

IDAHO ADMINISTRATIVE BULLETIN

March 7, 2012 -- Volume 12-3

Idaho Department of Administration
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Preface

The Idaho Administrative Bulletin is a monthly publication of the Office of the Administrative Rules Coordinator, Department of Administration, pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all administrative rulemaking documents in Idaho 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 **11-1** refers to the first Bulletin issued in calendar year **2011**; Bulletin **12-1** refers to the first Bulletin issued in calendar year **2012**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **12-1** refers to January 2012; Volume No. **12-2** refers to February 2012; and so forth. Example: The Bulletin published in January 2011 is cited as Volume **11-1**. The December 2011 Bulletin is cited as Volume **11-12**.

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.

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

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

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 “-”, (**38-0501-1201**). 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. 38-0501-1201”

“**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**).

“**1201**” 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 2012**. A subsequent rulemaking on this same rule chapter in calendar year 2012 would be designated as “**1202**”. The docket number in this scenario would be 38-0501-**1202**.

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 2012

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

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2013

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
13-1	January 2013	*November 30, 2012	January 2, 2013	January 23, 2013
13-2	February 2013	January 11, 2013	February 6, 2013	February 27, 2013
13-3	March 2013	February 8, 2013	March 6, 2013	March 27, 2013
13-4	April 2013	March 8, 2013	April 3, 2013	April 24, 2013
13-5	May 2013	April 5, 2013	May 1, 2013	May 22, 2013
13-6	June 2013	May 10, 2013	June 5, 2013	June 26, 2013
13-7	July 2013	June 7, 2013	July 3, 2013	July 24, 2013
13-8	August 2013	July 5, 2013	August 7, 2013	August 28, 2013
13-9	September 2013	August 2, 2013	September 4, 2013	September 25, 2013
13-10	October 2013	**August 30, 2013	October 2, 2013	October 23, 2013
13-11	November 2013	October 4, 2013	November 6, 2013	November 27, 2013
13-12	December 2013	November 8, 2013	December 4, 2013	December 25, 2013

****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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THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2011-14

**ESTABLISHING THE OFFICE OF ENERGY RESOURCES WITHIN THE OFFICE OF THE GOVERNOR
REPEALING AND REPLACING EXECUTIVE ORDER 2007-15**

WHEREAS, energy production, generation, transmission and conservation are vital to Idaho; and

WHEREAS, long-term energy supplies are critical to the well-being and future of Idaho; and

WHEREAS, it is the responsibility of state government to explore energy production and employ measures to reduce wasteful, uneconomical and unnecessary uses of energy, which diminish Idaho's energy resources; and

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

1. *Continuation of the "Office of Energy Resources" within the Office of the Governor.*
2. *The term "energy" as used in this Executive Order shall include, but is not be limited to, electricity, oil, natural gas, bio-energy, renewable energy, transportation fuels, and nuclear.*
3. *The Governor shall appoint an administrator (hereafter "Administrator") to lead the Office of Energy Resources (Office). The Administrator shall serve at the pleasure of the Governor and shall be subject to confirmation by the Idaho Senate. The Administrator shall be the official in Idaho designated to oversee energy planning, policy and coordination, and to fulfill the duties provided in this Executive Order.*
4. *Employees of the Office shall retain the employment status they enjoyed prior to the promulgation of this Executive Order. The aforementioned employees shall retain their status until they accept promotion or a new job title at which time their status shall change to non-classified. Employees of the Office hired after the effective date of this Executive Order shall be non-classified for the purposes of Chapter 53, Title 67 of the Idaho Code.*
5. *The duties, powers and authorities of the Office of Energy Resources shall include:*
 - a) *Advising the Governor, the Legislature and other public officials of the State's energy requirements, supply, transmission, management, conservation and efficiency efforts;*
 - b) *Coordinating and cooperating with federal and state agencies, departments and divisions, and local governments on issues concerning the State's energy requirements, supply, transmission, management, conservation and efficiency efforts;*
 - c) *Pursuing and accepting federal delegation of responsibility and authority for matters that affect the energy supply, transmission, management, consumption and conservation by the citizens of Idaho other than energy codes and standards for buildings and those matters under the jurisdiction of the Idaho Public Utilities Commission;*
 - d) *Assisting state agencies, departments, divisions and local governments to secure funding where available for energy conservation projects and renewable energy resource opportunities;*
 - e) *Promoting cost effective energy conservation and utilization of renewable energy resources through public information, education, and other activities;*

- f) *Administering low-interest energy loan programs and other forms of financial assistance for eligible projects to further promote energy efficiency efforts and overall reduced energy consumption in Idaho;*
 - g) *Entering into other agreements or contracts and do that which is necessary to carry out the provisions of this Executive Order and in the performance of other duties as may be directed by the Governor.*
6. *The Office of Energy Resources may accept private contributions, state or federal funds, funds from other public agencies or any other source. The moneys shall be expended solely for the purposes provided in this Executive Order and accounted for as provided by law.*
 7. *All orders, regulations, contracts and licenses which are in effect at the time this Executive Order is signed shall continue in effect according to their terms until modified or terminated.*
 8. *The duties, responsibilities and authority of this Executive Order shall not alter any existing responsibilities, jurisdiction or planning functions of state agencies established by state or federal law; nothing in this Executive Order shall be construed to provide or imply any regulatory authority by the Office of Energy Resources over public utilities that are subject to the jurisdiction of the Idaho Public Utilities Commission.*

This Executive Order shall cease to be effective one year after its entry into force.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 18th day of October in the year of our Lord two thousand and eleven and of the Independence of the United States of America the two hundred thirty-sixth and of the Statehood of Idaho the one hundred twenty-second.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2011-15

ESTABLISHING THE EARLY CHILDHOOD COORDINATING COUNCIL

WHEREAS, early childhood development is directly related to economic development because it improves the quality of the future workforce and creates tremendous cost savings for society; and

WHEREAS, the advancement of early childhood development has had a positive impact on Idaho families and children; and

WHEREAS, through these initiatives, children are healthier and better prepared to enter Idaho's school systems; and

WHEREAS, greater coordination will allow for a more accurate inventory of existing services, programs and initiatives along with an increased understanding of the services available for families and children; and

WHEREAS, the coordination of early childhood initiatives, both public and private, is a priority of the State of Idaho; and

WHEREAS, the consolidation of the Interagency Coordinating Council (Idaho Code Title 16, Chapter 1), and the Early Care and Learning Cross Systems Task Force (Executive Order No. 2004-01) and the Head Start State Advisory Council (2008) will establish greater coordination, communication, and efficiency of early childhood services and initiatives of the State of Idaho; and

WHEREAS, it is in the best interest of families and children in Idaho to build a sustainable infrastructure for early childhood;

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of the State of Idaho do hereby order the creation of the "Early Childhood Coordinating Council" (Council) within the Office of the Governor.

- 1. The Council shall be designated as the state early childhood council and responsible for developing a sustainable and coordinated statewide-plan. This plan will achieve mutually defined goals for early childhood with evidence-based outcomes and approval and support from stakeholders, as well as the Governor, and will:*
 - a. Facilitate the activities of the Council, which will establish an ongoing communication network between state agencies, policymakers, families, stakeholders and communities for the purpose of planning and implementing a coordinated system of early childhood in Idaho;*
 - b. Develop multiagency state partnerships among critical stakeholders;*
 - c. Compile resources and identify information on the current best practices in early childhood systems building;*
 - d. Provide a comprehensive statewide mapping of existing early childhood programs and resources, as well as existing gaps, every three to five years;*
 - e. Align data from multiple systems to follow indicators of well-being for young children and their families.*
 - f. Support partnerships to align current initiatives in support of a comprehensive system of early childhood professional development;*
 - g. Increase public awareness of quality early childhood programs as a critical part of the foundation to promote healthy families and communities; and*

5. *The Council shall assure nationally acceptable standards are used statewide for the coordination and provision of early childhood programs and services.*
6. *The Council shall build and support partnerships that will maximize the use of funding streams and close the gaps in early childhood systems.*
7. *The Council shall offset staffing and operating expenses from any funding it receives.*



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 8th day of November in the year of our Lord two thousand and eleven and of the Independence of the United States of America the two hundred thirty-sixth and of the Statehood of Idaho the one hundred twenty-second.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2012-01

ESTABLISHING THE GOVERNOR'S LEADERSHIP IN NUCLEAR ENERGY (LINE) COMMISSION

WHEREAS, for more than 60 years, the men and women of Idaho National Laboratory (INL) have played a leading role in carrying out President Eisenhower's vision of producing peaceful power from atomic energy; and

WHEREAS, the researchers working at INL brought historic and scientific distinction to the state as the place where a usable amount of electricity was first generated from nuclear energy in 1951, and where a total of 52 pioneering nuclear reactors were designed and built; and

WHEREAS, leadership and vision over the past 60 years, including negotiation of binding agreements between the State of Idaho and INL, have guided successful cleanup efforts of legacy waste at the site, helped transition INL into the nation's lead laboratory for research, development and deployment of nuclear technologies and solidified Idaho's position as one of only eight states to host a multi-program national laboratory; and

WHEREAS, the federal government has established a Blue Ribbon Commission on America's Nuclear Future (BRC) to provide advice, evaluate alternatives, and make recommendations for a new plan to address existing fuel cycle technologies and research and development (R&D) programs, many of which are or can be conducted by INL; and

WHEREAS, today's Idaho National Laboratory performs critical work aimed at solving our state's and nation's most pressing energy, security and environmental challenges and actively involves all three of Idaho's universities in carrying out its mission; and

WHEREAS, the State of Idaho and its citizens have a special interest in seeing INL succeed owing to the scientific, educational and economic benefits it brings to its host state; and

WHEREAS, recent evaluations by Idaho's Commerce and Labor departments have identified a robust and expansive nuclear industries sector in the state ?anchored by INL ?that consists of more than 20 firms that employ thousands of Idahoans, contribute millions of dollars to Idaho's general fund and help realize our state's Project 60 goals; and

WHEREAS, strong leadership is necessary today to ensure the continued vitality of INL and Idaho's growing nuclear industries sector;

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of the State of Idaho do hereby create the Leadership in Nuclear Energy (LINE) Commission.

- 1. The LINE Commission will make recommendations to the Governor on policies and actions of the State of Idaho to support and enhance the long-term viability and mission relevance of Idaho National Laboratory.*
- 2. The LINE Commission will also:*
 - a. Identify opportunities to ensure the unique research capabilities of INL continue to play an important role in our economic growth and the nation's energy security;*
 - b. Review Idaho's efforts to provide a nuclear workforce development program and make recommendations for improvement;*

the Idaho Department of Lands (IDL), the Idaho Bureau of Homeland Security (BHS) and the Idaho State Police (ISP).

8. *The Commission may request comments, information and technical expertise from the American Indian Tribes of Idaho and federal agencies, including but not limited to the U.S. Department of Energy (DOE) and the U.S. Navy.*
9. *The LINE Commission will provide its recommendations to the Governor no later than January 1, 2013.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 1st day of February in the year of our Lord two thousand and twelve and of the Independence of the United States of America the two hundred thirty-sixth and of the Statehood of Idaho the one hundred twenty-second.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.03.01 - RULES OF BUILDING SAFETY

DOCKET NO. 07-0301-1201

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 Sections 39-4107 and 39-4109, Idaho Code.

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

Public meetings are scheduled by the Idaho Building Code Board for April 10, 2012 and June 12, 2012 at the Idaho Division of Building Safety located at 1090 E. Watertower, Meridian, Idaho 83642 at 9:30 a.m. (MST), and via video conferencing at 1250 Ironwood Dr., Suite 220, Coeur d'Alene, Idaho 83814, and 2055 Garrett Way, Building 2, Suite 7, Pocatello, Idaho 83201.

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

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Building Code Board on designated forms available on the Division of Building Safety website at <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meetings to be conducted on the above dates during which the Idaho Building Code Board will allow oral comments or presentations to be made.

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:

Pursuant to Sections 39-4107 and 39-4109, Idaho Code, the Idaho Building Code Board has the authority through the promulgation of rules to adopt and amend building codes which establish the building construction and safety standards in the state of Idaho. These codes include the International Building Code, International Residential Code, International Energy Conservation Code, and the International Existing Building Code. The Building Code Board desires to amend provisions of these codes as it determines necessary through the negotiated rulemaking process. The Board seeks the participation of the affected industry, enforcement jurisdictions, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of amendments to these codes for application in Idaho.

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 Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

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 April 2, 2012.

DATED this 16th day of February, 2012.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83542
Phone: (208) 332-8986
Fax: (877) 810-2840

IDAPA 11 - IDAHO STATE POLICE

11.02.01 - RULES OF THE IDAHO STATE BRAND BOARD

DOCKET NO. 11-0201-1201 (FEE RULE)

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is February 1, 2012.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2901, Idaho Code.

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

A drop in the number of new brands being recorded and fewer brands being renewed has resulted in a decline of needed revenue. This rulemaking increases fees needed to secure the necessary revenue to properly execute the statutory functions of the Brand Board.

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

The adoption of the temporary rule is necessary to update the rule to conform to amendments made to governing law. The temporary rule also confers a benefit to both the agency and stakeholders by averting the immediate danger of the Board not being able to function because of it lacks sufficient revenue to properly carry out its statutory mandates.

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:

The enactment of House Bill 101 after the conclusion of 2011 legislative session increased the caps on certain fees charged by the Idaho Brand Board. During the June 29, 2010 Board meeting, the Board voted to increase certain fees and HB 101 was drafted to put those increases into state law.

The fees being increased in this rulemaking are as follows: the Transfer of Brand Fee is increased to \$50; the Renewal of a Recorded Brand (every 5 years) is increased to \$100; and the Ownership and Transportation Certificate fee is increased to \$35.

This rule change has the potential to increase revenue approximately \$107,000. The increase in revenue will help cover the rising personnel benefit costs, fuel costs, and mileage reimbursement for private vehicle use.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Larry Hayhurst, Brands Inspector, 884-7071 or larry.hayhurst@isp.idaho.gov.

DATED this 23rd day of February, 2012.

Col. G. Jerry Russell, Director
Idaho State Police
700 S. Stratford Dr.
Meridian, ID 83642
Phone: 208-884-7003
Fax: 208-884-7090

THE FOLLOWING IS THE TEXT OF THE TEMPORARY FEE RULE FOR DOCKET NO. 11-0201-1201

034. SCHEDULE OF FEES FOR THE IDAHO STATE BRAND BOARD.

01. Fees. Fees authorized by the State Brand Board and to be collected by the State Brand Inspector are as follows:

SCHEDULE OF FEES		
Recording of a Brand	\$50 initial recording fee plus a \$4020 per year prorated staggered renewal fee every year thereafter	
Transfer of a recorded brand	\$25 50.00	
Renewal of a recorded brand (Every five years)	\$50 100.00	
Duplicate brand registration certificate	\$1.50	
Ownership and transportation certificate	\$23 5.00	
Duplicate ownership and transportation certificate	\$5.00	
Annual inspection equine or bovine	\$5.00	
	CATTLE	HORSES
Brand inspection (per head)	\$.94	\$1.50
Idaho livestock to pasture (per head)	\$.47	\$.75
Minimum auction fee	\$50.00	\$50.00
Minimum field brand inspection fee	\$10.00	\$10.00
Courtesy brand inspection	\$.94	\$1.50

Fees To Be Collected By The State Brand Inspector For Other State Agencies:	
Idaho Beef Council (per head)	\$1.00 50
Idaho Horse Board (per head)	\$3.00
Idaho Department of Agriculture:	
Animal health (per head)	\$.22
Predator control (per head)	\$.04 05

~~(3-19-07)~~(2-1-12)T

02. Due and Payable. Pursuant to Section 25-1160(5), Idaho Code, all brand inspection fees, and all other fees required to be collected by the Brand Inspector are due and payable at the time of inspection, except that livestock owners may make arrangements with a deputy brand inspector to pay for all accumulated brand inspection fees within each seven (7) day period. Failure to comply with this rule will cancel the previously approved schedule and shall make all fees immediately due and payable. Feedlots, currently approved by the Idaho Department of Agriculture, and slaughter plants are exempt from the minimum brand inspection fee. Other minimum brand inspection fees may be waived at the discretion of the State Brand Inspector or District Brand Supervisor. (3-30-01)

IDAPA 11 - IDAHO STATE POLICE
11.02.02 - IDAHO LIVESTOCK DEALER LICENSING
DOCKET NO. 11-0202-1201 (FEE RULE)
NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is February 1, 2012.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2901, Idaho Code.

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

The Idaho Brand Board has 181 licensed Idaho Livestock Dealers and 214 licensed Idaho livestock Representatives. This number has dropped over the years resulting of a decline of needed revenue. This rulemaking increases fees needed to secure the necessary revenue to properly execute the statutory functions of the Brand Board.

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

The adoption of the temporary rule is necessary to update the rule to conform to amendments made to governing law. The temporary rule also confers a benefit to both the agency and stakeholders by averting the immediate danger of the Board not being able to function because of it lacks sufficient revenue to properly carry out its statutory mandates.

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:

The enactment of House Bill 101 after the conclusion of 2011 legislative session increased the caps on certain fees charged by the Idaho Brand Board. During the June 29, 2010 Board meeting, the Board voted to increase certain fees and HB 101 was drafted to put those increases into state law.

The fees were increased in this rulemaking are as follows: The Livestock Dealer Fees are increased from \$40 to \$100; and Livestock Dealer Representative Fees increased from \$15 to \$35.

This rule change has the potential to increase revenue approximately \$12,000. The increase in revenue will help cover the rising personnel benefit costs, fuel costs, and mileage reimbursement for private vehicle use.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Larry Hayhurst, Brands Inspector, 884-7071 or larry.hayhurst@isp.idaho.gov.

DATED this 23rd day of February, 2012.

Col. G. Jerry Russell, Director
Idaho State Police
700 S. Stratford Dr.
Meridian, ID 83642
Phone: 208-884-7003
Fax: 208-884-7090

THE FOLLOWING IS THE TEXT OF THE TEMPORARY FEE RULE FOR DOCKET NO. 11-0202-1201

000. LEGAL AUTHORITY.

The State Brand Board has authority to make rules to implement and administer the provisions of this Title 25, Chapter 33, Idaho Code, relating to livestock dealer licensing. (2-1-12)T

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 11.02.02, "Idaho Livestock Dealer Licensing." (2-1-12)T

02. Scope. These rules provide for the issuance and administration of livestock dealer licenses, the collection of appropriate fees for licensure, the provision of requirements necessary for licensure, and the enforcement of penalties for violations of the provisions of Title 25, Chapter 33, Idaho Code. (2-1-12)T

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (2-1-12)T

003. ADMINISTRATIVE APPEALS.

Administrative appeals under this chapter shall be governed by the rules of administrative procedure of the attorney general, IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (2-1-12)T

004. MAILING ADDRESS AND OFFICE HOURS.

The mailing address of the Idaho State Brand Board is P.O. Box 1177, Meridian, Idaho 83680-1177. Office hours are Monday through Friday, 8 a.m. to 5 p.m. Any or all forms used by the Idaho State Brand Board are available for inspection during office hours at 700 S. Stratford, Meridian, Idaho 83642. (2-1-12)T

~~005.~~ -- ~~0039.~~ (RESERVED)

00410. DEFINITIONS.

As used in these rules, the following terms have the following meanings: (7-1-93)

01. Board. The state brand board created in Title 25, Chapter 11, Idaho Code. (7-1-93)

02. Livestock. Cattle, swine, bison, horses, mules or asses. (7-1-93)

03. Livestock Dealer. Any person who buys, receives or assembles livestock for his own account for resale within twenty (20) days from the date of purchase, or for the account of another person. This term also includes both a person who pays and the person who does not pay the owner or auction market the full purchase price at the time of taking possession of the livestock. (7-1-93)

04. Person. An individual, partnership, corporation, broker, order buyer, video livestock sale or other type of electronic marketing organization, association or other legal entity. (7-1-93)

05. Representative of a Licensee. Any full time employee, agent or other person who buys, receives, sells, or assembles livestock for resale on behalf of a licensed livestock dealer. (7-1-93)

~~005.—010.~~ (RESERVED)

(BREAK IN CONTINUITY OF SECTIONS)

012. APPLICATION FEES.

- 01. Annual Fees.** The annual fees cover the period from July 1 to June 30 of the next year. (7-1-93)
- 02. Livestock Dealer.** The application fee for a livestock dealer license is ~~forty~~ **one hundred** dollars
(~~\$40~~100). ~~(7-1-93)~~(2-1-12)T
- 03. Licensed Dealer.** The application fee for a representative of a licensed dealer is ~~fifteen~~ **thirty-five**
dollars (~~\$15~~35). ~~(7-1-93)~~(2-1-12)T

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

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

DOCKET NO. 16-0305-1201

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 56-202, Idaho Code.

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

Wednesday, April 18, 2012, 1:30 p.m. (MST)

**1720 N. Westgate Dr.
Suite A, Room 131
Boise, ID 83704**

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Attend through a teleconference call at 888-706-6468, PIN 170662;
3. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting;
4. Submit written recommendations and comments to the address below.

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

In response to a petition for rulemaking from the Trust and Estate Professionals of Idaho (TEPI), the Department is initiating negotiated rulemaking to align the asset transfer penalties in IDAPA 16.03.05, "Eligibility for Aid to the Aged, Blind, and Disabled (AABD)," Subsection 723.03 and Section 725, for Medicaid applicants living in the community versus those applicants who reside in a nursing facility.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Shannon Epperley at (208) 334-5969.

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 April 25, 2012.

DATED this 9th day of February, 2012.

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

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.09 - MEDICAID BASIC PLAN BENEFITS

DOCKET NO. 16-0309-1202

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 56-202, 56-264, and 56-1610, Idaho Code.

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

Wednesday, April 18, 2012, 1:30 p.m. (MST)

**1720 N. Westgate Dr.
Suite A, Room 131
Boise, ID 83704**

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Attend through a teleconference call at 888-706-6468, PIN 170662;
3. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting;
4. Submit written recommendations and comments to the address below.

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

In response to a request from the Trust and Estate Professionals of Idaho (TEPI), the Department is initiating negotiated rulemaking regarding asset transfer penalties and the disparity in application between Nursing Home and Home and Community Based Services (HCBS) clients.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Lisa Hettinger at (208) 287-1141.

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 April 25, 2012.

DATED this 9th day of February, 2012.

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

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY
THE GOOSE CREEK SUBBASIN TEMPERATURE TMDL ADDENDUM (HUC 17040211)
DOCKET NO. 58-0000-1202
NOTICE OF FINAL DECISION

AUTHORITY: In compliance with Section 39-3611, Idaho Code, notice is hereby given that this agency has issued a final decision on the Goose Creek Subbasin Temperature Total Maximum Daily Load (TMDL) Addendum.

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

The area covered by the Goose Creek Temperature TMDL Addendum (Hydrologic Unit Code 17040211) addresses five (5) assessment units (AUs)/pollutant combinations, three (3) of which are listed as impaired on Idaho's 2010 Section 303(d) list. DEQ completed TMDLs for all AUs/pollutant combinations deemed water quality impaired. DEQ has submitted this TMDL document to the U.S. Environmental Protection Agency for approval under the Clean Water Act.

AVAILABILITY OF THE TMDL: Electronic copy of the TMDL can be obtained at <http://www.deq.idaho.gov/goose-creek-subbasin> or by contacting Ms. Marti Bridges, TMDL Program Manager, 208-373-0382, marti.bridges@deq.idaho.gov.

Dated this 26th day of January, 2012.

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

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY
THE RAFT RIVER SUBBASIN TEMPERATURE TMDL ADDENDUM (HUC 17040210)
DOCKET NO. 58-0000-1203
NOTICE OF FINAL DECISION

AUTHORITY: In compliance with Section 39-3611, Idaho Code, notice is hereby given that this agency has issued a final decision on the Raft River Subbasin Temperature Total Maximum Daily Load (TMDL) Addendum.

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

The area covered by the Raft River Temperature TMDL Addendum (Hydrologic Unit Code 17040210) addresses three (3) assessment units (AUs)/pollutant combinations, one (1) of which is listed as impaired on Idaho's 2010 Section 303(d) list. DEQ completed TMDLs for all AUs/pollutant combinations deemed water quality impaired. DEQ has submitted this TMDL document to the U.S. Environmental Protection Agency for approval under the Clean Water Act.

AVAILABILITY OF THE TMDL: Electronic copy of the TMDL can be obtained at <http://www.deq.idaho.gov/raft-river-subbasin> or by contacting Ms. Marti Bridges, TMDL Program Manager, 208-373-0382, marti.bridges@deq.idaho.gov.

Dated this 26th day of January, 2012.

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

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY
COEUR D'ALENE LAKE TRIBUTARIES TEMPERATURE TMDL ADDENDUM (HUC 17010303)
DOCKET NO. 58-0000-1204
NOTICE OF FINAL DECISION

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

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

The area covered by the Coeur d'Alene Lake Tributaries Temperature TMDL Addendum (Hydrologic Unit Code 17010303) addresses eighteen (18) assessment units (AUs)/pollutant combinations listed as impaired on Idaho's 2010 § 303(d) list and three (3) unlisted but impaired AUs. DEQ completed TMDLs for all AUs/pollutant combinations deemed water quality impaired. DEQ has submitted this TMDL document to the U.S. Environmental Protection Agency for approval under the Clean Water Act.

AVAILABILITY OF THE TMDL: Electronic copy of the TMDL can be obtained at <http://www.deq.idaho.gov/cda-lake-river-subbasin> or by contacting Ms. Marti Bridges, TMDL Program Manager, 208-373-0382, marti.bridges@deq.idaho.gov.

Dated this 6th day of February, 2012.

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

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.01 - RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

DOCKET NO. 58-0101-1201

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

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

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

MEETING SCHEDULE: The negotiated rulemaking meeting will be held as follows. Additional meetings may be scheduled if necessary. For information regarding participation by telephone or scheduling of additional meetings, contact the undersigned. Requests to participate by telephone must be made by April 2, 2012.

**Wednesday, April 4, 2012
9:00 a.m. to 12:30 p.m. Mountain Time**

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

PRELIMINARY DRAFT: By March 7, 2012, a preliminary draft of the rule can be obtained at www.deq.idaho.gov/58-0101-1201 or by contacting Paula Wilson at paula.wilson@deq.idaho.gov, (208)373-0418.

DESCRIPTIVE SUMMARY: The purpose of this rulemaking is to make various “housekeeping” revisions such as updates for consistency with federal regulations, clarification, and typographical corrections to certain air quality permitting rule sections, related definitions, and the toxic air pollutant sections.

The text of the rule will be drafted by DEQ in conjunction with a negotiating committee made up of persons having an interest in the development of this rule. Members of the regulated community who may be subject to Idaho's air quality rules as well as special interest groups, public officials, or members of the public who have an interest in the regulation of air emissions from sources in Idaho may be interested in participating in this rulemaking.

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the spring of 2012 and then present the final proposal to the Board of Environmental Quality for adoption of a pending rule in the fall of 2012. If adopted by the Board, the pending rule will be reviewed by the 2013 Idaho Legislature.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning this rulemaking, contact Martin Bauer at (208)373-0440, martin.bauer@deq.idaho.gov. For those who cannot participate by attending the scheduled meeting, written comments may be submitted by mail, fax or e-mail at the address below. Written comments on the preliminary draft rule must be received by April 11, 2012. For information regarding submission of written comments on subsequent drafts of the negotiated rule, to receive copies of submitted written comments, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 15th day of February, 2012.

Paula J. Wilson, Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton, Boise, Idaho 83706-1255

Phone: (208)373-0418
Fax: (208)373-0481
Email: paula.wilson@deq.idaho.gov

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO

59.01.03 - CONTRIBUTION RULES FOR THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)

DOCKET NO. 59-0103-1201

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is December 6, 2011.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule. The action is authorized pursuant to Sections 59-1314(1) and 72-1405, Idaho Code.

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

To delay scheduled increase in contribution rates for employers and employees.

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

To delay scheduled increase in contribution rates. Actuarial valuation indicates it is appropriate to delay the currently scheduled increases. Increases will now begin July 1, 2013 rather than July 1, 2012.

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: No negative fiscal impact to the general fund.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Joanna L. Guilfooy, PERSI, 287-9271.

DATED this 25th day of January, 2012.

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

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 59-0103-1201

026. PERSI EMPLOYER GENERAL MEMBER CONTRIBUTION RATE (RULE 26).

The PERSI employer contribution rate as provided in Section 59-1322, Idaho Code, shall be nine point seventy-seven percent (9.77%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point thirty-nine percent (10.39%) of payroll through June 30, 201~~2~~³. Beginning July 1, 201~~2~~³, the rate shall be eleven point thirty-two percent (11.32%) of payroll through June 30, 201~~3~~⁴. Beginning July 1, 201~~3~~⁴, the rate shall be twelve point twenty-four percent (12.24%) of payroll through June 30, 201~~4~~⁵. Beginning July 1, 201~~4~~⁵, the rate shall be thirteen point sixty-five percent (13.65%) of payroll until next determined by the Board.

Statutory Reference: Sections 59-1302(16), 59-1391, 59-1394, and 59-1397, Idaho Code. Cross References: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) ~~(4-7-11)~~(12-6-11)T

027. FIREFIGHTER RETIREMENT FUND EMPLOYER RATE (RULE 27).

The Firefighter Retirement Fund employer rate shall be: (10-1-94)

01. Option I and II Firefighters. For option I and II firefighters hired before October 1, 1980, as follows:

Option I And II Firefighters	
PERSI Employer Contribution Rate:	Ten point eleven percent (10.11%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point seventy-three percent (10.73%) of payroll through June 30, 201 23 . Beginning July 1, 201 23 , the rate shall be eleven point sixty-six percent (11.66%) of payroll through June 30, 201 34 . Beginning July 1, 201 34 , the rate shall be twelve point fifty-eight percent (12.58%) of payroll through June 30, 201 45 . Beginning July 1, 201 45 , the rate shall be thirteen point ninety-nine percent (13.99%) of payroll until next determined by the Board.
Additional Employer Rate:	One percent (1.00%)
Social Security Rate:	Seven point sixty-five percent (7.65%)
Excess Merger Costs:	Seventeen point twenty-four percent (17.24%) until next determined by the Board.
TOTAL Contribution:	Thirty-six percent (36%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be thirty-six point sixty-two percent (36.62%) of payroll through June 30, 201 23 . Beginning July 1, 201 23 , the rate shall be thirty-seven point fifty-five percent (37.55%) of payroll through June 30, 201 34 . Beginning July 1, 201 34 , the rate shall be thirty-eight point forty-seven percent (38.47%) of payroll through June 30, 201 45 . Beginning July 1, 201 45 , the rate shall be thirty-nine point eighty-eight percent (39.88%) of payroll until next determined by the Board.

(4-7-11)(12-6-11)T

02. Class D Firefighters. For class D firefighters (firefighters employed on or after October 1, 1980, by a city or fire district that employs paid firefighters who are participating in the Firefighters' Retirement Fund), as follows:

Class D Firefighters	
PERSI Employer Contribution Rate:	Ten point eleven percent (10.11%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point seventy-three percent (10.73%) of payroll through June 30, 201 23 . Beginning July 1, 201 23 , the rate shall be eleven point sixty-six percent (11.66%) of payroll through June 30, 201 34 . Beginning July 1, 201 34 , the rate shall be twelve point fifty-eight percent (12.58%) of payroll through June 30, 201 45 . Beginning July 1, 201 45 , the rate shall be thirteen point ninety-nine percent (13.99%) of payroll until next determined by the Board.
Excess Merger Costs:	Seventeen point twenty-four percent (17.24%) until next determined by the Board.
TOTAL Contribution:	Twenty-seven point thirty-five percent (27.35%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be twenty-seven point ninety-seven percent (27.97%) of payroll through June 30, 201 23 . Beginning July 1, 201 23 , the rate shall be twenty-eight point nine percent (28.9%) of payroll through June 30, 201 34 . Beginning July 1, 201 34 , the rate shall be twenty-nine point eighty-two percent (29.82%) of payroll through June 30, 201 45 . Beginning July 1, 201 45 , the rate shall be thirty one point twenty-three percent (31.23%) of payroll until next determined by the Board.

Statutory References: Sections 59-1302(16), 59-1391, 59-1394, 59-1397, 72-1403, and 72-1434, Idaho Code. Cross References: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 7-1-03) (Amended 3-20-04) ~~(4-7-11)~~(12-6-11)T

03. Class E Members. For class E members (general members who meet the definition of paid firefighter under Section 59-1391(f), Idaho Code, but are not firefighters as defined in Section 59-1302(16), Idaho Code) the employer general member contribution rate as provided in Rule 26, plus the excess merger costs specified in Subsection 027.01. (3-20-04)

028. PERSI EMPLOYER CLASS II CONTRIBUTION RATE (RULE 28).

The PERSI employer contribution rate as provided in Section 59-1322, Idaho Code, for an employee classified as a police officer member excluding those listed in Rule 29 of this chapter when applicable, and firefighters excluding those listed in Rule 27 of this chapter, shall be ten point eleven percent (10.11%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point seventy-three percent (10.73%) of payroll through June 30, 201~~2~~³. Beginning July 1, 201~~2~~³, the rate shall be eleven point sixty-six percent (11.66%) of payroll through June 30, 201~~3~~⁴. Beginning July 1, 201~~3~~⁴, the rate shall be twelve point fifty-eight percent (12.58%) of payroll through June 30, 201~~4~~⁵. Beginning July 1, 201~~4~~⁵, the rate shall be thirteen point ninety-nine percent (13.99%) of payroll until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 7-1-03) (Amended 3-20-04) ~~(4-7-11)~~(12-6-11)T

(BREAK IN CONTINUITY OF SECTIONS)

100. PERSI EMPLOYEE GENERAL MEMBER CONTRIBUTION RATE (RULE 100).

The PERSI employee contribution rate as provided in Section 59-1333, Idaho Code, for all members not classified as police members or firefighters, shall be five point eighty-six percent (5.86%) of salary through June 30, 2004. Beginning July 1, 2004, the rate shall be six point twenty-three percent (6.23%) of salary through June 30, 201~~2~~³. Beginning July 1, 201~~2~~³, the rate shall be six point seventy-nine percent (6.79%) of salary through June 30, 201~~3~~⁴. Beginning July 1, 201~~3~~⁴, the rate shall be seven point thirty-four percent (7.34%) of salary through June 30, 201~~4~~⁵. Beginning July 1, 201~~4~~⁵, the rate shall be eight point nineteen percent (8.19%) of salary until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) ~~(4-7-11)~~(12-6-11)T

101. PERSI EMPLOYEE CLASS II CONTRIBUTION RATE (RULE 101).

The employee contribution rate as provided in Section 59-1334, Idaho Code, for an employee classified as a police officer member is seven point twenty-one percent (7.21%) of salary through June 30, 2004. Beginning July 1, 2004, the rate shall be seven point sixty-five percent (7.65%) of salary through June 30, 201~~2~~³. Beginning July 1, 201~~2~~³, the rate shall be eight point thirty-two percent (8.32%) of salary through June 30, 201~~3~~⁴. Beginning July 1, 201~~3~~⁴, the rate shall be eight point ninety-nine percent (8.99%) of salary through June 30, 201~~4~~⁵. Beginning July 1, 201~~4~~⁵, the rate shall be ten percent (10%) of salary until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) ~~(4-7-11)~~(12-6-11)T

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11.02.02 - Idaho Livestock Dealer Licensing

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IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO

59.01.03 - Contribution Rules for the Public Employee Retirement System of Idaho (PERSI)

Docket No. 59-0103-1201

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LEGAL NOTICE

Summary of Proposed Rulemakings

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

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

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

Please refer to the Idaho Administrative Bulletin, [March 7, 2012, Volume 12-3](#), 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.

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

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

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

July 1, 1993 -- Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

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

ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

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

April 7, 2011 -- March 7, 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)

07.03.01, Rules of Building Safety

07-0301-1201 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-3

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 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

08-0203-1102 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

11.02.01, Rules of the Idaho State Brand Board

- 11-0201-1201** Temporary Rulemaking (Fee Rule), Bulletin Vol. 12-3 (eff. 2-1-12)T

11.02.02, Idaho Livestock Dealer Licensing

- 11-0202-1201** Temporary Rulemaking (Fee Rule), Bulletin Vol. 12-3 (eff. 2-1-12)T

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**

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| Executive Order No. 2011-01 Bulletin Vol. 11-5 | Executive Order No. 2011-02 Bulletin Vol. 11-5 |
| Executive Order No. 2011-03 Bulletin Vol. 11-9 | Executive Order No. 2011-04 Bulletin Vol. 11-9 |
| Executive Order No. 2011-05 Bulletin Vol. 11-9 | Executive Order No. 2011-06 Bulletin Vol. 11-9 |
| Executive Order No. 2011-07 Bulletin Vol. 11-9 | Executive Order No. 2011-08 Bulletin Vol. 11-9 |
| Executive Order No. 2011-09 Bulletin Vol. 11-9 | Executive Order No. 2011-10 Bulletin Vol. 11-9 |
| Executive Order No. 2011-11 Bulletin Vol. 11-9 | Executive Order No. 2011-12 Bulletin Vol. 11-10 |
| Executive Order No. 2011-13 Bulletin Vol. 11-11 | Executive Order No. 2011-14 Bulletin Vol. 12-3 |
| Executive Order No. 2011-15 Bulletin Vol. 12-3 | Executive Order No. 2012-01 Bulletin Vol. 12-3 |

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

- 15-0202-1101** Proposed Rulemaking, Bulletin Vol. 11-10
15-0202-1101 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**

- 15-0401-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 7-1-11)T
15-0401-1101 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**

- 15-1001-1101** Proposed Rulemaking, Bulletin Vol. 11-10
15-1001-1101 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)**

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

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

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

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

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

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

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

16.02.03, Emergency Medical Services

- 16-0203-0901** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-5
 - 16-0203-0901** Temporary and Proposed Rulemaking, Bulletin Vol. 09-10 (eff. 7-1-09)T
 - 16-0203-0901** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
 - 16-0203-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-3
 - 16-0203-0901** Rescission and Vacation of Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)
 - 16-0203-1101*** Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T
 - 16-0203-1101*** 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)
- 16-0305-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-3

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
- 16-0309-1202 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-3

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

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- 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)

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- 23-0101-1002** Adoption of Temporary Rule, Bulletin Vol. 10-12 (eff. 11-5-10)T
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- 24-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)

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- 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)

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

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

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

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- 24-1401-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 24-1401-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)

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

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

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- 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)

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*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*"

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