0.960
Than	8	0.930	0.965	
Contingent Annuitant	9	0.940	0.967	
	10	0.944	0.969	
	11	0.946	0.971	
	12	0.948	0.973	
	13	0.950	0.975	
	14	0.952	0.977	
	15 or more	0.954	0.979	

*For each year the member is more than fifteen (15) years older than the contingent annuitant subtract .01 from the factor for Option 1 and subtract .006 from the factor for Option 2. (Amended 96) (4-7-11)

TABLE C -- Page 3
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
CONTINGENT ANNUITANT FACTORS
For persons retiring on or after July 1, 2011

Age Difference in Years	Factors	
	Option 1	Option 2
<u>15 *</u>	<u>0.729</u>	<u>0.851</u>

	<u>Age Difference in Years</u>	<u>Factors</u>	
	<u>14</u>	<u>0.736</u>	<u>0.856</u>
	<u>13</u>	<u>0.743</u>	<u>0.861</u>
	<u>12</u>	<u>0.750</u>	<u>0.866</u>
	<u>11</u>	<u>0.757</u>	<u>0.871</u>
<u>Member</u>	<u>10</u>	<u>0.764</u>	<u>0.876</u>
<u>Older</u>	<u>9</u>	<u>0.771</u>	<u>0.881</u>
<u>Than</u>	<u>8</u>	<u>0.778</u>	<u>0.886</u>
<u>Contingent Annuitant</u>	<u>7</u>	<u>0.785</u>	<u>0.891</u>
	<u>6</u>	<u>0.792</u>	<u>0.896</u>
	<u>5</u>	<u>0.799</u>	<u>0.902</u>
	<u>4</u>	<u>0.808</u>	<u>0.908</u>
	<u>3</u>	<u>0.818</u>	<u>0.914</u>
	<u>2</u>	<u>0.833</u>	<u>0.920</u>
	<u>1</u>	<u>0.848</u>	<u>0.926</u>
	<u>0</u>	<u>0.863</u>	<u>0.932</u>
	<u>1</u>	<u>0.875</u>	<u>0.938</u>
	<u>2</u>	<u>0.887</u>	<u>0.944</u>
	<u>3</u>	<u>0.895</u>	<u>0.949</u>
	<u>4</u>	<u>0.902</u>	<u>0.954</u>
	<u>5</u>	<u>0.909</u>	<u>0.959</u>
<u>Member</u>	<u>6</u>	<u>0.916</u>	<u>0.963</u>
<u>Younger</u>	<u>7</u>	<u>0.923</u>	<u>0.966</u>
<u>Than</u>	<u>8</u>	<u>0.930</u>	<u>0.968</u>
<u>Contingent Annuitant</u>	<u>9</u>	<u>0.940</u>	<u>0.970</u>
	<u>10</u>	<u>0.944</u>	<u>0.972</u>
	<u>11</u>	<u>0.946</u>	<u>0.974</u>
	<u>12</u>	<u>0.948</u>	<u>0.976</u>
	<u>13</u>	<u>0.950</u>	<u>0.978</u>
	<u>14</u>	<u>0.952</u>	<u>0.980</u>
	<u>15 or more</u>	<u>0.954</u>	<u>0.982</u>

*For each year the member is more than fifteen (15) years older than the contingent annuitant subtract .01 from the factor for Option 1 and subtract .01 from the factor for Option 2. ()

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO

59.01.06 - PERSI RETIREMENT RULES

DOCKET NO. 59-0106-1102

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 59-1314(1) and 72-1405, 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 18, 2011.

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:

To cancel scheduled increase in contribution rates to the unused sick leave fund by public schools and to maintain at current rates.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

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

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was not conducted because it would be inconsistent with the Retirement Board's exclusive fiduciary responsibility for plan operations.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Joanna L. Guilfooy, Deputy Attorney General, PERSI, 287-9271.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2011.

DATED this 7th day of April, 2011.

Don Drum
Executive Director
Public Employee Retirement System of Idaho
607 N. 8th Street, Boise, ID 83702
P.O. Box 83720, Boise, ID 83720-0078
Phone: 208-287-9230
Fax: 208- 334-3408

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, 2011.

The original text of the temporary rule was published in the Idaho Administrative Bulletin,
Volume 11-3, March 2, 2011, pages 25 and 26.

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 59-0106-1102

552. SICK LEAVE FUNDING RATES (RULE 552).

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

01. State Agencies and Junior College Districts. All employer groups participating in the pools established by Sections 33-2109A and 67-5333, Idaho Code, shall contribute point sixty-five percent (.65%) of employee covered payroll. (3-29-10)

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

Beginning:	July 1, 2006	<i>July 1, 2007</i>	<i>July 1, 2008</i>
9-10 days	1.16%	<i>1.18%</i>	<i>1.21%</i>
11-14 days	1.26%	<i>1.35%</i>	<i>1.44%</i>
More than 14 days	Individual rate to be set by the Retirement Board based on current cost and actuarial data and reviewed annually		

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

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

Sections Affected Index

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.09 - Medicaid Basic Plan Benefits

Docket No. **16-0309-1100L**

514. Abortion Procedures: Provider Qualifications And Duties. 60

16.03.10 - Medicaid Enhanced Plan Benefits

Docket No. **16-0310-1002**

663. Children's HCBS State Plan Option: Coverage And Limitations. 63

Docket No. **16-0310-1003**

270. Nursing Facility: Special Rates. 65

16.05.06 - Criminal History and Background Checks

Docket No. **16-0506-1001**

210. Disqualifying Crimes Resulting In An Unconditional Denial. 69

16.06.02 - Rules Governing Standards for Child Care Licensing

Docket No. **16-0602-1002**

310. -- 320. (Reserved). 70

IDAPA 20 - DEPARTMENT OF LANDS

20.02.14 - Rules for Selling Forest Products on State Owned Endowment Lands

Docket No. **20-0214-1001**

010. Definitions. 72

023. (Reserved). 73

IDAPA 49 - CERTIFIED SHORTHAND REPORTERS BOARD

49.01.01 - Rules of Procedure of the Idaho Certified Shorthand Reporters Board

Docket No. **49-0101-1001**

400. Temporary Permit. 75

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.01 - Rules for the Control of Air Pollution in Idaho

Docket No. **58-0101-1003**

815. Rules For Control Of Kraft Pulp Mills. 82

816. Recovery Furnace TRS Standard. 82

817. Recovery Furnace TRS Monitoring And Recordkeeping. 82

818. Kraft Pulp Mill LVHC And HVLC Gas Venting Notification And Reporting. 82

819. -- 834. (Reserved). 82

58.01.02 - Water Quality Standards

Docket No. **58-0102-1001**

010. Definitions. 83

052. Implementation. 93

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO

59.01.06 - PERSI Retirement Rules

Docket No. **59-0106-1101**

162. Actuarial Assumption Tables (Rule 162). 102

Docket No. **59-0106-1102**

552. Sick Leave Funding Rates (Rule 552). 111

LEGAL NOTICE

Summary of Proposed Rulemakings

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

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

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY 1410 N. Hilton, Boise, ID 83706-1255

**58-0101-1103, Rules for the Control of Air Pollution in Idaho.* (*Public Hearing Scheduled) Streamlines Idaho's rules for Control of Kraft Pulp Mills by removing requirements that are either obsolete or covered by existing federal rules and by clarifying reporting requirements. Comment by June 6, 2011.

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI) P.O. Box 83720, Boise, ID 83720-0078

Retirement Rules of the Public Employee Retirement System of Idaho (PERSI)

59-0106-1101, Adopts new contingent annuitant factors (Table C) for members who retire on or after July 1, 2011. Comment by: 5/25/11

59-0106-1102, Maintains the unused sick leave fund at current levels and cancels scheduled increase in contribution rates for public schools. Comment by: 5/25/11

SCHEDULED NEGOTIATED RULEMAKING MEETINGS

Board of Professional Engineers and Professional Land Surveyors

10-0101-1101, Rules of Procedure (5-11-11)

10-0102-1101, Rules of Professional Responsibility (5-11-11)

10-1004-1101, Rules of Continuing Professional Development (5-11-11)

Department of Health and Welfare

16-0309-1101, Medicaid Basic Plan Benefits (5/16/11)

Department of Environmental Quality

58-0102-1101, Water Quality Standards (5/25/11)

Please refer to the Idaho Administrative Bulletin, [May 4, 2011, Volume 11-5](#), for all rulemaking notices and for the text of temporary, proposed and final rules, public hearings and negotiated rulemaking meeting schedules, Governor's executive orders, and agency contact information.

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

Office of the Administrative Rules Coordinator, Dept. of Administration, PO Box 83720, Boise, ID 83720-0306
Phone: 208-332-1820; Fax: 332-1896; Email: rulescoordinator@adm.idaho.gov

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Idaho Department of Administration
Office of the Administrative Rules Coordinator*

July 1, 1993 -- Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

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

ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Idaho Department of Administration
Office of the Administrative Rules Coordinator*

March 29, 2010 -- May 4, 2011

*(eff. *PLR) - Final Rule Adoption Date Pending Legislative Review And Approval*

(eff. date)L - Denotes Adoption by Legislative Action

(eff. date)T - Temporary Rule Effective Date

SCR # - denotes the number of a Senate Concurrent Resolution (Legislative Action)

HCR # - denotes the number of a House Concurrent Resolution (Legislative Action)

*(This Abridged Index includes rules promulgated before March 29, 2010 that have not been
adopted as final rules and all rulemakings being promulgated after March 29, 2010 - Sine Die.)*

IDAPA 02 -- DEPARTMENT OF AGRICULTURE

(Rules of the Idaho State Soil and Water Conservation Commission have been moved from IDAPA 02 and re-indexed under IDAPA 60 pursuant to House Bill 576 - Session Law 279 - 2010 Legislative Session)

60-0000-1001 Notice of Legislative Action Creating the Idaho State Soil and Water Conservation Commission - House Bill 576, Session Law 279, Bulletin Vol. 10-9 (eff. 7-1-10)

02.01.04, Rules Governing the Idaho Preferred TM Promotion Program

02-0104-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7
02-0104-1001 Proposed Rulemaking, Bulletin Vol. 10-10
02-0104-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
02-0104-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.02.14, Rules for Weights and Measures

02-0214-1001 Proposed Rulemaking, Bulletin Vol. 10-8
02-0214-1001 Adoption of Pending Rule, Bulletin Vol. 10-10 (eff. *PLR 2011)
02-0214-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.04.08, Rules Governing Grade A Milk and Milk Products

02-0408-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 10-1-10)T
02-0408-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
02-0408-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.04.09, Rules Governing Methods of Making Sanitation Ratings of Milk Shippers

02-0409-1001 Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-8 (eff. 10-1-10)T
02-0409-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
02-0409-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.04.10, Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers

02-0410-1001 Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-8 (eff. 10-1-10)T
02-0410-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
02-0410-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.04.11, Rules Governing Evaluation of Milk Laboratories

02-0411-1001 Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-8 (eff. 10-1-10)T
02-0411-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
02-0411-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.04.13, Rules Governing Raw Milk

02-0413-1001 Proposed Rulemaking, Bulletin Vol. 10-9
02-0413-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
02-0413-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.04.14, Rules Governing Dairy Waste

02-0414-0902 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-10

02.04.19, Rules Governing Domestic Cervidae

02-0419-1001 Proposed Rulemaking, Bulletin Vol. 10-10
02-0419-1001 Public Hearing, Bulletin Vol. 10-11
02-0419-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
02-0419-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.04.21, Rules Governing the Importation of Animals

- 02-0421-1001 Notice of Temporary Rulemaking, Bulletin Vol. 10-6 (eff. 4-15-10)T - Expires Sine Die 2011
- 02-0421-1002 Proposed Rulemaking, Bulletin Vol. 10-10
- 02-0421-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 02-0421-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.04.29, Rules Governing Trichomoniasis

- 02-0429-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 02-0429-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 02-0429-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.06.02, Rules Pertaining to the Idaho Commercial Feed Law

- 02-0602-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 02-0602-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 02-0602-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.06.10, Rules Governing the Potato Cyst Nematode (*Globodera pallida*)

- 02-0610-0901 Temporary and Proposed Rule, Bulletin Vol. 09-12 (eff. 10-1-09)T
- 02-0610-0901 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 02-0610-0901 Adoption of Pending Rule, Bulletin Vol. 10-10
- 02-0610-0901 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.06.12, Rules Pertaining to the Idaho Commercial Fertilizer Law

- 02-0612-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 02-0612-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 02-0612-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.06.13, Rules Relating to Rapeseed Production and Establishment of Rapeseed Districts in the State of Idaho

- 02-0613-0801 Notice of Intent to Promulgate Rules - Request for Written Comments, Bulletin Vol. 08-9
- 02-0613-0801 Notice of Intent to Promulgate Rules - Request for Written Comments, Bulletin Vol. 08-10
- 02-0613-0801 Notice of Intent to Promulgate Rules - Request for Written Comments, Bulletin Vol. 08-11

02.06.16, Crop Residue Disposal Rules

- 02-0616-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
- 02-0616-1001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 10-12 (eff. *PLR 2011)
- 02-0616-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.06.33, Organic Food Products Rules

- 02-0633-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 02-0633-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 02-0633-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

02.06.41, Rules Pertaining to the Soil and Plant Amendment Act of 2001

- 02-0641-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 02-0641-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 02-0641-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 03 -- STATE ATHLETIC COMMISSION**03.01.01, Rules of the State Athletic Commission**

- 03-0101-1001 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-10
- 03-0101-1001 Adoption of Pending Rule (Fee Rule), Bulletin Vol. 10-12 (eff. *PLR 2011)
- 03-0101-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 04 -- OFFICE OF THE ATTORNEY GENERAL***04.11.01, Idaho Rules of Administrative Procedure of the Attorney General***

- 04-1101-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 04-1101-1001** Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 04-0101-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 05 -- DEPARTMENT OF JUVENILE CORRECTIONS***05.01.01, Rules for Contract Providers***

- 05-0101-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-5 (eff. 3-29-10)T
- 05-0101-1001** Adoption of Pending Rule, Bulletin Vol. 10-8 (eff. *PLR 2011)
- 05-0101-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

05.01.05, Rules for Reintegration Providers

- 05-0105-1001** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 10-11 (eff. 12-1-10)T
- 05-0105-1001** Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 12-1-10)T (eff. *PLR 2011)
- 05-0105-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 06 -- STATE BOARD OF CORRECTION***06.01.01, Rules of the Board of Correction***

- 06-0101-1001** Notice of Proclamation of Rulemaking, Bulletin Vol. 10-10 (eff. 11-5-10)
- 06-0101-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 11-5-10)

IDAPA 07 -- DIVISION OF BUILDING SAFETY***07.01.03, Rules of Electrical Licensing and Registration - General***

- 07-0103-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 9-1-10)T
- 07-0103-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 07-0103-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

07.01.04, Rules Governing Electrical Specialty Licensing

- 07-0104-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 9-1-10)T
- 07-0104-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 07-0104-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

07.01.07, Rules Governing Continuing Education Requirements

- 07-0107-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 07-0107-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 07-0107-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

07.02.05, Rules Governing Plumbing Safety Licensing

- 07-0205-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 9-1-10)T
- 07-0205-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 07-0205-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

07.03.01, Rules of Building Safety

- 07-0301-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 07-0301-1002** Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-10

- 07-0301-1001** Adoption of Pending Rule and Temporary Rule, Bulletin Vol. 10-12 (eff. 1-1-11)T (eff. *PLR 2011)
- 07-0301-1002** Adoption of Pending Rule (Fee Rule), Bulletin Vol. 10-12 (eff. *PLR 2011)
- 07-0301-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 07-0301-1002** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

07.03.11, Rules Governing Manufactured/Mobile Home Industry Licensing

- 07-0311-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 07-0311-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 07-0311-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

07.04.02, Safety Rules for Elevators, Escalators, and Moving Walks

- 07-0402-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 07-0402-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 07-0402-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

07.07.01, Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems

- 07-0701-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 07-0701-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 07-0701-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 08 -- STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION***08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools***

- 08-0111-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0111-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0111-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

08.02.02, Rules Governing Uniformity - State Board of Education Rules

- 08-0202-1001** Proposed Rulemaking, Bulletin Vol. 10-6
- 08-0202-1002** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0202-1003** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0202-1004** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 8-11-10)T
- 08-0202-1001** Vacation of Proposed Rule, Bulletin Vol. 11-1
- 08-0202-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0202-1003** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0202-1004** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0202-1002** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 08-0202-1003** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 08-0202-1004** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

08.02.03, Rules Governing Thoroughness - State Board of Education Rules

- 08-0203-1001** Adoption of Temporary Rule, Bulletin Vol. 10-1 (eff. 11-9-09)T (Expires Sine Die 2011)
- 08-0203-1001** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 08-0203-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0203-1002** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0203-1003** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0203-1004** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 8-11-10)T
- 08-0203-1001** Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 7-1-10)T (eff. *PLR 2011)
- 08-0203-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0203-1003** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0203-1004** Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 11-17-10)T (eff. *PLR 2011)
- 08-0203-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 08-0203-1002** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 08-0203-1003** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 08-0203-1004** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 09 -- DEPARTMENT OF LABOR

09.01.04, Unemployment Insurance Benefit Fraud and Overpayment Rules

- 09-0104-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 09-0104-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 09-0104-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 7-1-10)

09.01.06, Rules of the Appeals Bureau

- 09-0106-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 09-0106-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 09-0106-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 7-1-10)

09.01.30, Unemployment Insurance Benefits Administrative Rules

- 09-0130-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 09-0130-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 09-0130-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 7-1-10)

09.01.35, Unemployment Insurance Tax Administrative Rules

- 09-0135-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 09-0135-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 09-0135-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 7-1-10)

**IDAPA 10 -- IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS**

10.01.01, Rules of Procedure

- 10-0101-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-6
- 10-0101-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 10-0101-1001** Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 10-0101-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 10-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5

10.01.02, Rules of Professional Responsibility

- 10-0102-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-6
- 10-0102-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 10-0102-1001** Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 10-0102-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 10-0102-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5

10.01.04, Rules of Continuing Professional Development

- 10-0104-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5

IDAPA 11 -- IDAHO STATE POLICE

11.03.01, Rules Governing Alcohol Testing, Idaho State Forensic Laboratory

- 11-0301-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 9-1-10)T
- 11-0301-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 11-0301-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

11.05.01, Rules Governing Alcohol Beverage Control

- 11-0501-0902** Temporary Rulemaking, Bulletin Vol. 09-11 (9-1-09)T

- 11-0501-0902** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 11-0501-0902** Proposed Rulemaking, Bulletin Vol. 10-11
- 11-0501-0902** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 11-0501-0902** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

11.10.01, Rules Governing Idaho Public Safety and Security Information System

- 11-1001-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 11-1001-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 11-1001-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

11.11.01, Rules of the Idaho Peace Officer Standards and Training Council (POST)

- 11-1101-1001** Temporary Rulemaking, Bulletin Vol. 10-3 (eff. 1-12-10)T
- 11-1101-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 11-1101-1002** Proposed Rulemaking, Bulletin Vol. 10-10
- 11-1101-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 11-1101-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 11-1101-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 11-1101-1002** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

11.11.02, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers

- 11-1102-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 11-1102-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 11-1102-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

11.11.03, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Probation Officers

- 11-1103-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 11-1103-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 11-1103-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

11.11.04, Rules of the Idaho Peace Officer Standards and Training Council for Correctional Officers and Adult Probation and Parole Officers

- 11-1104-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 11-1104-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 11-1104-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

11.11.05, Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff

- 11-1105-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 11-1105-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 11-1105-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

11.11.06, Rules of the Idaho Peace Officer Standards and Training Council for Misdemeanor Probation Officers

- 11-1106-1001** Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
- 11-1106-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 11-1106-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

***IDAPA 13 -- IDAHO FISH AND GAME COMMISSION AND
THE IDAHO DEPARTMENT OF FISH AND GAME******13.01.02, Public Safety - Idaho Fish and Game Commission***

- 13-0102-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
- 13-0102-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0102-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

13.01.04, Rules Governing Licensing

- 13-0104-1001** Proposed Rulemaking, Bulletin Vol. 10-9
- 13-0104-1002** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
- 13-0104-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0104-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0104-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 13-0104-1002** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

13.01.06, Classification and Protection of Wildlife

- 13-0106-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
- 13-0106-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0106-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

13.01.07, Rules Governing the Taking of Upland Game Animals

- 13-0107-1001P** Notice of Proclamation, Bulletin Vol. 11-1

13.01.08, Rules Governing the Taking of Big Game Animals in the State of Idaho

- 13-0108-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
- 13-0108-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0108-1002P** Notice of Proclamation, Bulletin Vol. 11-1
- 13-0108-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

13.01.09, Rules Governing the Taking of Game Birds in the State of Idaho

- 13-0109-1001** Proposed Rulemaking, Bulletin Vol. 10-9
- 13-0109-1002** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
- 13-0109-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0109-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0109-1003P** Notice of Proclamation, Bulletin Vol. 11-1
- 13-0109-1004P** Notice of Proclamation, Bulletin Vol. 11-1
- 13-0109-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 13-0109-1002** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

13.01.10, Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife

- 13-0110-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
- 13-0110-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0110-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

13.01.14, Rules Governing Falconry

- 13-0114-1001P** Notice of Proclamation, Bulletin Vol. 11-1

13.01.16, The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals

- 13-0116-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
- 13-0116-1002** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 8-18-10)T
- 13-0116-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0116-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0116-1003P** Notice of Proclamation, Bulletin Vol. 11-1
- 13-0116-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 13-0116-1002** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

13.01.17, Rules Governing the Use of Bait for Taking Big Game Animals

- 13-0117-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
- 13-0117-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 13-0117-1001** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 15 -- OFFICE OF THE GOVERNOR

Executive Orders of the Governor

Executive Order No. 2010-01	Bulletin Vol. 10-4	Executive Order No. 2010-02	Bulletin Vol. 10-6
Executive Order No. 2010-03	Bulletin Vol. 10-6	Executive Order No. 2010-04	Bulletin Vol. 10-6
Executive Order No. 2010-05	Bulletin Vol. 10-6	Executive Order No. 2010-06	Bulletin Vol. 10-6
Executive Order No. 2010-07	Bulletin Vol. 10-6	Executive Order No. 2010-08	Bulletin Vol. 10-6
Executive Order No. 2010-09	Bulletin Vol. 10-11	Executive Order No. 2010-10	Bulletin Vol. 10-11
Executive Order No. 2010-11	Bulletin Vol. 10-11	Executive Order No. 2010-12	Bulletin Vol. 10-11
Executive Order No. 2011-01	Bulletin Vol. 11-5	Executive Order No. 2011-02	Bulletin Vol. 11-5

Division of Human Resources and Personnel Commission

IDAPA 28.01.01, "Rules of the Idaho Personnel Commission" were transferred to the Division of Human Resources and Personnel Commission under the Office of the Governor effective July 1, 1999 and redesignated as IDAPA 15.04.01/

15.04.01, Rules of the Division of Human Resources and Personnel Commission

15-0401-1001	Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
15-0401-1002	Proposed Rulemaking, Bulletin Vol. 10-10
15-0401-1001	Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
15-0401-1002	Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
15-0401-1001	OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
15-0401-1002	OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 16 -- DEPARTMENT OF HEALTH AND WELFARE**16.02.02, Rules of the Emergency Medical Services (EMS) Physician Commission**

16-0202-1001	Proposed Rulemaking, Bulletin Vol. 10-7
16-0202-1001	Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
16-0202-1001	OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

16.02.03, Rules Governing Emergency Medical Services

16-0203-0901	Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-5
16-0203-0901	Temporary and Proposed Rulemaking, Bulletin Vol. 09-10 (eff. 7-1-09)T
16-0203-0901	OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
16-0203-1001	Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-9
16-0203-1002	Proposed Rulemaking, Bulletin Vol. 10-9
16-0203-1003	Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-9
16-0203-1001	Vacation of Proposed Rulemaking, Bulletin Vol. 10-12
16-0203-1002	Vacation of Proposed Rulemaking, Bulletin Vol. 10-12
16-0203-1003	Vacation of Proposed Rulemaking, Bulletin Vol. 10-12
16-0203-1101	Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-3
16-0203-0901	OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5

16.02.06, Quality Assurance for Idaho Clinical Laboratories

16-0206-1001	Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-5
16-0206-1001	Proposed Rulemaking, Bulletin (Chapter Repeal) Vol. 10-8
16-0206-1002*	Proposed Rulemaking, Bulletin (Chapter Rewrite) Vol. 10-8
<i>*Changes chapter name from: "Rules Governing Quality Assurance for Idaho Clinical Laboratories" to: "Quality Assurance for Idaho Clinical Laboratories"</i>	
16-0206-1001	Adoption of Pending Rule, (Chapter Repeal) Bulletin Vol. 11-1 (eff. *PLR 2011)
16-0206-1002	Adoption of Pending Rule, (Chapter Rewrite) Bulletin Vol. 11-1 (eff. *PLR 2011)
16-0206-1001	OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
16-0206-1002	OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

16.02.08, Vital Statistics Rules

16-0208-1001	Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-9
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- 16-0208-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
16-0208-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

16.02.11, Immunizations Requirements for Children Attending Licensed Day Care Facilities in Idaho

- 16-0211-1001 Proposed Rulemaking, Bulletin Vol. 10-9
16-0211-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
16-0211-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

16.02.13, State of Idaho Drinking Water Laboratory Certification Program

- 16-0213-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-5
16-0213-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-9
16-0213-1002* Proposed Rulemaking (Chapter Rewrite - Fee Rule), Bulletin Vol. 10-9
*Changes chapter name from: "Rules Governing Certification of Idaho Water Quality Laboratories"
to: "State of Idaho Drinking Water Laboratory Certification Program"
16-0213-1001 Adoption of Pending Fee Rule (Chapter Repeal), Bulletin Vol. 11-1 (eff. *PLR 2011)
16-0213-1002 Adoption of Pending Fee Rule (Chapter Rewrite), Bulletin Vol. 11-1 (eff. *PLR 2011)
16-0213-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)
16-0213-1002 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

16.02.15, Immunization Requirements for Idaho School Children

- 16-0215-1001 Proposed Rulemaking, Bulletin Vol. 10-9
16-0215-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
16-0215-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

16.03.01, Eligibility for Health Care Assistance for Families and Children

- 16-0301-1001 Proposed Rulemaking, Bulletin Vol. 10-7
16-0301-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. (4-1-09)T - (12-19-09)T - (1-1-10)T - (9-1-10)T)
16-0301-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
16-0301-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
16-0301-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
16-0301-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
16-0301-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
16-0301-1003 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
16-0301-1003 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)

16.03.03, Rules Governing Child Support Services

- 16-0303-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
16-0303-1001 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
16-0303-1001 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)

16.03.04, Rules Governing the Food Stamp Program in Idaho

- 16-0304-0902 Temporary Rulemaking, Bulletin Vol. 09-7 (eff. 6-1-09)T (Expires May 31, 2010)
16-0304-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5 (Expires 5-31-10)
16-0304-1001 Temporary Rulemaking, Bulletin Vol. 10-7 (eff. 6-1-10)T (Expires May 31, 2011)
16-0304-1002 Proposed Rulemaking, Bulletin Vol. 10-10
16-0304-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. (12-19-09)T - (1-1-10)T - (7-1-10)T - (10-1-10)T)
16-0304-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
16-0304-1003 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
16-0304-1004 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
16-0304-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
16-0304-1003 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
16-0304-1004 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
16-0304-1004 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)

16.03.05, Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD)

- 16-0305-0904 Temporary and Proposed Rulemaking, Bulletin Vol. 09-12 (eff. (1-1-10)T)

- 16-0305-0904 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 10-4 (eff. (1-1-10)T)
- 16-0305-0904 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 16-0305-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-6 (eff. 7-1-10)T
- 16-0305-1001 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 10-8
- 16-0305-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. (12-19-09)T - (1-1-10)T - (9-1-10)T)
- 16-0305-1002 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 10-10
- 16-0305-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0305-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 16-0305-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 16-0305-0904 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0305-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0305-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0305-1003 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0305-1003 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)

16.03.08, Rules Governing Temporary Assistance for Families in Idaho

- 16-0308-1001 Proposed Rulemaking, Bulletin Vol. 10-5
- 16-0308-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0308-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 16-0308-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0308-1002 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0308-1002 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)

16.03.09, Medicaid Basic Plan Benefits

- 16-0309-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 16-0309-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 9-1-10)T
- 16-0309-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T
- 16-0309-1004 Temporary Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T - *Expires June 30, 2011*
- 16-0309-1002 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0309-1005 Notice of Agency Action Regarding The Adoption of Temporary Rules, Bulletin Vol. 10-11
- 16-0309-1001 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 10-12 (eff. (7-1-10)T, *PLR 2011)
- 16-0309-1005 Temporary Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T - *Expires June 30, 2011*
- 16-0309-1003 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0309-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0309-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0309-1003 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0309-1004 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0309-1005 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0309-1100L Notice of Final Rule - Agency Filing, Bulletin Vol. 11-5 (eff. 3-30-11)
- 16-0309-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5

16.03.10, Medicaid Enhanced Plan Benefits

- 16-0310-0902 Temporary and Proposed Rulemaking, Bulletin Vol. 09-1 (eff. 1-1-09)T
- 16-0310-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 09-6
- 16-0310-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 16-0310-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-5 (eff. 1-1-10)T
- 16-0310-1001 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 10-7
- 16-0310-1002 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7
- 16-0310-1002 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0310-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T
- 16-0310-1004 Temporary Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T (*Expires June 30, 2011*)
- 16-0310-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0310-1005 Temporary and Proposed Rulemaking, Bulletin Vol. 10-11 (eff. 11-1-10)T
- 16-0310-1006 Notice of Agency Action Regarding The Adoption of Temporary Rules, Bulletin Vol. 10-11
- 16-0310-1006 Temporary Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T - *Expires June 30, 2011*
- 16-0310-1007 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T
- 16-0310-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

- 16-0310-1003 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0310-1101 Temporary Rulemaking, Bulletin Vol. 11-1 (eff. 9-1-10)T - (1-1-11)T - *Expires June 30, 2011*
- 16-0310-1102 Temporary Rulemaking, Bulletin Vol. 11-1 (eff. 10-1-10)T - *Expires June 30, 2011*
- 16-0310-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0310-1002 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by HCR 12, Bulletin Vol. 11-5 (eff. 7-1-11)
- 16-0310-1003 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by HCR 13, Bulletin Vol. 11-5 (eff. 3-4-11)
- 16-0310-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0310-1004 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0310-1005 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0310-1006 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0310-1007 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0310-1101 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0310-1102 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0310-1002 Notice of Final Rule - Agency Filing, Bulletin Vol. 11-5 (eff. 3-4-11)
- 16-0310-1003 Notice of Final Rule - Agency Filing, Bulletin Vol. 11-5 (eff. 3-4-11)

16.03.13, Consumer-Directed Services

- 16-0313-1001 Adoption of Temporary Rule, Bulletin Vol. 10-1 (eff. 1-1-10)T (Expires 3-29-10)
- 16-0313-1002 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7
- 16-0313-1002 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0313-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0313-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 7-1-11)

16.03.19, Rules Governing Certified Family Homes

- 16-0319-1001 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0319-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0319-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0319-1101 Notice of Public Meetings, Bulletin Vol. 11-5

16.03.21, Developmental Disabilities Agencies (DDA)

- 16-0321-1001 Proposed Rulemaking (New Chapter), Bulletin Vol. 10-9
- 16-0321-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0321-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 7-1-11)

16.03.22, Residential Care or Assisted Living Facilities in Idaho

- 16-0322-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 16-0322-1001 Vacation of Proposed Rulemaking, Bulletin Vol. 10-12

16.03.24, The Medically Indigent Program - Request for Medicaid Eligibility Determination

- 16-0324-1001 Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 10-7 (eff. 7-1-10)T
- 16-0324-1001 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0324-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

16.04.11, Developmental Disabilities Agencies (DDA)

- 16-0411-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7
- 16-0411-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-9
- 16-0411-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0411-1101 Adoption of Temporary Rule, Bulletin Vol. 11-1 (eff. 1-1-11)T (*Expires 6-30-11*)
- 16-0411-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 7-1-11)
- 16-0411-1101 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5

16.05.04, Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding

- 16-0504-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 16-0504-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0504-1001 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by HCR 22, Bulletin Vol. 11-5 (eff. 3-30-11)
- 16-0504-1001 Notice of Final Rule - Agency Filing, Bulletin Vol. 11-5 (eff. 3-30-11)

16.05.06, Criminal History and Background Checks

- 16-0506-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 5-1-10)T - (7-1-10)T
- 16-0506-1002 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-7 (eff. 7-1-10)T
- 16-0506-1001 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 9-1-10)T (eff. *PLR 2011)
- 16-0506-1002 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0506-1001 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by HCR 14, Bulletin Vol. 11-5 (eff. 3-4-11)
- 16-0506-1002 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0506-1001 Notice of Final Rule - Agency Filing, Bulletin Vol. 11-5 (eff. 3-4-11)

16.06.01, Child and Family Services

- 16-0601-1001 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0601-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0601-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

16.06.02, Rules Governing Standards for Child Care Licensing

- 16-0602-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 7-1-10)T
- 16-0602-1002 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-7 (eff. 7-1-10)T
- 16-0602-1003 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0602-1001 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 7-1-10)T (eff. *PLR 2011)
- 16-0602-1002 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0602-1003 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0602-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0602-1002 OAR Omnibus Rulemaking Notice - Rulemaking Rejected by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0602-1003 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0602-1002 Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

16.06.12, Rules Governing the Idaho Child Care Program (ICCP)

- 16-0612-1001 Temporary Rulemaking, Bulletin Vol. 10-4 (eff. 1-1-10)T
- 16-0612-1001 Proposed Rulemaking, Bulletin Vol. 10-5
- 16-0612-1002 Proposed Rulemaking, Bulletin Vol. 10-10
- 16-0612-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0612-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 16-0612-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T
- 16-0612-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0612-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 16-0612-1003 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0612-1003 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)

16.07.37, Children's Mental Health Services

- 16-0737-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-6 (eff. 5-1-10)T
- 16-0737-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0737-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

**16.07.50, Rules and Minimum Standards Governing Non-Hospital, Medically-Monitored
Detoxification/Mental Health Diversion Units**

- 16-0750-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (10-1-10)T
- 16-0750-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0750-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

IDAPA 17 -- INDUSTRIAL COMMISSION**17.02.03, Administrative Rules of the Industrial Commission Under the Worker's Compensation Law -
Security for Compensation**

- 17-0203-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
- 17-0203-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0203-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

**17.02.05, Administrative Rules of the Industrial Commission Under Worker's Compensation Law -
Industrial Commission**

- 17-0205-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 7-1-10)T
- 17-0205-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0205-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

17.02.08, Miscellaneous Provisions

- 17-0208-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
- 17-0208-1002 Proposed Rulemaking (Chapter Rewrite), Bulletin Vol. 10-10
- 17-0208-1001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0208-1002 Adoption of Pending Rule (Chapter Rewrite), Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0208-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 17-0208-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

17.02.09, Medical Fees

- 17-0209-1001 Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
- 17-0209-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0209-1101 Temporary Rulemaking, Bulletin Vol. 11-4 (eff. (4-7-11)T (*Expires under own terms on 12-31-2011*))
- 17-0209-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11 - 1-1-12)

**17.02.10, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law --
Security for Compensation - Insurance Carriers**

- 17-0210-1001 Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
- 17-0210-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0210-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

**17.02.11, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law --
Security for Compensation -- Self-Insured Employers**

- 17-0211-1001 Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
- 17-0211-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0211-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

17.05.01, Rules Under the Crime Victims Compensation Act

- 17-0501-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 7-1-10)T
- 17-0501-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0501-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

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18.01.04, Rules Pertaining to Bail Agents

- 18-0104-1001 Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
- 18-0104-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 18-0104-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

18.01.05, Health Carrier External Review

- 18-0105-0901 Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 09-12 (eff. 1-1-10)T
- 18-0105-0901 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 18-0105-0901 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 18-0105-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

18.01.25, Title Insurance and Title Insurance Agents and Escrow Officers

- 18-0125-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0125-1001 Vacation of Proposed Rulemaking, Bulletin Vol. 10-12

18.01.30, Individual Disability and Group Supplemental Disability Insurance Minimum Standards Rule

- 18-0130-0901** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-5

18.01.47, Valuation of Life Insurance Policies Including the Introduction and Use of New Select Mortality Factors

- 18-0147-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0147-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
18-0147-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

18.01.50, Adoption of the International Fire Code

- 18-0150-1001*** Proposed Rulemaking, Bulletin Vol. 10-10
18-0150-1001* Adoption of Pending Rule and Adoption of Temporary Rule, Bulletin Vol. 10-12 (eff. *PLR 2011, (1-1-11)T)
*Rulemaking changes chapter name to: "Adoption of the International Fire Code"
from: "Adoption of the 2006 International Fire Code"
18-0150-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

18.01.53, Continuing Education

- 18-0153-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0153-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
18-0153-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

18.01.56, Rebates and Illegal Inducements to Obtaining Title Insurance Business

- 18-0156-1001** Proposed Rulemaking, Bulletin Vol. 10-9
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18.01.66, Director's Authority for Companies Deemed to Be in Hazardous Financial Condition

- 18-0166-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0166-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
18-0166-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

18.01.77, Actuarial Opinion and Memorandum Rule

- 18-0177-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0177-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
18-0177-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

18.01.79, Recognition of Preferred Mortality Tables for Use In Determining Minimum Reserve Liabilities

- 18-0179-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0179-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
18-0179-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

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- 19-0101-1001** Proposed Rulemaking, Bulletin Vol. 10-10
19-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
19-0101-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

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- 20-0211-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
- 20-0211-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 20-0211-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

20.02.14, Rules for Selling Forest Products on State-Owned Endowment Lands

- 20-0214-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 20-0214-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 20-0214-1001 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by HCR 10, Bulletin Vol. 11-5 (eff. 3-4-11)
- 20-0214-1001 Notice of Final Rule - Agency Filing, Bulletin Vol. 11-5 (eff. 3-4-11)

20.03.04, The Regulation of Beds, Waters, and Airspace over Navigable Lakes in the State of Idaho

- 20-0304-1001 Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-10
- 20-0304-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 20-0304-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

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- 23-0101-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 23-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 23-0101-1002 Adoption of Temporary Rule, Bulletin Vol. 10-12 (eff. 11-5-10)T
- 23-0101-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 23-0101-1002 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5

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- 24-0101-0902 Temporary and Proposed Rulemaking, Bulletin Vol. 09-12 (eff. 9-18-09)T
- 24-0101-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 24-0101-0902 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 24-0101-0902 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

24.02.01, Rules of the Board of Barber Examiners

- 24-0201-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 24-0201-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 8-11-10)T
- 24-0201-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 24-0201-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 24-0201-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 24-0201-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

24.03.01, Rules of the State Board of Chiropractic Physicians

- 24-0301-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 24-0301-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 24-0301-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

24.06.01, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants

- 24-0601-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 7-28-10)T
- 24-0601-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 24-0601-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

24.08.01, Rules of the State Board of Morticians

- 24-0801-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 24-0801-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

24-0801-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

24.09.01, Rules of the Board of Examiners of Nursing Home Administrators

24-0901-1001 Proposed Rulemaking, Bulletin Vol. 10-10
24-0901-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
24-0901-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

24.13.01, Rules of the Physical Therapy Licensure Board

24-1301-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 7-16-10)T
24-1301-1002 Proposed Rulemaking, Bulletin Vol. 10-10
24-1301-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
24-1301-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
24-1301-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
24-1301-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

24.14.01, Rules of the State Board of Social Work Examiners

24-1401-1001 Proposed Rulemaking, Bulletin Vol. 10-10
24-1401-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
24-1401-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

24.22.01, Rules of the Idaho Liquefied Petroleum Gas Safety Board

24-2201-1001 Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-10
24-2201-1001 Adoption of Pending Fee Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
24-2201-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

24.25.01, Rules of the Idaho Driving Businesses Licensure Board

24-2501-0901 Temporary and Proposed Rulemaking, Bulletin Vol. 09-12 (eff. 10-30-09)T
24-2501-1001 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
24-2501-1001 Proposed Rulemaking (New Chapter - Fee Rule), Bulletin Vol. 10-10
24-2501-0901 Vacation of Proposed Rulemaking, Bulletin Vol. 10-11
24-2501-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
24-2501-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

24.26.01, Rules of the Idaho Board of Midwifery

24-2601-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 4-30-10)T
24-2601-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
24-2601-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

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26.01.20, Rules Governing the Administration of Park and Recreation Areas and Facilities

26-0120-1001 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-8 (eff. 7-1-10)T
26-0120-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
26-0120-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

26.01.34, Idaho Protection Against Invasive Species Sticker Rules

26-0134-1001 Proposed Rulemaking, Bulletin Vol. 10-10
26-0134-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
26-0134-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

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- 27-0101-1002 Proposed Rulemaking, Bulletin Vol. 10-10
- 27-0101-1003 Proposed Rulemaking, Bulletin Vol. 10-10
- 27-0101-1004 Proposed Rulemaking, Bulletin Vol. 10-10
- 27-0101-1005 Temporary Rulemaking, Bulletin Vol. 10-11 (eff. 9-30-10)T
- 27-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 27-0101-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 27-0101-1003 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 27-0101-1004 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 27-0101-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 27-0101-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 27-0101-1003 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 27-0101-1004 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)
- 27-0101-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5

IDAPA 30 -- IDAHO COMMISSION FOR LIBRARIES

30.01.01, Rules of the Idaho Commission for Libraries Governing the Use of Commission Services

- 30-0101-1101 Temporary Rulemaking, Bulletin Vol. 11-2 (eff. 12-3-10)T
- 30-0101-1101 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5

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31.01.01, Rules of Procedure of the Idaho Public Utilities Commission

- 31-0101-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-4
- 31-0101-1001 Proposed Rulemaking, Bulletin Vol. 10-7
- 31-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-10
- 31-0101-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

31.11.01, Safety and Accident Reporting Rules for Utilities Regulated by Idaho Public Utilities Commission

- 31-1101-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 31-1101-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 31-1101-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

31.71.03, Railroad Safety and Accident Reporting Rules

- 31-7103-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 31-7103-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 31-7103-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

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32.01.01, Rules Governing the Credit Enhancement Program for School Districts

- 32-0101-1001 Temporary Rulemaking (Fee Rule - New Chapter), Bulletin Vol. 10-5 (eff. 3-30-10)T
- 32-0101-1001 Proposed Rulemaking (Fee Rule - New Chapter), Bulletin Vol. 10-10
- 32-0101-1001 Adoption of Pending Fee Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 32-0101-1001 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 107, Bulletin Vol. 11-5 (eff. 4-7-11)

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34.01.01, Fees for Automated Data Retrieval

- 34-0101-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
- 34-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

34-0101-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

34.01.02, Rules Governing Facsimile Service and Fees

34-0102-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
34-0102-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
34-0102-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 11-5 (eff. 4-7-11)

34.01.03, Rules Governing the Public Access Information System (PAIS)

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- 59-0106-1101 Proposed Rulemaking, Bulletin Vol. 11-5
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IDAPA 60 -- IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

(Rules of the Idaho State Soil and Water Conservation Commission have been moved from IDAPA 02 and re-indexed under IDAPA 60. This action is being done pursuant to the legislative intent of House Bill 576 - Session Law 279 - 2010 Legislative Session)

(These rules were formerly indexed under the Department of Lands (IDAPA 20) and the Department of Agriculture (IDAPA 02) and were governed by the Soil Conservation Commission)

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