

# IDAHO ADMINISTRATIVE BULLETIN

February 1, 2012 -- Volume 12-2

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# **IDAHO ADMINISTRATIVE BULLETIN**

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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 that are statutorily required to be published in the Bulletin. All official rulemaking notices, official rule text, executive orders of the Governor, all legislative documents affecting rules, and other such documents an agency may want promulgated through the Bulletin.

State agencies are required to provide public notice of all proposed rulemaking actions and must invite public input once formal rulemaking procedures have been initiated. The public receives notice that an agency has initiated formal rulemaking procedures through the Idaho Administrative Bulletin and a Public Notice of Intent (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 whether any amendments have been made to the rule, the reader should refer to the **Cumulative Rulemaking Index** that can be accessed through the Administrative Rules homepage at [adminrules.idaho.gov](http://adminrules.idaho.gov).

## 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 incorporate all five of these actions. 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 normally results in the formulation of a proposed and the initiation of formal rulemaking procedures but the result may also be that formal rulemaking is not initiated and no further action is taken by the agency. The rulemaking effectively stops before it gets started.

## **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.

Any proposed rulemaking that is 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: [adminrules.idaho.gov](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: [adminrules.idaho.gov](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**

<b>Vol. No.</b>	<b>Monthly Issue of Bulletin</b>	<b>Closing Date for Agency Filing</b>	<b>Publication Date</b>	<b>21-day Comment Period End Date</b>
11-1	January 2011	<b>*November 19, 2010</b>	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
11-6	June 2011	May 13, 2011	June 1, 2011	June 22, 2011
11-7	July 2011	June 10, 2011	July 6, 2011	July 27, 2011
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	<b>**August 31, 2011</b>	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**

<b>Vol. No.</b>	<b>Monthly Issue of Bulletin</b>	<b>Closing Date for Agency Filing</b>	<b>Publication Date</b>	<b>21-day Comment Period End Date</b>
12-1	January 2012	<b>*November 25, 2011</b>	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 9, 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 4, 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	<b>**August 31, 2012</b>	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 06 - BOARD OF CORRECTION

## 06.01.01 - RULES OF THE BOARD OF CORRECTION

### DOCKET NO. 06-0101-1201

#### NOTICE OF EMERGENCY PROCLAMATION OF RULEMAKING

**EFFECTIVE DATE:** This emergency rule becomes effective on January 11, 2012.

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated emergency rulemaking procedures. Section 20-212, Idaho Code, requires the Idaho State Board of Correction to make rules. Pursuant to Section 20-212(1), Idaho Code, rules of the Idaho State Board of Correction are subject to review of the Idaho State Legislature pursuant to Sections 67-454, 67-5291, and 67-5292, Idaho Code, but no other provisions of chapter 52, title 67, Idaho Code, shall apply to the Board, except as otherwise specifically provided by statute. Under normal circumstances, in accordance with Section 20-212(1) of the Idaho Code, this rule would become final and effective thirty (30) days after the date of publication in the Idaho Administrative Bulletin. However, in accordance with Section 20-212 (1) of the Idaho Code, the Idaho Board of Correction has determined that due to upcoming executions it is necessary that this rule become immediately effective to prevent the public's health, safety, and welfare from being jeopardized.

**PUBLIC HEARING SCHEDULE:** Pursuant to Section 20-212(1), Idaho Code, public hearing(s) concerning this rulemaking will not be scheduled.

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

This emergency rulemaking is necessary to reflect current Idaho Department of Correction (IDOC) practices, standards, policies, procedures, and directives. This emergency rulemaking is further necessary to confer a benefit upon the families of victims and other official witnesses who otherwise would be unable to witness an execution. Board of Correction rule changes are summarized by section(s) as follows:

Section 135 - Executions – This section is being revised to make it consistent with IDOC standard operating procedure 135.02.01.001, *Execution Procedures*. This section is also being revised to give the director of the IDOC flexibility in determining the number of persons allowed in the execution unit. There may be times when a condemned offender received the death penalty for crimes committed in multiple jurisdictions or multiple cases, and therefore adjustments may need to be made to accommodate, for example, persons who were victim to the crime the offender was condemned for. Taking into consideration that there may be multiple victims or official witnesses in multiple jurisdictions, not allowing all appropriate witnesses into the execution unit may jeopardize the public's welfare by preventing victims or official witnesses from participating in an integral part of the criminal justice process.

**FEE SUMMARY:** There is no increase in fees imposed with this rulemaking.

**FISCAL IMPACT:** There is no fiscal impact on general funds for this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was not conducted because Section 20-212(1), Idaho Code, exempts the Idaho State Board of Correction from conducting negotiated rulemaking.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this emergency rulemaking, contact Lorenzo Washington, Policy Coordinator, at (208) 658-2133.

DATED this 10th day of January, 2012.

Lorenzo Washington, Policy Coordinator  
Idaho Department of Correction  
1299 N Orchard St Suite 110

Boise, ID 83706  
Ph: (208)658-2133  
Fax: (208)327-7404

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by the authority vested in me under Section 20-212(1) of the Idaho Code, I do hereby approve this request for emergency rulemaking.



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 11th day of January in the year of our Lord two thousand and twelve 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

\_\_\_\_\_  
BRENT REINKE  
DIRECTOR, IDAHO DEPARTMENT OF CORRECTION

**THE FOLLOWING IS THE TEXT OF DOCKET NUMBER 06-0101-1201**

**135. EXECUTIONS.**

**01. Personnel Assigned to Execution.** Idaho Maximum Security Institution (IMSI) personnel and the Department's administrative team will carry out the execution warrant. The IMSI facility head of the Idaho Maximum Security Institution (or designee) shall be the official executioner. ~~(11-5-99)(1-11-12)~~

**02. Method of Execution.** Execution of the sentence of death shall be by lethal injection. ~~If the director determines that a competent lethal injection team cannot be assembled, execution shall take place by firing squad.~~ ~~(11-5-99)(1-11-12)~~

**03. News Media Coordination.** Department personnel will coordinate news media activity and provide logistics and communications support. A news media center shall be established. The pre-execution briefing will be delivered in the news media center. ~~Media witnesses will be chosen pursuant to Department procedure. The selection of media witnesses will occur in the media center.~~ The post-execution briefing will occur in the news media center. News media witnesses will be chosen pursuant to Department procedure. ~~(11-5-99)(1-11-12)~~

**04. Public Information Officer to Handle News Media Requests.** The director (or designee) will designate a public information officer to deal with execution-related news media requests and releases of information. ~~(11-5-99)(1-11-12)~~

**05. Parking and Demonstration Areas Provided.** Areas for public and news media parking will be provided and maintained in a secure manner. Areas for public gathering and demonstration of support or opposition to the death penalty will be provided and maintained in a secure manner. ~~(11-5-99)(1-11-12)~~

**06. Non-Disclosure.** The Department will not disclose (under any circumstance) the identity of the on-site physician; or staff, contractors, consultants, or volunteers serving on escort or injection medical teams; nor will the Department disclose any other information wherein the disclosure of such information could jeopardize the Department's ability to carry out an execution. ~~(11-4-11)(1-11-12)~~

**07. Persons Allowed in the Execution Unit.** ~~A total of thirty (30) persons, inclusive of the condemned offender, is the limit allowed in the execution unit at any time.~~ The director (or designee) shall have the discretion to determine the number of persons allowed in the execution unit at any time. In exercising this discretion, the director (or designee) shall consider the safe, secure, and orderly operation of the Idaho Maximum Security Institution (IMSI); the interests of the victim's family; and whether multiple death warrants are being executed concurrently. The configuration of the execution unit and the occupants of each room will be in accordance with Department standard operating procedure. ~~Persons allowed in the execution unit are:~~ ~~(11-4-11)(1-11-12)~~

**a.** ~~Idaho Department of Correction (IDOC) and or contract, consultant, or volunteer staff~~ In most instances, the following persons should be allowed in the execution unit: ~~(11-4-11)(1-11-12)~~

**i.** The ~~injection~~ administrative team ~~as identified by the facility head (or designee) of the Idaho Maximum Security Institution (IMSI);~~ ~~(11-4-11)(1-11-12)~~

~~ii.~~ Six (6) The escort staff team; ~~(11-4-11)(1-11-12)~~

iii. The medical team as identified by the Department's administrative team; (1-11-12)

iv. The on-site physician; (1-11-12)

~~iv.~~ The director (or designee); (11-4-11)

~~iii.~~vi. ~~An~~ representative from the Idaho Board of Correction representative; ~~(10-31-08)(1-11-12)~~

~~iv.~~vii. The chief of the Operations Division (or designee); (11-4-11)

~~viii.~~ The IMSI facility head (or designee); and ~~(11-4-11)(1-11-12)~~

~~ix.~~ The following ~~W~~itnesses: ~~(10-31-08)(1-11-12)~~

~~i.~~(1) The Ada County coroner (or deputy coroner); ~~(11-5-99)(1-11-12)~~

~~ii.~~(2) The sheriff from the county of conviction; (11-5-99)

~~iii.~~(3) The prosecuting attorney from the county of conviction; (11-5-99)

~~iv.~~(4) A spiritual advisor of the ~~inmate's~~ offender's choosing; ~~(11-5-99)(1-11-12)~~

~~v.~~(5) The sentencing judge; (11-5-99)

~~vi.~~(6) ~~A representative from~~ The Idaho Governor's office (or his representative); ~~(11-5-99)(1-11-12)~~

~~vii.~~(7) The Idaho Attorney General (or his representative); ~~(11-5-99)(1-11-12)~~

~~viii.~~(8) Two (2) members of the victim's family; (11-4-11)

~~ix.~~(9) Two (2) friends (approved visitors) or members of the offender's family; ~~and~~ ~~(11-4-11)(1-11-12)~~

(10) The offender's attorney of record; and (1-11-12)

~~x.~~(11) ~~A maximum of~~ Four (4) members of the news media pursuant to Subsection 135.03 of these rules. ~~(10-31-08)(1-11-12)~~

**b.** In the event that any of the persons (to include their designee or representative) identified in Subsection 135.07.a. of these rules do not wish to attend the execution, the director (or designee) may approve another individual to attend in that person's place. (1-11-12)

# IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

## 16.03.09 - MEDICAID BASIC PLAN BENEFITS

DOCKET NO. 16-0309-1201

### NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

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

**AUTHORITY:** In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized by Sections 56-202(b), 56-203(g), 56-203(i), 56-250 through 56-257, Idaho Code; also the Patient Protection and Affordable Care Act (Affordable Care Act), P.L. 111-148 (amended Title XIX (Medicaid) of the Social Security Act).

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The federal Affordable Care Act of 2010 requires all state Medicaid programs to cover smoking cessation products for children and pregnant women. This rulemaking aligns this chapter of rules with federal law by adding exemptions for children and pregnant women to the rule that excludes coverage of smoking cessation products.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is being done to comply with deadlines in amendments to governing law or federal programs, in particular, the federal Affordable Care Act (P.L. 111-148).

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

**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 total projected budget impact is \$11,114 (\$3,330 in state funds and \$7,784 in federal funds) for SFY 2012. Any savings from reduced health care costs due to a reduction in smoking related illnesses are not incorporated into this fiscal impact statement.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Matt Wimmer at (208) 364-1989.

DATED this 7th day of December, 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](mailto:dhwrules@dhw.idaho.gov)

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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 16-0309-1201

662. PRESCRIPTION DRUGS: COVERAGE AND LIMITATIONS.

**01. General Drug Coverage.** The Department will pay for those prescription drugs not excluded by Subsection 662.04 of these rules which are legally obtainable by the order of a licensed prescriber whose licensing allows for the prescribing of legend drugs, as defined under Section 54-1705(28), Idaho Code, and which are deemed medically necessary as defined in Section 011 of these rules. (3-30-07)

**02. Dispensing Fee.** Dispensing Fee is defined as the cost of filling a prescription including direct pharmacy overhead and is one (1) of two (2) types: (3-30-07)

**a.** Regular Dose Fee. For services pertaining to the usual practice of pharmacy, including but not limited to: (3-30-07)

i. Interpretation, evaluation, compounding, and dispensing of prescription drug orders; (3-30-07)

ii. Participation in drug selection; (3-30-07)

iii. Drug administration; (3-30-07)

iv. Drug regimen and research reviews; (3-30-07)

v. Proper storage of drugs; (3-30-07)

vi. Maintenance of proper records; (3-30-07)

vii. Prescriber interaction; and (3-30-07)

viii. Patient counseling. (3-30-07)

**b.** Unit Dose Fee. Unit-dose dispensing is defined as a system of providing individually sealed and appropriately labeled unit dose medication that ensures no more than a twenty-four (24) hour supply in any participant's drug tray at any given time. These drug trays, which contain a twenty-four (24) hour supply of medication, must be delivered to the facility at a minimum of five (5) days per week. (3-30-07)

**03. Limitations on Payment.** Medicaid payment for prescription drugs will be limited as follows: (3-30-07)

**a.** Days' Supply. Medicaid will not cover any days' supply of prescription drugs that exceeds the quantity or dosage allowed by these rules. (3-30-07)

**b.** Brand Name Drugs. Medicaid will not pay for a brand name product that is part of the federal upper limit (FUL) or state maximum allowable cost (SMAC) listing when the physician has not specified the brand name drug to be medically necessary. (3-30-07)

**c.** Medication for Multiple Persons. When the medication dispensed is for more than one (1) person, Medicaid will only pay for the amount prescribed for the person or persons covered by Medicaid. (3-30-07)

**d.** No Prior Authorization. Medicaid will not pay for a covered drug or pharmacy item that requires, but has not received, prior authorization for Medicaid payment as required in Section 663 of these rules. (3-30-07)

**e.** Limitations to Discourage Waste. Medicaid may conduct drug utilization reviews and impose limitations for participants whose drug utilization exceeds the standard participant profile or disease management guidelines determined by the Department. (3-30-07)

**04. Excluded Drug Products.** The following categories and specific products are excluded from coverage by Medicaid: (3-30-07)

**a.** Non-Legend Medications. Federal legend medications that change to non-legend status, as well as their therapeutic equivalents regardless of prescription, status unless: (3-30-07)

- i. They are included in Subsection 662.05.b. of these rules; or (3-30-07)
- ii. The Director determines that non-legend drug products are covered based upon appropriate criteria including the following: safety, effectiveness, clinical outcomes of the drug in comparison with other therapeutically interchangeable alternative drugs, cost, and the recommendation of the Pharmacy And Therapeutics Committee. Therapeutically interchangeable is defined in Subsection 663.01.e. of these rules. (3-30-07)
- b. Legend Drugs. Any legend drugs for which federal financial participation is not available. (3-30-07)
- c. Diet Supplements. Diet supplements and weight loss products, except lipase inhibitors when prior authorized as outlined in Section 663 of these rules. (3-30-07)
- d. Amphetamines and Related Products. Amphetamines and related products for cosmetic purposes or weight loss. Amphetamines and related products which are deemed to be medically necessary may be covered if prior authorized as outlined in Section 663 of these rules. (3-30-07)
- e. Ovulation/Fertility Drugs. Ovulation stimulants, fertility drugs, and similar products. (3-30-07)
- f. Impotency Aids. Impotency aids, either as medication or prosthesis. (3-30-07)
- g. Tobacco Cessation Products. Nicotine chewing gum, sprays, inhalers, transdermal patches and related products, with the exception that both legend and non-legend tobacco cessation products will be covered for children and pregnant women when prescribed by their physician. ~~(3-30-07)~~(7-1-11)T
- h. Medications Utilized for Cosmetic Purposes. Medications utilized for cosmetic purposes or hair growth. Prior authorization may be granted for these medications if the Department finds other medically necessary indications. (3-30-07)
- i. Vitamins. Vitamins unless included in Subsection 662.05.a. of these rules. (3-30-07)
- j. Dual Eligibles. Drug classes covered under Medicare, Part D, for Medicaid participants who are also eligible for Medicare. (3-30-07)
- 05. Additional Covered Drug Products.** Additional drug products will be allowed as follows: (3-30-07)
  - a. Therapeutic Vitamins. Therapeutic vitamins may include: (3-30-07)
    - i. Injectable vitamin B12 (cyanocobalamin and analogues); (3-30-07)
    - ii. Vitamin K and analogues; (3-30-07)
    - iii. Pediatric legend vitamin-fluoride preparations; (3-30-07)
    - iv. Legend prenatal vitamins for pregnant or lactating women; (3-30-07)
    - v. Legend folic acid; (3-30-07)
    - vi. Oral legend drugs containing folic acid in combination with Vitamin B12 and/or iron salts, without additional ingredients; ~~and~~ ~~(3-30-07)~~(7-1-11)T
    - vii. Legend vitamin D and analogues: and ~~(3-30-07)~~(7-1-11)T
    - viii. Legend smoking cessation products for children and pregnant women. (7-1-11)T

- b.** Prescriptions for Nonlegend Products. Prescriptions for nonlegend products may include: (3-30-07)
- i. Insulin; (3-30-07)
  - ii. Disposable insulin syringes and needles; (3-30-07)
  - iii. Oral iron salts; *and* ~~(3-30-07)~~(7-1-11)T
  - iv. Permethrin-; *and* ~~(3-30-07)~~(7-1-11)T
  - v. [Smoking cessation products for children and pregnant women.](#) (7-1-11)T

**06. Limitation of Quantities.** Medication refills provided before at least seventy-five percent (75%) of the estimated days' supply has been utilized are not covered, unless an increase in dosage is ordered. Days' supply is the number of days a medication is expected to last when used at the dosage prescribed for the participant. No more than a thirty-four (34) days' supply of continuously required medication is to be purchased in a calendar month as a result of a single prescription with the following exceptions: (3-30-07)

- a.** Doses of Medication. Up to one hundred (100) doses of medication may be dispensed, not to exceed a one hundred (100) day supply for: (3-30-07)
- i. Cardiac glycosides; (3-30-07)
  - ii. Thyroid replacement hormones; (3-30-07)
  - iii. Prenatal vitamins; (3-30-07)
  - iv. Nitroglycerin products - oral or sublingual; (3-30-07)
  - v. Fluoride and vitamin/fluoride combination products; and (3-30-07)
  - vi. Nonlegend oral iron salts. (3-30-07)
- b.** Oral Contraceptive Products. Oral contraceptive products may be dispensed in a quantity sufficient for one (1), two (2), or three (3) cycles. (3-30-07)

# IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

## 24.10.01 - RULES OF THE STATE BOARD OF OPTOMETRY

DOCKET NO. 24-1001-1201

### 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 Section 54-1509, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held as follows:

**Monday, March 5, 2012  
10:15 a.m. to 12:00 p.m.**

**Bureau of Occupational Licenses  
Idaho Room  
700 W State St.  
Boise, ID 83702**

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

The draft of rules being proposed are available on the Board of Optometry's website under proposed laws and rules at [www.ibol.idaho.gov](http://www.ibol.idaho.gov). Interested parties may submit written comments prior to or at the public meeting and/or attend the public meeting to make an oral presentation.

**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:

The Board of Optometry is proposing to amend its rules to bring them up to current standards of practice. A definition is being added; clarifying board meetings; clarifying applications and examinations; clarifying approval of schools of optometry; clarifying continuing education; updating the code of ethics; adding a definition of gross incompetence and correcting a federal code reference; updating prescriptions for spectacle and contact lenses; clarifying patient records; removing the reference to optometry fund from the fees; and finally, updating certification for pharmaceutical agents.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Cherie Simpson at 208 334-3233.

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 March 5, 2012.

DATED this 9th day of January, 2012.

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

# Sections Affected Index

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**IDAPA 06 - BOARD OF CORRECTION**

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

**16.03.09 - Medicaid Basic Plan Benefits**

Docket No. **16-0309-1201**

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# LEGAL NOTICE

## Summary of Proposed Rulemakings

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

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

**There are no proposed rules being promulgated or published in this month's Bulletin.**

Please refer to the Idaho Administrative Bulletin, [February 1, 2012, Volume 12-2](#), for notices and text of all rulemakings, public hearings and negotiated meeting schedules, Governor's executive orders, and agency contact information.

*Issues of the Idaho Administrative Bulletin can be viewed at [adminrules.idaho.gov](http://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](mailto: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.*

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# **ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES**

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

*April 7, 2011 -- February 1, 2012*

*(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 April 7, 2011 that have not been  
adopted as final rules and all rulemakings being promulgated after April 7, 2011 - Sine Die.)*

**IDAPA 02 -- DEPARTMENT OF AGRICULTURE****02.01.04, Rules Governing the Idaho Preferred™ Promotion Program**

- 02-0104-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**02-0104-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.02.14, Rules for Weights and Measures**

- 02-0214-1101** Proposed Rulemaking, Bulletin Vol. 11-8  
**02-0214-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.03.03, Rules Governing Pesticide and Chemigation Use and Application**

- 02-0303-1101** Proposed Rulemaking, Bulletin Vol. 11-8  
**02-0303-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.04.09, Rules Governing Milk and Cream Procurement and Testing**

- 02-0433-1101\*** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7  
*\*Chapter number has been changed (02.04.09) to keep it numerically aligned with the Department's other milk rules*  
**02-0409-1101** Proposed Rulemaking (New Chapter - Fee Rule), Bulletin Vol. 11-10  
**02-0409-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.04.14, Rules Governing Dairy Waste**

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

**02.04.18, Rules Governing CAFO Site Advisory Team**

- 02-0418-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7  
**02-0418-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**02-0418-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.04.20, Rules Governing Brucellosis**

- 02-0420-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 5-1-11)T  
**02-0420-1101** Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 11-12 (eff. (10-1-11)T, \*PLR 2012)

**02.04.26, Rules Governing Livestock Marketing**

- 02-0426-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10  
**02-0426-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.04.30, Rules Governing Nutrient Management**

- 02-0430-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7  
**02-0430-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**02-0430-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.04.32, Rules Governing Poultry Operations**

- 02-0432-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7  
**02-0432-1101** Proposed Rulemaking (New Chapter - Fee Rule), Bulletin Vol. 11-10  
**02-0432-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.04.33, Rules Governing Milk and Cream Procurement and Testing**

- 02-0433-1101\*** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7  
*\*Chapter number has been changed (02.04.09) to keep it numerically aligned with the Department's other milk rules*

**02.06.02, Rules Pertaining to the Idaho Commercial Feed Law**

- 02-0602-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**02-0602-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.06.12, Rules Pertaining to the Idaho Fertilizer Law**

- 02-0612-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**02-0612-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**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 - Negotiated Rulemaking, Bulletin Vol. 08-9  
**02-0613-0801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 08-10  
**02-0613-0801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 08-11

**02.06.20, Rules Governing Grape Planting Stock**

- 02-0620-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**02-0620-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.06.30, Rules Under the Idaho Bee Inspection Law**

- 02-0630-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**02-0630-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**02.06.33, Organic Food Products Rules**

- 02-0633-1101** Proposed Rulemaking, Bulletin Vol. 11-9  
**02-0633-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

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

- 02-0641-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**02-0641-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

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

- 03-0101-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10  
**03-0101-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**IDAPA 05 -- DEPARTMENT OF JUVENILE CORRECTIONS****05.01.02, Rules and Standards for Secure Juvenile Detention Facilities**

- 05-0102-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**05-0102-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**IDAPA 06 -- STATE BOARD OF CORRECTION**

*(Pursuant to Section 20-212, Idaho Code, all rules adopted by Proclamation by the Board of Correction become final and effective 30 days after publication in the Administrative Bulletin unless made effective sooner by an emergency proclamation signed by the Governor)*

**06.01.01, Rules of the Board of Correction**

- 06-0101-1101** Notice of Proclamation of Rulemaking, Bulletin Vol. 11-10 (eff. 11-4-11)  
**06-0101-1201** Notice of Emergency Proclamation of Rulemaking, Bulletin Vol. 12-2 (eff. 1-11-12)

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

- 07-0103-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0103-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***07.01.04, Rules Governing Electrical Specialty Licensing***

**07-0104-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0104-1102** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0104-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**07-0104-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***07.01.05, Rules Governing Examinations***

**07-0105-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0105-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***07.01.06, Rules Governing the Use of National Electrical Code***

**07-0106-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0106-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***07.01.07, Rules Governing Continuing Education Requirements***

**07-0107-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10

**07-0107-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***07.02.05, Rules Governing Plumbing Safety Licensing***

**07-0205-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10

**07-0205-1102** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0205-1103** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0205-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**07-0205-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**07-0205-1103** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***07.02.07, Rules Governing Civil Penalties***

**07-0207-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0207-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

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

**07-0402-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0402-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***07.05.01, Rules of the Public Contractors License Board***

**07-0501-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10

**07-0501-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

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

**07-0701-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0701-1102** Proposed Rulemaking, Bulletin Vol. 11-10

**07-0701-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**07-0701-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***IDAHO 08 -- IDAHO STATE BOARD OF EDUCATION AND  
STATE DEPARTMENT OF EDUCATION***

***08.01.04, Rules Governing Residency Classification***

**08-0104-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**08-0104-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***08.01.09, Rules Governing the GEAR UP Idaho Scholarship Program***

- 08-0109-1101** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 11-10 (eff. 6-24-11)T
- 08-0109-1101** Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 12-1 (eff. (11-3-11)T, \*PLR 2012)

***08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools***

- 08-0111-1101** Temporary Rulemaking, Bulletin Vol. 11-10 (eff. 6-24-11)T
- 08-0111-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0111-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***08.01.14, Idaho Rural Physician Incentive Program***

- 08-0114-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 6-24-11)T
- 08-0114-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***08.02.01, Rules Governing Administration***

- 08-0201-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0201-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***08.02.02, Rules Governing Uniformity***

- 08-0202-1101** Proposed Rulemaking, Bulletin Vol. 11-8
- 08-0202-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1103** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1104** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1105** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1106** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 08-0202-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 08-0202-1103** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 08-0202-1104** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 08-0202-1105** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 08-0202-1106** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***08.02.03, Rules Governing Thoroughness***

- 08-0203-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 5-18-11)T
- 08-0203-1102** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-8
- 08-0202-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0203-1103** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0203-1104** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-11-11)T
- 08-0203-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 08-0203-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 08-0203-1103** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 08-0203-1104** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***IDAPA 09 -- IDAHO DEPARTMENT OF LABOR******09.01.30, Unemployment Insurance Benefits Administration Rules***

- 09-0130-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T
- 09-0130-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

***09.01.35, Unemployment Insurance Tax Administration Rules***

- 09-0135-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T
- 09-0135-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

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

***10.01.01, Rules of Procedure***

- 10-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 10-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-7
- 10-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-9 (eff. \*PLR 2012)

***10.01.02, Rules of Professional Responsibility***

- 10-0102-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 10-0102-1101** Proposed Rulemaking, Bulletin Vol. 11-7
- 10-0102-1101** Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)

***10.01.04, Rules of Continuing Professional Development***

- 10-0104-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 10-0104-1101** Proposed Rulemaking, Bulletin Vol. 11-7
- 10-0104-1101** Adoption of Pending Rule, Bulletin Vol. 11-9 (eff. \*PLR 2012)

***IDAPA 11 -- IDAHO STATE POLICE******11.03.01, Rules Governing Alcohol Testing, Idaho State Forensic Laboratory***

- 11-0301-1201** Temporary Rulemaking, Bulletin Vol. 12-1 (eff. 11-1-11)T

***11.05.01, Rules Governing Alcohol Beverage Control***

- 11-0501-1101** Temporary Rulemaking, Bulletin Vol. 11-7 (eff. 7-6-11)T

***11.10.02, Rules Establishing Fees for Services - Idaho Criminal Justice Information System***

- 11-1002-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 11-1002-1101** Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***11.10.03, Rules Governing the Sex Offender Registry***

- 11-1003-1101** Proposed Rulemaking, Bulletin Vol. 11-11
- 11-1003-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***11.11.01, Rules of the Idaho Peace Officer Standards and Training Council***

- 11-1101-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1101-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1101-1103** Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1101-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 11-1101-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 11-1101-1103** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

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

- 11-1102-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1102-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

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

- 11-1106-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1106-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***IDAPA 12 -- DEPARTMENT OF FINANCE******12.01.10, Rules Pursuant to the Idaho Residential Mortgage Practices Act***

- 12-0110-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 12-0110-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***IDAPA 13 -- IDAHO FISH AND GAME COMMISSION******13.01.02, Rules Governing Public Safety - Idaho Fish and Game Commission***

- 13-0102-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 6-23-11)T
- 13-0102-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***13.01.04, Rules Governing Licensing***

- 13-0104-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- 13-0104-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 13-0104-1103** Temporary Rulemaking, Bulletin Vol. 11-10 (eff. 8-24-11)T (*Expires Sine Die 2012*)
- 13-0104-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 13-0104-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 13-0104-1103** Rescission of Temporary Rule, Bulletin Vol. 12-1

***13.01.05, Rules Governing Fishing Contests***

- 13-0105-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 13-0105-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***13.01.06, Rules Governing Classification and Protection of Wildlife***

- 13-0106-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 13-0106-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

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

- 13-0108-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- 13-0108-1102** Notice of Proclamation, Bulletin Vol. 11-10
- 13-0108-1103** Notice of Proclamation, Bulletin Vol. 11-10
- 13-0108-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***13.01.09, Rules Governing the Taking of Game Birds in the State of Idaho***

- 13-0109-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- 13-0109-1102** Notice of Proclamation, Bulletin Vol. 11-10
- 13-0109-1103** Notice of Proclamation, Bulletin Vol. 11-10
- 13-0109-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***13.01.10, Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife***

- 13-0110-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 13-0110-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***13.01.11, Rules Governing Fish***

- 13-0111-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- 13-0111-1102** Notice of Proclamation, Bulletin Vol. 11-10
- 13-0111-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***13.01.12, Rules Governing Commercial Fishing***

- 13-0112-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 13-0112-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***13.01.16, The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals***

- 13-0116-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- 13-0116-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***IDAPA 15 -- OFFICE OF THE GOVERNOR***

**Executive Orders of the Governor**

Executive Order No. <b>2011-01</b>	Bulletin Vol. 11-5	Executive Order No. <b>2011-02</b>	Bulletin Vol. 11-5
Executive Order No. <b>2011-03</b>	Bulletin Vol. 11-9	Executive Order No. <b>2011-04</b>	Bulletin Vol. 11-9
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Executive Order No. <b>2011-09</b>	Bulletin Vol. 11-9	Executive Order No. <b>2011-10</b>	Bulletin Vol. 11-9
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Executive Order No. <b>2011-13</b>	Bulletin Vol. 11-11		

**Idaho Commission For The Blind And Visually Impaired****15.02.02, Vocational Rehabilitation Services**

<b>15-0202-1101</b>	Proposed Rulemaking, Bulletin Vol. 11-10
<b>15-0202-1101</b>	Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)

**Division Of Human Resources And Personnel Commission****15.04.01, Rules of the Division of Human Resources and Personnel Commission**

<b>15-0401-1101</b>	Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 7-1-11)T
<b>15-0401-1101</b>	Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

**Idaho State Liquor Division****15.10.01, Rules of the Idaho State Liquor Division**

<b>15-1001-1101</b>	Proposed Rulemaking, Bulletin Vol. 11-10
<b>15-1001-1101</b>	Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)

**IDAPA 16 -- DEPARTMENT OF HEALTH AND WELFARE****16.01.01, Emergency Medical Services (EMS) -- Advisory Committee (EMSAC)**

<b>16-0101-1101</b>	Proposed Rulemaking (New Chapter), Bulletin Vol. 11-7
<b>16-0101-1101</b>	Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

**16.01.07, Emergency Medical Services (EMS) -- Personnel Licensing Requirements**

<b>16-0107-1101</b>	Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 11-7 (eff. 7-1-11)T
<b>16-0107-1102</b>	Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-7 (eff. 7-1-11)T
<b>16-0107-1101</b>	Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
<b>16-0107-1102</b>	Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

**16.01.12, Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions**

<b>16-0112-1101</b>	Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 11-7 (eff. 7-1-11)T
<b>16-0112-1101</b>	Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

**16.02.02, Rules of the Idaho Emergency Medical Services (EMS) Physician Commission**

<b>16-0202-1101</b>	Proposed Rulemaking, Bulletin Vol. 11-8
<b>16-0202-1101</b>	Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)

**16.02.03, Emergency Medical Services**

<b>16-0203-0901</b>	Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-5
<b>16-0203-0901</b>	Temporary and Proposed Rulemaking, Bulletin Vol. 09-10 (eff. 7-1-09)T
<b>16-0203-0901</b>	OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
<b>16-0203-1101</b>	Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-3
<b>16-0203-0901</b>	Rescission and Vacation of Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)
<b>16-0203-1101*</b>	Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T
<b>16-0203-1101*</b>	Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

\*Changes chapter name to: "Emergency Medical Services" from: "Rules Governing Emergency Medical Services"

**16.02.25, Fees Charged by the State Laboratory**

- 16-0225-1101 Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-8
- 16-0225-1101 Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**16.03.01, Eligibility for Health Care Assistance for Families and Children**

- 16-0301-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 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)
- 16-0301-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 16-0301-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (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**

- 16-0304-1004 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 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)
- 16-0304-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 2-1-11)T - (3-1-11)T - (11-1-11)T)
- 16-0304-1101 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 12-1 (eff. (2-1-11)T, \*PLR 2012)

**16.03.05, Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD)**

- 16-0305-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 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)
- 16-0305-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. (7-1-11)T)
- 16-0305-1101 Rescission of Temporary Rule/Vacation of Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)
- 16-0305-1102 Proposed Rulemaking, Bulletin Vol. 11-10
- 16-0305-1102 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.03.08, Rules Governing Temporary Assistance for Families in Idaho**

- 16-0308-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 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)
- 16-0308-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 16-0308-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.03.09, Medicaid Basic Plan Benefits**

- 16-0309-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 16-0309-1102 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)
- 16-0309-1103 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)
- 16-0309-1104 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)
- 16-0309-1105 Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 11-1-11)T)
- 16-0309-1106 Proposed Rulemaking, Bulletin Vol. 11-10
- 16-0309-1107 Proposed Rulemaking, Bulletin Vol. 11-10
- 16-0309-1108 Proposed Rulemaking, Bulletin Vol. 11-10
- 16-0309-1102 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)
- 16-0309-1103 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)
- 16-0309-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-12 (eff. 9-28-11)T)
- 16-0309-1104 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)
- 16-0309-1105 Rescission of Temporary Rule/Vacation of Proposed Rulemaking, Bulletin Vol. 12-1.
- 16-0309-1106 Adoption of Pending and Temporary Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012) - (1-1-12)T)
- 16-0309-1107 Adoption of Pending and Temporary Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012) - (1-1-12)T)

- 16-0309-1108 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)  
16-0309-1201 Temporary Rulemaking, Bulletin Vol. 12-2 (eff. 7-1-11)T

**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  
16-0310-1004 Temporary Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T (Expires June 30, 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  
16-0310-1101 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*  
16-0310-1101 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  
16-0310-0902 Rescission/Vacation of Rulemaking, Bulletin Vol. 11-6 (eff. 7-1-11)  
16-0310-1005 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-6 (eff. 11-1-10)T  
16-0310-1007 Rescission of Temporary Rule/Vacation of Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)  
16-0310-1101 Notice of Rescission of Temporary Rule, Bulletin Vol. 11-8 (eff. 7-1-11)  
16-0310-1103 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T  
16-0310-1104 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T  
16-0310-1105 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T  
16-0310-1104 Notice of Public Hearings and Extension of Comment Period, Bulletin Vol. 11-9  
16-0310-1103 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)  
16-0310-1104 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 11-12 (eff. (7-1-11)T, \*PLR 2012)  
16-0310-1105 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**16.03.13, Consumer-Directed Services**

- 16-0313-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T  
16-0313-1101 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 11-12 (eff. (7-1-11)T, \*PLR 2012)

**16.03.18, Medicaid Cost-Sharing**

- 16-0318-1101 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10, eff. (11-1-11)T and (1-1-12)T  
16-0318-1101 Adoption of Pending Fee and Amendment to Temporary Rule, Bulletin Vol. 12-1,  
(eff. (11-1-11)T and (1-1-12)T, \*PLR 2012)

**16.03.19, Rules Governing Certified Family Homes**

- 16-0319-1101 Notice of Public Meetings, Bulletin Vol. 11-5  
16-0319-1101 Temporary and Proposed (Fee Rule) Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T  
16-0319-1101 Notice of Public Hearings and Extension of Comment Period, Bulletin Vol. 11-9  
16-0319-1101 Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.04.11, Developmental Disabilities Agencies (DDA)**

- 16-0411-1101 Adoption of Temporary Rule, Bulletin Vol. 11-1 (eff. 1-1-11)T (*Expires 6-30-11*)  
16-0411-1101 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5

**16.04.14, Rules Governing the Low Income Home Energy Assistance Program**

- 16-0414-1101 Proposed Rulemaking, Bulletin Vol. 11-10  
16-0414-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.04.17, Rules Governing Residential Habilitation Agencies**

- 16-0417-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-9 (8-5-11)T  
16-0417-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.05.01, Use and Disclosure of Department Records**

- 16-0501-1101 Proposed Rulemaking, Bulletin Vol. 11-9  
16-0501-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.05.04, Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding**

- 16-0504-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T  
16-0504-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.05.06, Criminal History and Background Checks**

- 16-0506-1101 Proposed Rulemaking, Bulletin Vol. 11-9  
16-0506-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.06.01, Child and Family Services**

- 16-0601-1101 Proposed Rulemaking, Bulletin Vol. 11-9  
16-0601-1102 Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-9  
16-0601-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)  
16-0601-1102 Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.06.02, Rules Governing Standards for Child Care Licensing**

- 16-0602-1101 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-7 (eff. 7-1-11)T  
16-0602-1101 Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**16.06.12, Rules Governing the Idaho Child Care Program (ICCP)**

- 16-0612-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T  
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)  
16-0612-1201 Temporary and Proposed Rulemaking, Bulletin Vol. 12-1 (eff. 12-1-11)T

**IDAPA 17 -- INDUSTRIAL COMMISSION**

**17.02.09, Medical Fees**

- 17-0209-1101 Temporary Rulemaking, Bulletin Vol. 11-4 (eff. (4-7-11)T (*Expires under own terms on 12-31-2011*))  
17-0209-1102 Proposed Rulemaking, Bulletin Vol. 11-10  
17-0209-1102 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**17.02.11, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Security for Compensation -- Self-Insured Employers**

- 17-0211-1102 Proposed Rulemaking, Bulletin Vol. 11-10  
17-0211-1102 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**IDAPA 18 -- DEPARTMENT OF INSURANCE**

**18.01.05, Health Carrier External Review**

- 18-0105-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-9 (eff. 7-1-11)T  
18-0105-1101 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)

**18.01.46, Recognition of New Mortality Tables for Use in Determining the Minimum Standard of Valuation for Annuities and Pure Endowment Contracts**

- 18-0146-1101 Proposed Rulemaking, Bulletin Vol. 11-10  
18-0146-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**18.01.50, Adoption of the International Fire Code**

- 18-0150-1101 Proposed Rulemaking, Bulletin Vol. 11-10  
18-0150-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***IDAPA 19 -- BOARD OF DENTISTRY***

***19.01.01, Rules of the Idaho State Board of Dentistry***

- 19-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-8
- 19-0101-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 19-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)
- 19-0101-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***IDAPA 20 -- DEPARTMENT OF LANDS***

***20.03.15, The Issuance of Geothermal Resource Leases***

- 20-0315-1101** Temporary Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T
- 20-0315-1102** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
- 20-0315-1102** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 20-0315-1102** Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

***20.07.02, Conservation Of Crude Oil and Natural Gas in the State of Idaho***

- 20-0702-1101** Temporary Rulemaking, Bulletin Vol. 11-6 (eff. 4-19-11)T
- 20-0702-1102** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
- 20-0702-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 20-0702-1101** Rescission of Temporary Rule, Bulletin Vol. 12-1
- 20-0702-1102** Adoption of Pending and Temporary Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012) - (12-21-11)T

***IDAPA 21 -- DIVISION OF VETERANS SERVICES***

***21.01.07, Rules for Education and Training Programs for Veterans***

- 21-0107-1101** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 11-10 (eff. 8-1-11)T
- 21-0107-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***IDAPA 23 -- BOARD OF NURSING***

***23.01.01, Rules of the Idaho Board of Nursing***

- 23-0101-1002** Adoption of Temporary Rule, Bulletin Vol. 10-12 (eff. 11-5-10)T
- 23-0101-1002** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 23-0101-1002** Proposed Rulemaking, Bulletin Vol. 11-6
- 23-0101-1002** Adoption of Pending Rule, Bulletin Vol. 11-8 (eff. \*PLR 2012)

***IDAPA 24 -- BUREAU OF OCCUPATIONAL LICENSES***

***24.01.01, Rules of the Board of Architectural Examiners***

- 24-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 24-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.04.01, Rules of the Idaho Board of Cosmetology***

- 24-0401-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-8
- 24-0401-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.05.01, Rules of the Board of Drinking Water and Wastewater Professionals***

- 24-0501-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**24-0501-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.10.01, Rules of the State Board of Optometry***

**24-1001-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)

**24-1001-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**24-1001-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-2

***24.11.01, Rules of the State Board of Podiatry***

**24-1101-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10

**24-1101-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.13.01, Rules Governing the Physical Therapy Licensure Board***

**24-1301-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**24-1301-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.14.01, Rules of the State Board of Social Work Examiners***

**24-1401-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**24-1401-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists***

**24-1501-1101** Proposed Rulemaking, Bulletin Vol. 11-10

**24-1501-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.16.01, Rules of the State Board of Dentistry***

**24-1601-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-8

**24-1601-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.17.01, Rules of the State Board of Acupuncture***

**24-1701-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. (8-5-11)T)

**24-1701-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.18.01, Rules of the Real Estate Appraiser Board***

**24-1801-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10

**24-1801-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.19.01, Rules of the Board of Residential Care Facility Administrators***

**24-1901-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)

**24-1901-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.22.01, Rules of the Idaho State Liquefied Petroleum Gas Safety Board***

**24-2201-1101** Proposed Rulemaking, Bulletin Vol. 11-8

**24-2201-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.23.01, Rules of the Speech and Hearing Services Licensure Board***

**24-2301-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)

**24-2301-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***24.25.01, Rules of the Idaho Driving Businesses Licensure Board***

**24-2501-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-8

**24-2501-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

***IDAPA 26 -- DEPARTMENT OF PARKS AND RECREATION***

***26.01.36, Rules Governing the Winter Recreational Parking Permit Program***

**26-0136-1101** Temporary Rulemaking, Bulletin Vol. 11-11 (eff. 1-1-12)T

### ***IDAPA 27 -- BOARD OF PHARMACY***

#### ***27.01.01, Rules of the Idaho State Board of Pharmacy***

- 27-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 27-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-6 (Second Notice)
- 27-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-8 (Third Notice)
- 27-0101-1101** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 11-10
- 27-0101-1102** Proposed Rulemaking (Chapter Rewrite - Fee Rule), Bulletin Vol. 11-10
- 27-0101-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 27-0101-1102** Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

### ***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
- 30-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-6
- 30-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-8 (eff. \*PLR 2012)

### ***IDAPA 31 -- PUBLIC UTILITIES COMMISSION***

#### ***31.11.01, Safety and Accident Reporting Rules for Utilities Regulated by Idaho Public Utilities Commission***

- 31-1101-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 31-1101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

#### ***31.71.03, Railroad Safety and Accident Reporting Rules***

- 31-7103-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 31-7103-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

### ***IDAPA 34 -- SECRETARY OF STATE***

#### ***34.04.02, Rules Governing Business Entity Names***

- 34-0402-1101\*** Temporary and Proposed Rulemaking, Bulletin Vol. 11-11 (eff. 10-6-11)T
- 34-0402-1101\*** Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 12-1 (eff. (10-6-11)T, \*PLR 2012)  
*\*Changes chapter name to: "Rules Governing Business Entity Names" from: "Corporate Name Availability"*

#### ***34.05.01, Rules Governing Farm Products Central Filing System***

- 34-0501-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 4-7-11)T
- 35-0501-1101** Adoption of Pending Rule, Bulletin Vol. 11-8 (eff. \*PLR 2012)

### ***IDAPA 35 -- STATE TAX COMMISSION***

#### ***35.01.01, Income Tax Administrative Rules***

- 35-0101-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 1-1-11)T
- 35-0101-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 35-0101-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)
- 35-0101-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**35.01.02, Idaho Sales and Use Tax Administrative Rules**

- 35-0102-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**35-0102-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**35.01.03, Property Tax Administrative Rules**

- 35-0103-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 1-1-11)T  
**35-0103-1102** Temporary Rulemaking, Bulletin Vol. 11-6 (eff. 1-1-11)T (*Expires Sine Die 2012*)  
**35-0103-1103** Temporary Rulemaking, Bulletin Vol. 11-9 (eff. 7-1-11)T  
**35-0103-1104** Proposed Rulemaking, Bulletin Vol. 11-9  
**35-0103-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)  
**35-0103-1104** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**35.01.05, Motor Fuels Tax Administrative Rules**

- 35-0105-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**35-0105-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**35.01.07, Idaho Kilowatt Hour Tax Administrative Rules**

- 35-0107-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**35-0107-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**35.01.08, Idaho Mine License Tax Administrative Rules**

- 35-0108-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**35-0108-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**35.02.01, Tax Commission Administration and Enforcement Rules**

- 35-0201-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**35-0201-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**IDAPA 37 -- DEPARTMENT OF WATER RESOURCES****37.03.02, Beneficial Use Examination Rules**

- 37-0302-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**37-0302-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**37.03.11, Rules for Conjunctive Management of Surface and Ground Water Resources**

- 37-0311-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-2

**37.03.13, The Water Management Rules**

- 37-0313-9701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 97-12  
**37-0313-9701** Proposed Rulemaking, Bulletin Vol. 98-10  
**37-0313-9701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (2nd Notice), Bulletin Vol. 00-11

**37.03.14, Transfers**

- 37-0314-9801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 98-5

**37.03.15, Water Management Rules - Eastern Snake Plain Aquifer**

- 37-0315-0001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 00-12

**IDAPA 38 -- IDAHO DEPARTMENT OF ADMINISTRATION****38.03.01, Rules Governing Group Insurance**

- 38-0301-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-9 (eff. 7-1-11)T  
**38-0301-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**38.04.06, Rules Governing Prequalification of Contractors on Capitol Building Projects**

- 38-0406-1101** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 11-9  
**38-0406-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. \*PLR 2012)

**IDAPA 39 -- IDAHO TRANSPORTATION DEPARTMENT****39.02.03, Rules Governing Vehicle Dealer's Principle Place of Business**

- 39-0203-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T  
**39-0203-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

**39.02.47, Rules Governing Revocation of Vehicle Registration for Failure to Comply With a Motor Vehicle Emission Inspection Ordinance**

- 39-0247-1101** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 11-8  
**39-0247-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

**39.02.70, Rules Governing Restricted Driving Permits**

- 39-0270-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T  
**39-0270-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

**39.02.72, Rules Governing Administrative License Suspensions**

- 39-0272-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 5-1-11)T  
**39-0272-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

**39.02.75, Rules Governing Names on Driver's Licenses and Identification Cards**

- 39-0275-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T  
**39-0275-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

**39.02.76, Rules Governing Driver's License Renewal-by-Mail Process**

- 39-0276-1101\*** Proposed Rulemaking, Bulletin Vol. 11-10  
**39-0276-1101\*** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)  
\*Changes chapter name from: "Rules Governing Driver's License Renewal-by-Mail Process"  
to: "Rules Governing Driver's License Renewal-by-Mail and Electronic Renewal Process"

**39.03.01, Rules Governing Definitions Regarding Overlegal Permits**

- 39-0301-1101\*** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T  
**39-0301-1101\*** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)  
\*Changes chapter name to: "Rules Governing Definitions Regarding Overlegal Permits"  
from: "Rules Governing Definitions (For Terms Used in Title 03 Dealing With Highway Matters)"

**39.03.16, Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads**

- 39-0316-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T  
**39-0316-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

**39.03.21, Rules Governing Special Permit Fees**

- 39-0321-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-9  
**39-0321-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**39.03.41, Rules Governing Traffic Control Devices**

- 39-0341-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-9 (eff. 9-15-11)T  
**39-0341-1101** Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 11-12 (eff. (9-15-11)T, \*PLR 2012)

**IDAPA 45 -- HUMAN RIGHTS COMMISSION**

**45.01.01, Rules of the Idaho Human Rights Commission**

- 45-0101-1101** Temporary Rulemaking, Bulletin Vol. 11-8 (eff. 5-24-11)T (*Expires Sine Die 2012*)  
**45-0101-1102** Proposed Rulemaking, Bulletin Vol. 11-8  
**45-0101-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**IDAPA 46 -- BOARD OF VETERINARY MEDICAL EXAMINERS****46.01.01, Rules of the Idaho State Board of Veterinary Medical Examiners**

- 46-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-10  
**46-0101-1102** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10  
**46-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)  
**46-0101-1102** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

**IDAPA 52 -- IDAHO STATE LOTTERY COMMISSION****52.01.03, Rules Governing Operations of the Idaho State Lottery**

- 52-0103-1101** Proposed Rulemaking, Bulletin Vol. 11-9  
**52-0103-1101** Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)

**IDAPA 54 -- OFFICE OF THE STATE TREASURER****54.01.01, Reports for Public Bond Issues**

- 54-0101-1101** Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 11-8 (eff. 7-1-10)T  
**54-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. \*PLR 2012)

**IDAPA 57 -- SEXUAL OFFENDER MANAGEMENT BOARD****57.01.01, Rules of the Sexual Offender Management Board**

- 57-0101-1101\*** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T  
**57-0101-1101\*** Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)  
\*Changes IDAPA name to: *SEXUAL OFFENDER MANAGEMENT BOARD* from: *SEXUAL OFFENDER CLASSIFICATION BOARD*; and changes chapter name to: *"Rules of the Sexual Offender Management Board"* from: *"Rules of the Sexual Offender Classification Board"*

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

- 58-0000-1101** Upper Snake Rock Subbasin TMDL (2000 & 2005) City of Twin Falls TSS Revision (HUC ID 17040212), Bulletin Vol. 11-2  
**58-0000-1102** The Black Lake TMDL (HUC 17010303), Bulletin Vol. 11-5  
**58-0000-1103** Addendum to the Bear River/Malad Subbasin Assessment and TMDLs (HUCS 16010102, 16010201, 1610202 & 16010204), Bulletin Vol. 11-8  
**58-0000-1104** The Lolo Creek Tributaries Subbasin Assessment and TMDLs (HUC 17060306), Bulletin Vol. 11-11  
**58-0000-1105** The St. Joe River Temperature TMDL Addendum (HUC 17010304), Bulletin Vol. 11-11  
**58-0000-1106** The Big Lost River TMDL Addendum and Five Year Review (HUC 17040218), Bulletin Vol. 11-12  
**58-0000-1107** Errata to The Big Wood River Watershed Management Plan (HUC 17040219), Bulletin Vol. 11-12  
**58-0000-1201** The Cascade Reservoir Tributary TMDL Addendum (HUC 17050123), Bulletin Vol. 12-1

**58.01.01, Rules for the Control of Air Pollution in Idaho**

- 58-0101-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-6  
**58-0101-1003** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-11

- 58-0101-1003 Proposed Rulemaking, Bulletin Vol. 11-5
- 58-0101-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 7-1-11)T
- 58-0101-1101 Adoption of Pending Rule and Temporary Rulemaking, Bulletin Vol. 11-6 (eff. 4-26-11)T
- 58-0101-1102 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 4-26-11)T
- 58-0101-1003 Adoption of Pending Rule, Bulletin Vol. 11-8 (eff. \*PLR 2012)
- 58-0101-1103 Proposed Rulemaking, Bulletin Vol. 11-8
- 58-0101-1001 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)
- 58-0101-1102 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)
- 58-0101-1103 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)

#### ***58.01.02, Water Quality Standards***

- 58-0102-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 58-0102-1102 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-6
- 58-0102-1103 Proposed Rulemaking, Bulletin Vol. 11-7
- 58-0102-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 6-30-11)T
- 58-0102-1102 Proposed Rulemaking, Bulletin Vol. 11-8
- 58-0102-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)
- 58-0102-1102 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)
- 58-0102-1103 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

#### ***58.01.04, Rules for Administration of Wastewater Treatment Facility Grants***

- 58-0104-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-10
- 58-0104-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 4-26-11)T
- 58-0104-1001 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)

#### ***58.01.05, Rules and Standards for Hazardous Waste***

- 58-0105-1101 Proposed Rulemaking, Bulletin Vol. 11-8
- 58-0105-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. \*PLR 2012)

#### ***58.01.06, Solid Waste Management Rules***

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- 58-0106-1101 Negotiated Rulemaking Terminated, Bulletin Vol. 11-12

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  - 58-0109-1101\* Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)
- \*Changes chapter name from: "Rules Regulating Swine and Poultry Facilities" to: "Rules Regulating Swine Facilities"*

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- 58-0122-1001** Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. \*PLR 2012)

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